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Prime Minister's Broadcast

on Medical Benefits Scheme

**BROADCAST ADDRESS TO THE NATION
ON TUESDAY, 22ND MAY 2001
BY**

**HON. LESTER B. BIRD M.P.
ON THE AUDIT REPORT OF THE MEDICAL BENEFITS SCHEME**

Fellow Citizens

I am now in receipt of the final report of Mr Allan Joseph who conducted a forensic audit of the Medical Benefits Scheme.

I know that this matter has troubled many sectors of our community for many months. However, our nation should take heart that, despite the wait, our traditions of fair play, freedom of expression and our democratic processes are stronger and more resilient for the experience.

The right of the press to be vigilant has been upheld, and so too has the absolute right of due process.

From the outset, I had said that, before I could take any action, I required to be advised by an independent investigation with access to all information, and not just selected documents that were obtained by the press. The press has a job to do, and so do I. Our responsibilities to the nation are different.

I am now in a position to take informed action, and I have already taken several steps.

Today, I saw representatives of the Chamber of Commerce, the Christian Council, the Employers Federation, and the Editor of the Outlet, Mr Tim Hector, who initiated the story in the press. I gave each of them a copy of the Report and indicated to them the course of action that I propose to take. I also tried to see the Leader of the Opposition but he had a prior commitment in the Industrial Court.

My purpose in speaking to you now is to inform the nation as a whole of the steps I intend to implement.

The forensic audit is a comprehensive document. It should be made available to the public as a whole. It is my hope that the newspapers will publish the report in its entirety as a swift way of allowing the public to read it. However, whether the newspapers do so or not, I have instructed that the document be printed by the Government Printery and sold to the public at a nominal cost.

The audit reveals a prima facie case for legal action against certain officers of the Medical Benefits Scheme. Therefore, I have transmitted a copy of the final report to the Director of Public Prosecutions with the request that he take such action, as in his own deliberate judgement, is required under the law. I have also sent a copy to the Commissioner of Police for a police investigation to begin and I have advised that he may request assistance from external agencies such as Scotland Yard to help in investigations.

I wish to emphasise that the Director of Public Prosecutions is an independent office under our Constitution. He is not required to answer to any Minister or official for those actions that he properly takes in his official capacity. Therefore, neither the Government nor anyone else can interfere in any way with his work.

In transmitting the document to the Director of Public Prosecutions, I have made it clear that, upon his request, Government will also provide him with any further resources he may need to carry out his duty.

The audit did not find that any Minister acted in any way to defraud the Medical Benefits Scheme. However, it did find that two Ministers displayed a lapse of good judgement where a payment was made for services rendered. There is no dispute that the services were validly rendered and that payment was legitimately due and payable. That is not the issue. The real issue is that the established procedures for payment were not followed.

In the circumstances, I have asked the Governor-General to revoke the appointments, as Ministers, of Mr Bernard Percival and Dr Errol Cort. I shall combine the portfolio now assigned to Mr Percival with the portfolio of Health Minister, John E St Luce, and I intend to appoint Mrs Gertel Thom as Attorney-General. The portfolio of Justice and Legal Affairs will be incorporated into the Prime Minister's Office.

Other aspects of the audit report point to weaknesses in the management and control systems as well as the procurement procedures of the Medical Benefits Scheme. These weaknesses have led to costly transactions if not to a wastage of money.

You will recall that a few weeks ago, after receipt of the preliminary audit report, I asked the Minister of Health to relieve the former members of the Board of the Medical Benefits Scheme of their duties and to appoint a new Board.

I also met today with the Minister of Health and the new Chairman and Board of the Scheme and I have given them a copy of the report complete with its recommendations for changes and the introduction of certain manuals. I have charged the Board with the full implementation of the recommendations and I have asked to be presented, through the Minister of Health, with deadlines by which targets will be met. I have also told the Chairman and the Board that the public must be kept informed on a regular and sustained basis of the actions that are being taken.

Nine months from now, I propose that Mr Joseph shall conduct another audit of the Scheme to ensure that the new controls are established and that there is no abuse of the procedures and systems. That report will also be made public.

Given these actions, there could be no good reason for holding a public inquiry which would be lengthy and costly, and which could reach no other result than to do exactly what I am doing now and that is to hand-over a report to the Director of Public Prosecutions. No Commission of Inquiry has powers to do anything more than to examine documents, listen to what is said and compile a report with recommendations. It has no powers of prosecution, and would have to request the Director of Public Prosecutions to deal with any allegations of criminal actions.

At the end of the day, an Inquiry could also hamper any judicial process that might be implemented since every Court would be compelled to give credence to legal arguments that defendants could not have a fair trial by jury in the light of a public inquiry which would not be subject to the same rules of evidence as a Court.

Fellow Citizens, I truly believe that we have now come to a resolution of the process through which we have passed in the last few months. Where wrong doing or poor judgement has occurred, we want action to address them effectively. This has been done. At the bottom line, our collective interest is to ensure that the Medical Benefits Scheme operates in a manner that serves our people best and that its systems are not ignored and its procedures are not abused.

The experience of the last few months has strengthened not weakened our democratic process. The press remains vibrant. Government remains both attentive and responsible to the country as a whole. We have scrutinised one of our most important institutions and we are correcting its weaknesses not just for the Medical Benefits Scheme but as a lesson for all other organisations of Government.

I urge that we now allow the law to take its course, remembering always that it is the same law to which we are all subject and by which we all governed.

May God continue to give us the wisdom to keep our nation strong and intact.

22nd May 2001