

Transcript – Prime Minister Rowley’s address at the Post Cabinet Press Conference

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Venue: Office of the Prime Minister, St. Clair

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Notes: The Prime Minister reports on the findings of the Las Alturas Commission of Enquiry

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Prime Minister: Good afternoon members of the media, good afternoon members of the national community. Yesterday I received from the President of the Republic of Trinidad and Tobago, the report of the Commission of Enquiry into the Las Alturas residential towers which were built by way of a contract that was awarded through the HDC, having inherited the project from UDeCOTT. A number of towers were built in Morvant as you may remember and two of the towers failed engineering-ly and eventually had to be demolished. The Commission of Inquiry completed its work and submitted this report. This is a hard copy and I just today want to apprise the national community and through you the media what the report am...says. The report has an executive summary which I’ll make available to you the media at this press conference but permit me to take you back to the foundation of this development.

So here it was, UDeCOTT acting on behalf of the Government of Trinidad and Tobago, bought a piece of land in the hills of Morvant and set about to build these units. A number of units were built but UDeCOTT was not progressing in a way that the then PNM Government was satisfied with and I happened to have been the Minister of Housing who went to the Cabinet and asked the Cabinet and got agreement to have this and other projects removed from UDeCOTT and taken over by the Housing Development Corporation, which is a statutory agency whose job it is to build houses of this nature. This was done some time about 2004, 2005 thereabouts.

The particular towers that failed were contracted, I think it was 2009. The contract to build these two towers that failed on a piece of the land that UDeCOTT bought, those contracts were awarded in 2009. So the buildings other than these two towers are there and occupied now and the issue of the Commission of Enquiry was about what happened with the two towers that failed and let me take you to the Newsday of September 19th, 2014 under an appropriate headline called “Utter Madness.” Newsday used that phrase as its headline, “Utter Madness” from the comment that the Prime Minister when she spoke to the Parliament, and in the Newsday report it was made clear that what the Prime Minister of Trinidad and Tobago was doing at the time was going after persons who she felt were politically exposed in that matter and she went on along with Attorney

General Anand Ramlogan. She told the Parliament that she requested documentation on the project to seal the extent of the wastage, financial mismanagement and possible corruption.

I'm quoting the Newsday here; she recalled that she cringed when she heard that 26 million dollar towers would have to be demolished at a cost of 2 million. So that's 26 million plus 2, that's 28 million and that the people of this country had a right to know who is accountable for this construction disaster and she went on to say that what may soon come out is that the new flag bearer, the Member of Parliament for Diego Martin West, his tenure as Minister of Housing is what she's after and I was named in her statement in the Parliament and the...she provided a timeline, I'm quoting Newsday here – she provided a timeline on the project starting on March 31st 2004, when an unanimous decision was taken by the UDeCOTT board to award a contract of 67 million to China Jiangsu for 297 units on the Lady Young Road - and she outlined am...you know, who was on the Board and who was the Minister and so on.

She reported that the names of certain high profile PNM members continued to appear and Senator Faris Al Rawis's name was called and so on and so on and interestingly enough, quoting Newsday again, Persad-Bissessar pointed out that of the 297 apartments that were supposed to be constructed, only 172 were built and questioned what happened to the money for the additional 125. So these were the issues that troubled the Prime Minister at the time resulting in a Commission of Enquiry to get answers for these issues.

So, that was in September 2014. And if I may refresh your memory as to my response to that as the Minister who was named as the Minister of Housing who had something to do with it, and of course, as Opposition Leader I responded. And I am quoting here Newsday again of November 1st 2014. And I am quoting, "While reiterating he (referring to me) and Newsday is quoting me saying, "he is prepared to appear before the Commission of Enquiry if required to do so. Rowley maintained Prime Minister Kamla Persad-Bissessar is aware her administration already has the relevant document and reports it needs to get the answers it wants about this matter. Commenting on this (and I am still quoting Newsday), commenting on this Rowley said "I am a law abiding citizen and I will continue to be even when it is clearly to be seen that other attempt to smear me for their own benefit".

And I went to describe this Commission of Enquiry as a witch hunt and I went on to say that they should try to collect the taxpayers' money from the contractor and I made mention of the statute of limitation that would apply if the Government did not attempt to collect the tax payers' money from the contractor for the two towers that failed, the other towers being ok and were occupied and still remain occupied at this time.

I am quoting Newsday again, "Rowley argued that instead of recovering taxpayers' money through the terms of the contract, we get a political witch hunt organized and directed by the Prime Minister. Saying this would be – and Newsday is quoting me – "an exercise in futility and demonstration of wanton waste to further the benefit of a fortunate few", Rowley claimed the

reason Persad-Bissessar had chosen this course of action is to be able to say that Rowley is under investigation for a matter which has absolutely nothing to do with me. He expressed concerns that this exercise could end up being nothing more than a case of “more money for lawyers” and “a colossal waste of taxpayers’ money”.

