



OFFICE OF THE CONTRACTOR GENERAL

Special Report of Investigations

**Conducted into the Circumstances Surrounding Allegations of Nepotism/ Conflicts
of Interest, Favouritism, and Irregularity and/or Impropriety in the Award of
Government Contracts at the Hanover Parish Council to Alleged Relatives and
Political Affiliates of Councillors Lloyd Hill and Anthony Walker**

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Special Report of Investigations

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INTRODUCTION

The Office of the Contractor General (OCG), acting on behalf of the Contractor General and pursuant to Sections 15(1) and 16 of the Contractor-General Act, initiated separate Investigations into the alleged acts of nepotism/ conflict of interest, favouritism and irregularity and/or impropriety surrounding the award of contracts by the Hanover Parish Council to relatives of and/or persons with whom Councillors Lloyd Hill and Anthony Walker are affiliated. Councillor Lloyd Hill is the former Deputy Mayor of the Hanover Parish Council and the current Councillor of the Sandy Bay Division in Hanover. Mr. Anthony Walker is the current Councillor of the Cauldwell Division in the parish of Hanover. Both Councillors have held their current posts since March 26, 2012.

Section 15 (1) of the Contractor-General Act provides the following:

“...a Contractor-General may, if he considers it necessary or desirable, conduct an investigation into any or all of the following matters -

- (a) the registration of contractors;*
- (b) tender procedures relating to contracts awarded by public bodies;*
- (c) the award of any government contract;*



- (d) *the implementation of the terms of any government contract;*
- (e) *the circumstances of the grant, issue, use, suspension or revocation of any prescribed licence;*
- (f) *the practice and procedures relating to the grant, issue, suspension or revocation of prescribed licences.”*

Section 16 of the Act expressly provides that *“An investigation pursuant to section 15 may be undertaken by a Contractor-General on his own initiative or as a result of representations made to him, if in his opinion such investigation is warranted.”*

The decision to commence an Investigation into the stated matter(s) was prompted by the following:

- (a) The receipt of a document from an anonymous source, entitled *“These are the list of names collecting money from the Hanover Parish Council For Councillor Lloyd Hill From the Sandy Bay Division...”* The said document detailed persons for whom the recommendations for contracts were allegedly made by Mr. Hill; and
- (b) The receipt of two (2) documents from an anonymous source, entitled *“These names are Councillor Anthony Walker from the Cauldwell Division brothers and sisters who has been collecting money for him”* and *“These are the list of names collecting money from the Hanover Parish Council for Councillor Anthony Walker from the Cauldwell Division in Hanover”*. The stated documents detailed persons for whom the recommendations for contracts were allegedly made by Councillor Walker.



The OCG's Investigations sought to determine, *inter alia*, (a) whether the Councillors made recommendations for the award of contracts to any of their relatives and to persons with whom they are affiliated during their tenure as Councillors of their respective Divisions and (b) whether such actions amounted to nepotism, a conflict of interest, and/or irregularity and impropriety.

The foregoing objectives formed the basis of the OCG's Terms of Reference for its Investigation and were primarily developed in accordance with the provisions which are contained in Section 4 (1) and Section 15(1) (a) to (d) of the Contractor-General Act.

The Findings of the OCG's Investigations are premised primarily upon an analysis of the responses and documentary evidence which were provided by the Respondents, who were requisitioned by the OCG, during the course of the Investigations.



METHODOLOGY

In the conduct of its Investigation, the OCG utilised the methodology of issuing requisitions to the following persons:

1. Mr. Lloyd Hill - Councillor, Sandy Bay Division, Hanover;
2. Mr. Anthony Walker - Councillor, Caldwell Division;
3. Mrs. Judy McKenzie-Lawrence – former Secretary Manager, Hanover Parish Council;
4. Mr. David Gardner – Secretary Manager, Hanover Parish Council.

The OCG conducted a detailed review of the responses and supporting documentation provided by the foregoing individuals.

In the conduct of its Investigation, a detailed review of The Councillors' Handbook, A Guide for Jamaican Councillors as well as the Government of Jamaica Handbook of Public Procurement Procedures for the years 2012 and 2014, were undertaken.

