



Government of the Republic of Trinidad and Tobago

Ministry of Public Administration

MEDIA RELEASE

10th November, 2023

**The Ministry of Public Administration's Response to Mr. Maharaj's Comments
on the Park Court Rental**

I refer to articles in the Newsday and Trinidad Guardian of October 10, 2023 on the failure and/or refusal of the Director of Public Prosecutions (DPP) to occupy the building located at 19-21 Park Street, Port of Spain, and known as Park Court, that was rented specifically for occupation by the Office of the DPP. Those articles referred to and/or quoted certain statements made by Mr. Ramesh Lawrence Maharaj, SC, some of which I wish to address.

Let me start by reminding your readership that the process regarding the identification, assessing, negotiation and rental of Park Court began in 2014 and spanned two administrations. Although at the time that the process began, the Property and Real Estate Services Division (PRESD), which handles government rentals, was located under the Ministry of Housing and Urban Development, it now resides under the Ministry of Public Administration, which I lead.

As such, I have access to and knowledge of the PRESD files in respect of this matter. On the basis of the information contained in those files, I wish to refute certain statements made by Mr. Maharaj, SC which were either inaccurate or misleading, and to respond to certain questions raised.

Those statements/questions and the responses of MPA are as follows:

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Statement/Question –

The Director of Public Prosecutions did not know that the Government had entered into a rental agreement in 2019 for the said property.

Response –

Discussions on the rental of this property commenced as early as 2014, under then Attorney General Anand Ramlogan, SC. The Property and Real Estate Services Division (PRESD) received a memorandum dated September 25, 2014 from the Permanent Secretary, Ministry of the Attorney General, advising that the DPP had indicated an interest in the said property for the relocation of the North Office of the DPP.

Attached to that memo was one of Sept 22, 2014, under the hand of the DPP, Mr. Roger Gaspard, advising that **“after due consideration, I am of the view that the office of the Director of Public Prosecutions could and should be accommodated at those premises.”**

On the basis of those representations, PRESD commenced its process of assessing and rental of the building. The first offer on record was made to the landlord, Park Court Ltd, by letter dated July 30, 2015 and a draft Cabinet Note of August 13, 2015 was prepared.

That process was particularly protracted in respect of this building, largely because during the course of negotiations and notwithstanding his unconditional endorsement of the plan to lease the building, the DPP and/or his team and/or officers from the Ministry of the Attorney General and Legal Affairs, following further site visits to the property, raised several issues that they wished to be addressed in respect of the rental. Most of these issues related to the state of the building, such as damaged ceiling tiles, evidence of leaks, AC vents and the like.

Certain security issues, predominantly related to secure access and isolation of the other occupier of the building, were raised in 2016 and by letter dated August 15, 2016, the landlord undertook to address the issues raised as follows:

- He indicated that both elevators would have been allocated for the exclusive use of the DPP
- The same would apply to the lobby
- The RBC area on the ground floor would be physically separated from the lobby area
- A separate entrance would be created/constructed for use by the DPP

He indicated that the landlord was prepared to accept the cost of the alterations that would be required to give effect to those undertakings.

The requisite works were effected and by memo dated October 3, 2018, **PRES D sought the non-objection of MAGLA to the rental. Said non-objection dated October, 29, 2018, was received, without qualification.** In the normal course of things, the agency which is to occupy the building to be rented is generally engaged in the non-objection process.

Statement/Question –

Why did GoRTT enter into a rental without first getting the Special Branch assessment?

Response –

Securing a Special Branch report in respect of the proposed rental of a building is not a normal part of the PRES D rental process. No such report was commissioned by PRES D, nor the need for such a report raised with PRES D. In fact, to our knowledge, at the time that the Cabinet Note was submitted to and approved by the Cabinet no such report had been commissioned by anyone. The evidence before us indicates that said report had not been commissioned until July 2020 and the reports were not provided until August, 2020 and October, 2021.

Statement/Question –

If armed with that report, the Government could have insisted in the rental contract that it be allowed to carry out all alterations to comply with Special Branch concerns.

Response –

The said report was not commissioned until July 2020, following a site visit to the building by DPP Gaspard and members of the TTPS. As such, there was no report in existence nor, it would appear, contemplated on which GoRTT could have based its negotiations with the Landlord in relation to the lease that was approved on November 29, 2018.

Statement/Question –

Why did GoRTT pay electricity bills and rent since 2019 and before the DPP had taken up occupancy?

Response –

Prior to the building being occupied, it needed to be outfitted and furnished to house the office of the DPP. It is not customary for landlords to hand over their buildings for this purpose prior to the commencement of the lease period and the payment of the agreed monthly rent; although, PRES D has been having recent success in securing moratoria on rental payments to accommodate such outfitting. Notwithstanding that, one could not expect any landlord to agree to the more than 3-year moratorium that would have been required to accommodate the delays in occupation of this particular building.

Statement/Question –

NIDCO made proposals to shore up the building's vulnerabilities "while shockingly, admitting they had not seen the Special Branch Report".

Response –

NIDCO had been engaged by MAGLA in 2019 to outfit the building for occupation by the DPP. It was constrained by, and acted in accordance with, the scope of works received from its client, which did not at the time include any requirements to address security issues. Subsequent to receipt of the Special Branch reports by the DPP in 2020 and 2021, NIDCO was asked to expand its scope to advise on available bullet-proofing options and to install one of those options, which it did. Neither NIDCO nor PRES D was privy to said report.

Statement/Question –

Gaspard had no input into the Government's decision to pay rent post the tenancy or to consider renewing the lease.

Response –

Having at the time incurred in excess of \$30,000,000 outfitting the building for occupation, efforts were made to salvage those costs by the actual occupation and

use of the building for the intended purpose. It was on determination that this would not occur that a decision was made to avoid further losses by ceasing the holding of the office and ending any increased rental costs.

It should be noted that several very senior and at-risk office holders occupy and perform their functions out of offices that do not have the level of security on which the DPP was insisting for Park Court. Special Branch reports are received from time to time on issues similar to this. They are assessed and appropriate action taken to address the concerns raised, which are not always in full compliance with the various suggested recommendations. GoRTT did what it considered to be reasonable in the circumstances and maintains the position that the offices could have been occupied and used, and if the DPP felt particularly exposed in an office in the northeast corner, he had the option of occupying a space other than that glass enclosed corner office on the top floor of the building that was most visible to the areas of Port of Spain that he considered to be of greatest concern.

Senator the Honourable Allyson West

Minister of Public Administration

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