So that’s the background. So today we have the report. And simply put, so say so done. The executive summary, which I said I will make available to you points out some very interesting things. First and foremost it tells us nothing we didn’t already know but it collated and states for the benefit of taxpayers now that there were 25 geo-technical, structural and investigative reports on this particular problem - 25 geo-technical, structural and investigative reports and that is exactly what I said to the Prime Minister at the time. All the information surrounding the circumstances of the failure of these two structures were available to the Government at the time that this Commission of Enquiry was initiated. The Commission now confirms that. The causes of the failure? It is the Commission’s view that the foundations of these buildings were inadequate to deal with the problems created by the un-remedied slope in stability. That is the Commission’s finding. Absolutely nothing new - reporting what could have been found and what existed in those 25 reports.

It also concluded that at the very inception that the failure to carry out proper site meetings prior to the purchase of the land resulted in delays and so and so on. And it then concludes that the Board of Directors and the failure of management officials to ensure that there was a full and timely disclosure not only to the respective line Ministry but also to the Minister of Finance as Corporation Sole would have been useful.

With respect to criminal liability, and I am quoting the Commission’s syntax here, “No sufficient evidence was led before the Commission to indicate criminal liability.” That’s their finding. And it also goes on to conclude, “these expenditure in excess were described as a waste of taxpayers’ money and it is therefore right to conclude that such entities be held accountable for such waste of public funds – referring here to the management and Directors of Boards of HDC and UdeCOTT.

Now that is the sum total of this and that’s the sum total of the finding of the Commission of Inquiry. The Commission of Enquiry so far, to date, paid by the Office of the Prime Minister, would have cost \$24.5 million to arrive at those findings which would all be contained in the twenty five (25) reports that were available in the reports that came when the Commission came into being. Over and above the \$24.5million dollars that was paid to support the enquiry by The Office of the Prime Minister, UDeCOTT and the HDC would have paid a number of large millions to lawyers to appear and participate in this charade.

But most importantly is this, the only reasonable useful findings that the Commission could have made, the Commission did not make and it was this. These buildings were being built by a contractor called – China Jiangu, would have been engaged by contractual arrangements with

the State agency, HDC, and if there was a failure as there was and a collapse and the requirement to demolish the product, the contractor had a liability and under the terms of the contract, the State agency HDC and the Government by extension had an avenue and a duty to hold the contractor, under the terms of the contract, liable for what they did not deliver and for any short coming on the part of the contract.

Remember, I told you the contract that was awarded to build those two (2) building had to be demolished was awarded in 2009. The cracks began to appear some time in late 2009- 2010. By the time it became clear that the buildings cannot be salvaged and could not be used, the Government had changed and it was the duty of the new Government and the Board they appointed to go after the contractor before the four year period ended the statute of limitation. Because if you do not go after within the four year period, the contractor will now no longer be available to you to collect for what they did not perform properly.

So between 2010 and 2014, or 2011 and 2015, the same Government that saw it fit to initiate a Commissioner of Enquiry gave us the report I just gave you, studiously, refused to go after the contractor under the terms of the contract and we raised this in the Opposition in the Parliament pointing out to the Government, that you, so interested in what happened in these two buildings, you are required to go after the contractor before the statute of limitation ran out.

The very last time we spoke publicly to the government about this, we pointed out to the Government and the Minister responsible for Housing, you have one more month to go before the statute of limitation runs out. The government did absolutely nothing and allowed the statute of limitation to run out and therefore denied taxpayers the opportunity to hold the contractor liable for his performance or lack thereof, under the contract.

Interestingly enough, I see no finding in the summary of the report that the Board of the HDC of the date and time which had the responsibility as managers of the contract, as client to the contract that, that board should be held accountable for refusing to exercise taxpayers' rights to go after the contractor for the two buildings that had to be demolished. I find that very curious indeed. Because that was the only thing, that would be useful, that a Board under management, that hired a contractor to build two buildings.

The two buildings had to be demolished and those responsible for HDC'S business took no action and allowed the legal opportunity to expire. But instead we have a Commissioner of Enquiry costing about the same price or more than the tower to tell you that they found the 25 reports that existed that said how the building cracked and how the building broke open became dangerous and had to be demolished. That is the findings of the Commissioner of Enquiry and that is the tale of the Commissioner of Enquiry 2014, that the then Prime Minister which is Kamla Persad-Bissessar, launched in the Parliament as a political witch-hunt against myself as Opposition Leader and Member of Parliament for Diego Martin West, and the candidate for San Fernando West, Faris Al- Rawi.

That is what all this was about. It was a political witch- hunt that was doomed to fail, to produce nothing useful to fatten lawyers and the insult to the injury is that, the Government that had the requirement to go after the contractor, flatly and deliberately refused to do so. To add insult to injury, the same contractor failed to appear before the Commissioner of Enquiry because he was too busy building in the new contract that was given to them by the said Government in this matter.

So the full report will be laid in the Parliament library tomorrow and I guess the Parliament would put it on the Parliament website because we have a soft copy and you can go through it in detail. But that is the position of the receipt of the Las Alturas Commissioner of Enquiry.

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