In respect of the allegations surrounding the award of contracts to relatives and political affiliates of Mr. Lloyd Hill, the OCG convened a hearing on April 28, 2015 with the following individuals:

1. Mr. Lloyd Hill – Councillor, Sandy Bay Division, Hanover;
2. Ms. Berdgeth Henry – Niece of Mr. Lloyd Hill;
3. Ms. Winsome Cunningham – Sister of Mr. Lloyd Hill;
4. Ms. Euvienne Cameron – People's National Party (PNP) Affiliate;
5. Mr. John Jolly – Cousin of Mr. Lloyd Hill;
6. Mr. Jerome Jarrett – Mr. Lloyd Hill's wife's stepfather; and
7. Mr. Winsbert Ellis – PNP Affiliate.



In respect of the allegations surrounding the award of contracts to relatives and political affiliates of Mr. Anthony Walker, the OCG convened a judicial hearing on April 29, 2015 with the following individuals:

1. Mr Anthony Walker – Councillor, Cauldwell Division, Hanover;
2. Mrs. Sharon Campbell- Sister of Anthony Walker;
3. Ms. Heather Meggoe – Sister of Anthony Walker;
4. Ms. Megan Henry – Sister of Anthony Walker;
5. Mr. Mervin Meggoe- Brother of Anthony Walker; and
6. Ms. Sanikah Allen – Secretary for the Western Hanover Constituency Office.

The OCG also convened a judicial hearing with Mrs. Judy-Lawrence, former Secretary Manager, Hanover Parish Council on April 30, 2015.

The OCG did not conduct judicial hearings in respect of the following persons:

1. Ms. Simone Henry – Cauldwell Division Secretary;
2. Mr. Herbert Williams – PNP political runner (election day worker);
3. Mr. Errald Miller – Cauldwell Division Vice Chairman;
4. Mr. Orane Kentish – Cauldwell Division Treasurer;
5. Mr. Avian Perry – Employee at the Western Hanover PNP Constituency Office
6. Ms. Alva Campbell – PNP political runner (election day worker);
7. Mr. Lloyd Forrester – PNP political runner (election day worker);
8. Ms. Sherika Smith – PNP political runner (election day worker); and
9. Ms. Lolette Colville - PNP political runner (election day worker).



JURISDICTION

Detailed below is the legal basis upon which the Contractor General has enquired into the subject matter. The OCG's decision to undertake an Investigation into this matter is predicated upon the gravity of the allegations mentioned herein and which highlights issues of irregularity and impropriety contrary to Section 4 of the Contractor-General Act. The Jurisdiction of the Contractor General enables the Office to enquire into the circumstances surrounding the said award of contracts to persons affiliated with Councillors Lloyd Hill and Anthony Walker in keeping with Sections 15 (1) and 16 of the Contractor General Act.

Instructively, Section 2 of the Contractor General Act provides the following interpretation:

- *“government contract includes any licence, permit or other concession or authority issued by a public body or agreement entered into by a public body for the carrying out of building or other works or for the supply of any goods or services;” ...*

- *“public body means –*
 - a. a Ministry, department or agency of government;*
 - b. a statutory body or authority;*
 - c. any company registered under the Companies Act, being a company in which the Government or an agency of Government, whether by the holding of shares or by other financial input, is in a position to influence the policy of the company”*

The Hanover Parish Council is a Public Body as defined by the referenced Act. Consequently, the matter concerning the award of contracts by the Hanover Parish Council is within the purview of the Contractor General.



TERMS OF REFERENCE

The OCG, in its Investigation into the circumstances surrounding acts of alleged nepotism/ conflicts of interest, favouritism, irregularity and/or impropriety surrounding the award of contracts by the Hanover Parish Council to relatives of and/or persons affiliated with Councillors Lloyd Hill and Anthony Walker, sought to ascertain, *inter alia*, the following:

1. The veracity of the allegations of nepotism/conflict(s) of interest and favouritism in the recommendation for the award of government contracts to relatives and persons affiliated with Councillors Lloyd Hill and Anthony Walker; and
2. Whether there was irregularity and/or impropriety involved in the process which was undertaken by the Hanover Parish Council in the award of government contracts to persons related to and/or affiliated with Councillors Lloyd Hill and Anthony Walker.

