

Trinidad and Tobago Transparency Institute

MEMORANDUM

Date: 7 May 2010
To: Members and friends
From: Chairman Victor Hart
Subject: **The Uff Report and TTTI**

The Uff Report on the *Commission of Enquiry into the Construction Sector* is now a public document having been laid in Parliament on 6 April 2010¹. History is likely to record that enquiry as being one of the most important and costly undertaken to date in Trinidad and Tobago. TTTI put considerable time and effort into assisting the Enquiry and there are several statements about TTTI and its work in the report that are worth noting by members.

TTTI's message

The Commissioners endorsed TTTI's message in **Recommendation 1(Paragraph 36)**:

Money assigned for public construction projects must not be allowed to be corruptly diverted and thereby stolen from the public.

TTTI commended

The Commissioners wrote in the **Executive Summary, Paragraph 73**:

We commend the advice and recommendations of the Transparency Institute and of Transparency International which was generously provided to the Enquiry.

The Commissioners wrote in **Paragraph 35.3**:

The inquiry is fortunate to have had the benefit of submissions from both the Trinidad and Tobago Transparency Institute (TTTI) and from the world-wide counterpart Transparency International, through the Global Infrastructure Anticorruption Centre and its Director Mr. Neill Stansbury.

TTTI defended

The Commissioners wrote in **Paragraph 28.27**:

The Commissioners consider the attempt to paint the Trinidad & Tobago Transparency Institute to be 'self serving' to be unfounded. There is an unfortunate tendency to mount attacks on the credibility and sincerity of other individuals without proper justification. It is important that any accusations of corrupt practice should be properly based on serious and genuine concern, although it must be accepted that hard evidence will rarely be available.

This defense was mounted in response to accusations made to the Commissioners by Minister Colm Imbert which he repeated in a letter to the *Trinidad Guardian* on 26 March 2010, saying in part:

'With respect to the TTTI, you need to be aware of the fact that several of its key members are closely associated with major players in the construction sector and in its public utterances and method of operation, TTTI displays real and apparent bias. There are construction projects and local contractors that cry out for scrutiny and investigation by TTTI, but it will not dare touch them because of vested interest and interlocking directorates. As a result that organisation has little credibility.'

¹ The report can be downloaded from <http://www.ttparliament.org/reports/20100406-CommEnqConstSect.pdf>

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The Commissioners wrote in **Paragraph 35.5**:

We noted an unfortunate attempt to suggest that both TTTI and Mr. Victor Hart were in some way compromised by the support they had received from Mr. Emile Elias and his companies. We believe this criticism to be entirely misplaced and regret that it was pursued. TTTI and Mr. Hart are both sufficiently experienced and mature as to be capable of repelling any attempt that might be made to compromise their independence.

TTTI's solutions

The Commissioners identified TI and TTTI as having solutions to many of the problems they found in public sector procurement practices and the construction sector. They wrote in **Recommendation 49**:

It should be assumed that the construction industry is vulnerable to potential corruption and steps should be taken to avoid actual corruption following the guidelines and recommended practices laid down by Transparency International and its affiliates.

TTTI vindicated

TTTI approached its participation in the Enquiry with the express intention of assisting the Commissioners in satisfying their Terms of Reference. We examined systems, processes, practices and procedures and not personalities. We avoided accusing any individual or government agency of corruption.

I am satisfied that TTTI's position has been fully vindicated by the Uff Report.

TTTI's participation

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| 13 January 2009 | Chairman made a written submission: <i>Procurement Practices in the Public Procurement Sector.</i> |
| 19 March | <i>Neill Stansbury</i> , Director, Global Infrastructure Anti-Corruption Centre (GIACC), U.K., ('NS') made a written submission: <i>Preventing Corruption on Construction Projects</i> |
| 20 March | Chairman made a written submission: <i>Recommendations For Ensuring Greater Integrity In The Construction Sector</i> |
| 24 March | Chairman took part in a <i>round-table discussion</i> at a public hearing on the Government's <i>White Paper on the Reform of the Public Sector Procurement Regime.</i> |
| 2 April | <i>Neill Stansbury</i> presented at a public hearing his submission on <i>Preventing Corruption on Construction Projects.</i>
Chairman made a presentation at the same hearing on: <i>Anti-Corruption Tools for Construction Projects.</i> |
| 24 April | Chairman made a written submission: <i>The Independence of the Trinidad and Tobago Transparency Institute</i> |
| 16 May | Chairman appeared at a public hearing to answer questions on <i>The Independence of the Trinidad and Tobago Transparency Institute</i> as well as on earlier submissions |
| 29 October | Chairman made a written submission entitled <i>Recommendations on the Reform of the Public Sector Procurement Regime</i> that listed what TTTI considered are essential to any adequate reform of public procurement. This submission was made at the request of Professor Uff. |
| 27 | Chairman made a written submission entitled <i>The Independence of the Trinidad</i> |

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November *and Tobago Transparency Institute - Rebuttal No. 2.*
21 January A report entitled: '*Corruption in the Trinidad and Tobago Construction Industry:*
2010 *Survey 2009*' was submitted to the Enquiry as background information.

[Documents listed above are available under 'Archived Documents' on the "Resources" page of the TTTI website:
[http://www.transparency.org.tt/resources.htm#Archived.](http://www.transparency.org.tt/resources.htm#Archived)]

TTTI's participation in the Enquiry cost approximately \$75,000.00 in cash, funded by a grant from the overseas-based *Partnership for Transparency Fund*. In addition, directors gave many weeks of voluntary time to the project.