

10th January 2014

The Uff Bluff

On December 11, I wrote '[Invader's Bay Review](#)' in this space, calling for an immediate public review of that improper large-scale development being proposed on reclaimed State lands in west POS. I also took the opportunity to make the point that there had been no consultation on that proposed development and that UDECOTT's repeated public statements that its operations are now compliant with the Uff Report recommendations are false.

[UDECOTT's response](#) was to place full-page advertisements in the three daily newspapers, on Saturday 14 and Sunday 15 December, in an expensive attempt to refute my criticisms. My [letter to the editor](#), carried in this newspaper on the Sunday, put UDECOTT's misleading advertisement in context and reaffirmed the continuing falsehood of their claimed compliance with the Uff Report. The episode is recounted [here](#).

There are several lessons one can draw from this exchange – the sheer hostility to the truth which is now becoming a disturbing '*new normal*' in our society; the invisible hand of the bureaucracy in devising large-scale developments, stated to be for the benefit of citizens, without citizen inputs; the inescapable reality that these obstructive forces operate across and within all our political administrations.

Sunity Maharaj wrote a fine overview of these burning issues in '[Amandla! Now listen to the people](#)' in the 15 December Sunday Express. In that article, Sunity detailed the development of a perverse consultation industry "*Its specialty is in designing events that look like consultation, sound like consultation but do not actually involve consultation...*".

There is a serious challenge facing us here, since there is no will to implement the beneficial recommendations contained in the Uff Report, despite the repeated false promises. The failure to implement those proposals is deeply detrimental to our society as it entrenches the colonial idea that development is not something which really concerns the people of this country. Worse, the deceptive policy of politicians claiming to intend to do the right thing, while doing the underhanded thing, is



Jearlean John, Chairman UDeCOTT

imposing a neo-colonial reality. The State has a duty to be exemplary in its conduct and for the State to fail to do so and to act deceptively in that failure, is to increase cynicism and instability in our society.

In addition to failing to implement the Uff Report recommendations, there was also another significant setback. The Enquiry website - www.constructionenquiry.gov.tt - which held all of the proceedings and evidence, became inaccessible at the end of 2010, about 6 months after the Peoples Partnership electoral victory.

The JCC has been pressing for the implementation of the Uff Report recommendations and the restoration of the Enquiry website. Those efforts have ranged from the Attorney General, who directed us to the Minister of Justice, to the then Minister Volney who ignored our three letters on the matter - see <http://www.jcc.org.tt/uff.htm>. When we pressed-on with Volney's successor, Christlyn Moore, the exchanges were sobering.



Christlyn Moore



Herbert Volney

The two previous Ministers of Justice - Volney and Moore - both claimed that the Uff Report recommendations were to be implemented by the impending Public Procurement legislation. Quite apart from the inordinate delay in bringing these critical new laws into being, that claim is entirely false, since only one of the recommendations, the 56th, relates to new Public Procurement laws. 90 of the 91 recommendations could have been implemented by now with no need to get any new laws passed or any use of valuable Parliamentary time. The JCC's repeated offers to assist and advise in any working party for that purpose have also been ignored. The implementation of those 90 recommendations would have greatly reduced the criminal theft and waste of Public Money with which we are now beset. The failure to implement those recommendations is probably the largest single ingredient in the continuing decline in our *'morality in public affairs'*.

Even worse is the steadfast refusal to reinstate the Uff Enquiry website. There is no way to tell if the website was deliberately removed or if there was a mundane technical reason for its disappearance. What we do know for sure is that there is solid official resistance to even offer a sensible explanation for the continuing refusal to reinstate.

It is critical for us to learn from our errors if we are to avoid a repetition and it is therefore important that we excavate those lessons so that they can be considered. To fail to do that is to thwart the entire move to a 'developed nation status'. Our nation's primary information needs to be properly documented and published so that anyone who wants to learn the lessons can do so.

The evidence in the Uff Enquiry offers a deep, unprecedented insight into the state of affairs in our country and the conduct of our substantial business dealings. That information is first-class primary source material for research and teaching in critical fields such as Government, Finance, Engineering, Surveying, Planning, Economics, Sciences, Law and Management. We cannot become a '*learning society*' if first-class primary information is suppressed. It does not matter how many universities we build or how many pupils we certificate, the ignorance of our own primary information will frustrate the drive to a higher level of education.

On 26 March 2013, then Minister Moore replied to the JCC -

"...It is inappropriate to make available the evidence revealed in the Uff Enquiry at this time as they may ground future criminal enquiry..."

On 23 May, we invited the Minister to reconsider her position, pointing out that -

"...To quote from the final remarks of the Enquiry Chairman, Professor John Uff QC Ph.D. - "...Finally we would like to thank the Press for their continued and expert coverage of the Enquiry; and the public for their unflagging interest in the proceedings. There are few countries in the world where an Enquiry into the construction industry could fill a prime time television slot for over a year. For me it has been a unique experience and I am personally honoured to have had the opportunity, as I hope, to serve the interests of the construction industry and the people of Trinidad & Tobago..." There can therefore be no doubt that the entire proceedings of the Uff Enquiry were published widely..."

This is the Minister of Justice, claiming that our request to reinstate this invaluable website, would amount to '*making the evidence available*'. Evidence which had been widely televised, all day long and rebroadcast at night. I tell you.

The Minister promised to revert to us by the end of June 2013, but that reply never came.

So now UDECOTT's stance is clearer, given the overarching policy of the State on these critical matters of public concern. I maintain that UDECOTT did not conform to the 17th Uff recommendation in its involvement in the Couva Children's Hospital. That recommendation is -

“User groups and other interest groups should be properly consulted on decisions regarding public building projects, to ensure that relevant views can be expressed at the appropriate time and taken into account before decisions are made.” (emphasis mine)

But the current concern goes beyond the ongoing Couva Children's Hospital, since UDECOTT is playing a leading role in the Invader's Bay development. In December 2013, UDECOTT published [full-page Requests for Proposals](#) in the newspapers for Designers for Infrastructure Development of Invader's Bay. UDECOTT is seeking to hire a designer for the infrastructure element of this large-scale development which means that the selected designers would have to conform to the client's instructions in preparing their plans. The client's instructions would have to be based on some kind of concept, proposal or outline. That raises the obvious questions of when were these concepts, proposals or outlines conceived and by whom? Most importantly, who approved these? We know for sure that there has been no consultation with the public, user groups or other interest groups.



So, we are witness to yet another episode of large-scale development being undertaken, in this case by UDECOTT, with none of the promised consultation.

Hence my title - The Uff Bluff.