Specific Objectives

1. To determine whether Councillors Lloyd Hill and Anthony Walker made recommendations for the award of contracts to their relatives and/or persons with whom they are affiliated in circumstances amounting to nepotism/conflict of interest, irregularity and/or impropriety;
2. To ascertain the contract award process undertaken by the Hanover Parish Council;
3. To identify the role(s), if any, played by the Hanover Parish Council in the administration of contracts;
4. To determine whether Mr. Lloyd Hill and Mr. Anthony Walker benefitted in any way from the award of contracts to their relatives and persons with whom they are politically affiliated.



FINDINGS OF FACT

1. Mr. Lloyd Hill and Mr. Anthony Walker were elected as Councillors in the Hanover Parish Council in 2012. Mr. Lloyd Hill was previously elected as Councillor in the 1998 Local Government elections.
2. As elected Councillors in the Hanover Parish Council, Messrs. Lloyd Hill and Anthony Walker are public servants who execute a public function, in accordance with the provisions of the Corruption (Prevention) Act.
3. The Hanover Parish Council is comprised of seven (7) divisions which span two (2) Constituencies, namely Hanover Eastern and Hanover Western. The seven (7) divisions are as follows:
 - a. Chester Castle;
 - b. Cauldwell;
 - c. Hopewell;
 - d. Sandy Bay;
 - e. Green Island;
 - f. Riverside; and
 - g. Lucea.
4. Mr. Hill and Mr. Walker are the current Councillors of the Sandy Bay Division and the Cauldwell Division, respectively.
5. The role of Councillors island wide includes accurately representing the policies and decisions of the Parish Council in the performance of its functions, participating in the activities of the Council in accordance with the Parish Council Act, the Kingston and St. Andrew Corporation (KSAC) Ac, the Municipalities Act, and participating in the allocation of the Council's resources for the benefit and the development of the Parish.



6. The Hanover Parish Council receives allocations from the Ministry of Local Government and Community Development in the form of periodic disbursements.
7. Mr. Lloyd Hill, in his capacity as Councillor of the Sandy Bay Division, received a total allocation of approximately \$14,875,000.00 for the period 2012-2014, from the Ministry of Local Government and Community Development. **Approximately forty-four (44%)** of this amount, equating to **\$6,588,091.08**, was awarded by way of contracts to his relatives and persons with whom Mr. Hill is politically affiliated.
8. Mr. Anthony Walker, in his capacity as Councillor of the Cauldwell Division, received a total allocation of approximately \$13,578,000.00 for the period 2012-2014, from the Ministry of Local Government and Community Development. **Approximately twenty-three (23%)** of this amount, equating to **\$3,059,615.00**, was awarded by way of contracts to his relatives and persons with whom Mr. Walker is politically affiliated.
9. A document bearing the caption, *“These are the list of names collecting money from the Hanover Parish Council For Councillor Lloyd Hill From the Sandy Bay Division...”* was submitted to the OCG by an anonymous source. The List portrayed a list of persons with whom Mr. Lloyd Hill is purported to be related and/or politically affiliated, and for whom he allegedly made recommendations for the award of contracts. **The said document is not an official or authentic Hanover Parish Council document.**
10. A document bearing the caption, *“These are the list of names collecting money from the Hanover Parish Council for Mr. Anthony Walker from the Cauldwell Division in Hanover”* was submitted to the OCG by an anonymous source. The List portrayed a list of persons with whom Mr. Anthony Walker is purported to be related and/or politically affiliated, and for whom he allegedly made recommendations for the award



of contracts. **The said document is not an official or authentic Hanover Parish Council document.**

11. A third document received by the OCG on June 4, 2014 and entitled, “*These names are Councillor Anthony Walker from the Cauldwell Division brothers and sisters who has been collecting money for him*”, was submitted to the OCG by an anonymous source. The document outlined a list of persons with whom Mr. Anthony Walker is purported to be related, and from whom he allegedly has been collecting monies received through contracts awarded by the Hanover Parish Council. **The said document is not an official or authentic Hanover Parish Council document.**
12. The Hanover Parish Council utilised the Direct Contracting procurement methodology for the award of contracts below \$500,000.00, for works including the clearing of blocked roadways, bushing and drain cleaning.
13. Mr. Hill, during the period 2012- 2014, made recommendations for the award of contracts to the following persons who were identified as persons with whom he is related or politically affiliated:
 - i. Ms. Winsome Cunningham- Sister;
 - ii. Ms. Berdgeth Henry - Niece;
 - iii. Mr. John Jolly- Cousin;
 - iv. Mrs. Elrina Jarrett- Wife’s mother;
 - v. Mr. Jerome Jarrett- Wife’s stepfather;
 - vi. Mr. Winsbert Ellis- PNP Affiliate; and
 - vii. Ms. Euviene Cameron- PNP Affiliate.



14. Mr. Walker, during the period 2012- 2014, made recommendations for the award of contracts to the following persons who were identified as persons with whom he is related or politically affiliated:

- i. Mrs. Sharon Campbell- Sister;
- ii. Ms. Heather Meggoe - Sister;
- iii. Ms. Megan Henry - Sister;
- iv. Mr. Mervin Meggoe- Brother;
- v. Ms. Sanikah Allen – Secretary for the Western Hanover Constituency Office;
- vi. Ms. Simone Henry – Cauldwell Division Secretary;
- vii. Mr. Herbert Williams- PNP political runner (election day worker);
- viii. Mr. Errald Miller – Cauldwell Division Vice Chairman;
- ix. Mr. Orane Kentish – Cauldwell Division Treasurer;
- x. Mr. Avian Perry – Employee at the Western Hanover PNP Constituency Office;
- xi. Ms. Alva Campbell – PNP political runner (election day worker);
- xii. Mr. Lloyd Forrester - PNP political runner (election day worker);
- xiii. Ms. Sherika Smith - PNP political runner (election day worker); and
- xiv. Ms. Lolette Colville - PNP political runner (election day worker).

In relation to his political affiliation with the abovementioned persons, Mr. Walker made the following statement to the OCG:

“Most of twenty six (26) names mentioned are affiliated to me, most of which through politics, some of which are party workers, (indoor/outdoor agents, cluster managers, P.D. captains, runners



etc.) as well as distant relatives, no immediate family member.

Heather, not Heda Meggoe, Mervin, not Marvin Meggoe and Sharon Campbell are related to me.

Conroy Wedderburn is my constituency youth representative (party worker). The other names mentioned, (f to z) are all party workers and supporters...

There is a particular list that each representative get with names of people who work right throughout, especially during the political campaign period, Election Day. They are either runners that go to get people, assist people to come vote or supervisors that ensure that things go good throughout Election Day, as well as people who ensure that the constituents are okay if their councillor is not available or the Member of Parliament. They sort of work for the party'.

15. In most cases, the recommendations made in favour of the relatives and political affiliates of both Mr. Hill and Mr. Walker do not correlate with the cheque payments and contracts which were made and awarded to them. In other words, in some instances, the sum of the recommendations differs from the sum of cheque payments and contract values which were made in favour of their relatives and political affiliates.
16. Mr. Hill made six (6) recommendations totalling \$725,000.00 in favour of his sister, Ms. Winsome Cunningham. Five (5) contracts were awarded by the Hanover Parish



Council to Ms. Cunningham in the amount of \$625,000.00. Four (4) cheques were made payable to Ms. Cunningham totalling \$380,600.00.

17. Mr. Hill made ten (10) recommendations in favour of Ms. Berdgeth Henry, his niece, amounting to \$1,199,750.00. Eleven (11) contracts were awarded by the Hanover Parish Council to Ms. Henry in the amount of \$1,348,817.00. Five (5) cheques were made payable to Ms. Henry in the sum of \$584,515.00.
18. The OCG found that a recommendation for the award of contract to Ms. Berdgeth Henry in the amount of \$100,000.00 'to clean side drains' in the vicinity of Tryall Gardens was made **after** the contract for same was awarded. The contract was awarded on July 15, 2013, whilst the recommendation was made on July 18, 2013.
19. Mr. Hill made twenty-two (22) recommendations in the amount of \$3,160,000.00 in favour of Mr. John Jolly, his cousin. Eighteen (18) contracts were awarded by the Hanover Parish Council to Mr. Jolly totaling approximately \$2,743,875.00. Eighteen (18) cheques were made payable to Mr. Jolly in the amount of \$2,266,874.10.
20. The OCG found that a recommendation for the award of contract to Mr. Jolly in the amount of \$140,000.00 "to clean gully" in the vicinity of Sandy Bay was made subsequent to it being awarded. The referenced contract was awarded on July 15, 2013, whilst the recommendation was made on July 18, 2013.
21. Mr. Hill made four (4) recommendations totaling approximately \$345,000.00, in favour of Mrs. Elrina Jarrett, his wife's mother. Three (3) contracts were awarded by the Hanover Parish Council to Mrs. Jarrett in the amount of \$109,950.00. Twelve (12) cheques were made payable to Mrs. Jarrett in the sum of \$536,656.98.
22. Mr. Hill made two (2) recommendations in the amount of \$85,000.00 in favour of Mr. Jerome Jarrett, his wife's stepfather. Two (2) contracts were awarded by the Hanover



Parish Council to Mr. Jarrett totalling approximately \$85,000.00. Two (2) cheques were made payable to Mr. Jarrett which amount to a sum of \$17,590.00.

23. Mr. Hill made nineteen (19) recommendations totalling \$3,017,820.00, in favour of Mr. Winsbert Ellis, a PNP political affiliate. Eighteen (18) contracts were awarded by the Hanover Parish Council to Mr. Ellis in the amount of \$2,771,970.00. Seventeen (17) cheques were made payable to Mr. Ellis totalling approximately \$2,167,555.00.
24. Mr. Hill made six (6) recommendations totalling \$884,600.00, in favour of Ms. Euviene Cameron, a PNP affiliate. Eight (8) contracts were awarded by the Hanover Parish Council to Ms. Cameron in the total amount of \$1,018,900.00. Six (6) cheques were made payable to Ms. Cameron in the total amount of \$634,300.00.
25. The OCG is in possession of two (2) recommendations made by Mr. Anthony Walker in favour of Ms. Heather Meggoe, his sister, in the amount of \$210,000.00. A contract was awarded by the Hanover Parish Council to Ms. Heather Meggoe in the amount of \$100,000.00. Two (2) cheques were made payable to Ms. Heather Meggoe in the amount of \$210,000.00.
26. The OCG is in possession of a recommendation made by Mr. Anthony Walker made in favour of Mrs. Sharon Campbell, his sister, in the amount of \$135,000.00. A contract was awarded by the Hanover Parish Council to Mrs. Campbell in the amount of \$135,000.00. Two (2) cheques were made payable to Mrs. Campbell in the total amount of \$150,000.00.
27. The OCG is in possession of a recommendation made by Mr. Anthony Walker in favour of Ms. Megan Henry, his sister, in the amount of \$100,000.00. A contract was awarded by the Hanover Parish Council to Ms. Henry in the amount of \$100,000.00. Three (3) cheques were made payable to Ms. Megan Henry in the sum of \$232,000.00.



28. The OCG is in possession of three (3) recommendations made by Mr. Anthony Walker in favour of Mr. Mervin Meggoe, his brother, and which total \$320,000.00. A contract was awarded by the Hanover Parish Council to Mr. Meggoe in the amount of \$110,000.00. Three (3) cheques were made payable to Mr. Meggoe in the total amount of \$315,450.00.
29. Mr. Walker made two (2) recommendations in the amount of \$45,000.00, in favour of Ms. Sanikah Allen, Secretary for the Western Hanover Constituency Office. Three (3) contracts were awarded by the Hanover Parish Council to Ms. Allen in the total amount of \$330,000.00. Three (3) cheques were made payable to Ms. Allen in the total amount of \$330,000.00.
30. Mr. Walker made three (3) recommendations in the amount of \$175,000.00, in favour of Ms. Simone Henry, the Cauldwell Division Secretary. A contract was awarded by the Hanover Parish Council to Ms. Henry totalling approximately \$80,000.00. A cheque was also made payable to Ms. Simone Henry in the total amount of \$50,000.00.
31. Mr. Anthony Walker made two (2) recommendations totalling \$205,000.00, in favour of Mr. Herbert Williams, a PNP ‘political runner’¹. A contract was awarded by the Hanover Parish Council to Mr. Williams in the amount of \$105,000.00. A cheque was also made payable to Mr. Williams in the total amount of \$120,000.00.
32. Mr. Walker made three (3) recommendations totalling \$310,000.00, in favour of Mr. Errald Miller, Cauldwell Division Vice Chairman. Two (2) contracts were awarded by

¹ Described herein as an election day worker.



the Hanover Parish Council to Mr. Miller totalling approximately \$230,000.00. Five (5) cheques were made payable to Mr. Miller in the total amount of \$488,000.00.

33. Mr. Walker made two (2) recommendations totalling \$175,000.00, in favour of Mr. Orane Kentish, Cauldwell Division Treasurer. Two (2) contracts were awarded by the Hanover Parish Council to Mr. Miller totalling approximately \$135,000.00. Three (3) cheques were made payable to Mr. Kentish in the total amount of \$428,400.00.
34. Mr. Walker made two (2) recommendations in the amount of \$230,000.00, in favour of Ms. Avian Perry, an employee at the Western Hanvoer PNP Constituency Office. A contract was awarded by the Hanover Parish Council to Ms. Perry totalling approximately \$80,000.00. A cheque was made payable to Ms. Perry in the total amount of \$150,000.00.
35. Mr. Walker made a recommendation in the amount of \$30,000.00, in favour of Ms. Alva Campbell, a PNP 'political runner'. Two (2) contracts were awarded by the Hanover Parish Council to Ms. Campbell totalling approximately \$188,150.00. Three (3) cheques were made payable to Ms. Campbell in the total amount of \$310,000.00.
36. Mr. Walker made five (5) recommendations in the amount of \$365,000.00, in favour of Mr. Lloyd Forrester, a PNP 'political runner'. A contract was awarded by the Hanover Parish Council to Mr. Forrester in the amount of \$199,950.00. Five (5) cheques were made payable to Mr. Forrester in the total amount of \$235,765.00.
37. Mr. Walker made a recommendation in the amount of \$110,000.00, in favour of Ms. Sherika Smith, a PNP 'political runner'. A contract was awarded by the Hanover Parish Council to Ms. Smith totalling approximately \$30,000.00. A cheque was made payable to Ms. Smith in the total amount of \$40,000.00.



38. Mr. Walker made two (2) recommendations in the amount of \$140,000.00, in favour of Ms. Lolette Colville, a PNP ‘political runner’. Two (2) contracts were awarded by the Hanover Parish Council to Ms. Colville totalling approximately \$239,925.00. The OCG is not in possession of any cheques made payable to Ms. Colville.
39. Ms. Winsome Cunningham and Ms. Euviene Cameron, the sister and political affiliate of Mr. Hill, respectively, were not present at all material times at the sites on which works, pursuant to contracts awarded to them, were being executed.
40. ‘Subcontractors’ were paid less than \$2,000.00 by Ms. Euviene Cameron for works that were executed for a period of two (2) weeks.
41. Ms. Berdgeth Henry disclosed that she was selected for the award of government contracts in informal settings, namely, at ‘round robin’ parties.
42. In relation to an award of contract for which Ms. Berdgeth Henry was recommended, she was not informed of the measurement of the works to be executed, she was made aware of the rate at which she was to be paid after the work was already executed and she signed the contract after the referenced work was executed.
43. The Hanover Parish Council entered into an ‘arrangement’ with Mr. Jerome Jarrett and Mrs. Elrina Jarrett, Mr. Hill’s ‘wife’s stepfather’ and ‘wife’s mother’, respectively, to use their property in exchange for a beneficial interest, namely, the award of government contracts.
44. Pursuant to the abovementioned arrangement between the Hanover Parish Council and the Jarretts, Mr. Jerome Jarrett disclosed that he received a contract from the Hanover Parish Council to clean a drain which is located on his own land.



45. Of the fourteen (14) persons listed as relatives and political affiliates of Mr. Anthony Walker, only four (4) are relatives. The remaining ten (10), based on their own admission, are avid members of the People's National Party (PNP). These include the Cauldwell Division Vice Chairman, the Cauldwell Division Treasurer, the Cauldwell Division Secretary, political runners (election day workers), and employees at the Western Hanover PNP Constituency Office.
46. Mrs. Sharon Campbell, the sister of Mr. Anthony Walker, was recommended by him for the award of a Government of Jamaica contract only after she requested financial assistance to purchase a refrigerator for their mother. On that basis, Mrs. Campbell was awarded a contract in the amount of \$135,000.00. In this regard, Councillor Walker utilised public funds to assist with the personal needs of his own family members instead of utilising his personal funds.
47. Mr. Mervin Meggoe, the brother of Mr. Anthony Walker, disclosed that he requested financial assistance from Mr. Walker and that it was on this basis that he was recommended by Mr. Walker for the award of Government of Jamaica contracts.
48. The OCG has found no evidence that Mr. Anthony Walker or Mr. Lloyd Hill collected monies from the award of contracts made to their relatives and political affiliates.
49. There is no documented policy or protocol at the Hanover Parish Council that stipulates the procedure for the selection and/or recommendation for the award of contracts by Councillors/Mayor.
50. Councillors Lloyd Hill and Anthony Walker breached the following provisions of the Councillors Handbook, A Guide for Jamaican Councillors which outline their expected roles as Councillors within the Hanover Parish Council:



- ✚ *“Demonstrate fairness and honesty in all dealings and conduct and be open with and accountable to the community at all times...*
- ✚ *Display openness and transparency in every aspect of your job...*
- ✚ *Ensure that your individual interest does not interfere or appear to interfere with the interest of the Local Authority*
- ✚ *Declare at Council meetings all personal or prejudicial interests*
- ✚ *Do not seek to improperly influence decisions to the advantage of yourself and/or the disadvantage of anyone else...*
- ✚ *Endeavour not to bring the Local Authority into disrepute at any time”*
- ...
- *Not misuse Council resources or authorize their misuse, in particular for unauthorized party political purposes”*

51. Councillors Lloyd Hill and Anthony Walker failed to declare a personal or prejudicial interest in relation to these contracts and contractors as is required by Section 4.2.1 of the Government of Jamaica Handbook on Public Procurement Procedures, 2012 and 2014, and as such breached the referenced guidelines.

52. Councillors Lloyd Hill and Anthony Walker breached the provisions of Section 36 of the Contractor General Act Public Sector Procurement Regulations, 2008, by their failure to declare a conflict of interest in the referenced procurement process.



53. Councillor Walker made recommendations for the award of contracts to political affiliates inclusive of self-styled ‘area leaders’, ‘political runners’ (election day workers), employees of the PNP Constituency office, indoor/outdoor agents, cluster managers, polling division captains, other party workers and supporters.



DISCUSSION OF FINDINGS

The Role of Councillors at the Hanover Parish Council

In light of the allegations surrounding the recommendations for the award of contracts at the Hanover Parish Council, the OCG deemed it prudent to ascertain the role of the Councillor in the contract award process.

The role of the Councillor is defined in The Councillor's Handbook, A Guide For Jamaican Councillors as follows:

“GENERAL ROLES:

- *As a Councillor, you are expected to accurately represent the policies and decisions of the Local Authority in performing its functions.*
- *Participate in the activities of the Council in accordance with the Parish Council Act, the KSAC Act and the Municipalities Act*
- *Participate in the optimum allocation of the Council's resources for the benefit of the development of the Parish*
- *Play a key role in the creation and review of the Council's policies and objectives and criteria relating to the exercise of the Council's regulatory functions...*
- *Accurately represent the policies and decisions of the Council in the performance of your duties*

REMEMBER: *once elected, you also need
to work with other*



Councillors in the interest of the Parish, while remaining accountable to your electorate and stakeholders.

SPECIFIC ROLES: *The Councillors of a Local Authority collectively must:*

...

- b. determine and monitor the application of policies, plans and programmes and the efficient and effective provision of services and facilities*

- c. efficiently and effectively manage the of [sic] assets/resources of the Division...”²(OCG Emphasis)*

The Councillor’s Handbook, A Guide For Jamaican Councillors also stated that:

“...Councillors should:

- Not do anything which will bring the Council or their office into disrepute*
- Not misuse their official position to their own advantage or to the advantage or disadvantage of others*
- Promote equality by not discriminating against*

² The Councillors Handbook. Produced by Communications Unit, Office of the Prime Minister, The Department of Local Government, 2009. Page 26



others

- **Treat** *others with respect*
- **Respect** *confidential information*
- **Listen** *to the advice of technical officers, especially where the matter relates to possible illegal decisions or expenditure*
- **Not misuse Council resources or authorize their misuse, in particular for unauthorized party political purposes**³ (OCG Emphasis)

Additionally, The Councillors Handbook outlines the following skills and competencies required of Councillors at the Parish Council:

“Political Understanding

*Ability to act ethically, consistently and with integrity in communicating values and representing group views on decisions and actions. **Ability to work across group boundaries without compromising values and ethics.**”⁴*

(OCG Emphasis)

Importantly, the OCG highlights the provisions stated in the Code of Ethics for Councillors, a document produced by the Ministry of Local Government and Community Development which governs the conduct of Councillors and sets out the ethical and behavioural standards expected of Councillors in the Jamaican Local Government system.

³ The Councillors Handbook, A Guide for Jamaican Councillors. Produced by Communications Unit, Office of the Prime Minister, The Department of Local Government, 2009. Page 28

⁴ The Councillors Handbook. Produced by Communications Unit, Office of the Prime Minister, The Department of Local Government, 2009. Page 17.



The Code of Ethics for Councillors indicates the following expected roles of Councillors within the Parish Council:

- ✚ *“Demonstrate fairness and honesty in all dealings and conduct and be open with and accountable to the community at all times...*
- ✚ **Display openness and transparency in every aspect of your job...**
- ✚ **Ensure that your individual interest does not interfere or appear to interfere with the interest of the Local Authority**
- ✚ **Declare at Council meetings all personal or prejudicial interests**
- ✚ **Do not seek to improperly influence decisions to the advantage of yourself and/or the disadvantage of anyone else...**
- ✚ **Endeavour not to bring the Local Authority into disrepute at any time**”⁵ (OCG Emphasis)

Public Servants Performing a Public Function

As elected Councillors in the Hanover Parish Council, Messrs. Lloyd Hill and Anthony Walker are public servants who execute a public function, according to the provisions of the Corruption (Prevention) Act. The Act provides the following interpretation:

“public function” means any activity performed a single time or continually, whether or not payment is received therefor, which is carried out by—

⁵ Document entitled “**CODE OF ETHICS FOR COUNCILLORS**”, which was provided under cover of letter dated February 11, 2015 by Mrs. Dionne Jennings, former Permanent Secretary (Acting), Ministry of Local Government.



- (a) a person for, or on behalf of or under the direction of a Ministry, Department of Government, a statutory body or authority, a Parish Council, the Kingston and St. Andrew Corporation or a government company;
- (b) *a body, whether public or private, providing public services;*
- (c) *a Member of the House of Representatives or of the Senate in that capacity;*

“public servant” means an person—

(a) employed—

(i) in the public, municipal or parochial service of Jamaica;

(ii) in the service of a statutory body or authority or a government company;

(b) who is an official of the State or any of its agencies;



(c) appointed, elected, selected or otherwise engaged to perform a public function...⁶

(OCG Emphasis)

⁶ The Corruption (Prevention) Act, Section 2.



COUNCILLOR LLOYD HILL

Allocations Made to Councillor Lloyd Hill by the Hanover Parish Council For the Period 2012-2014

For the period 2012 to 2014, the OCG sought to ascertain the total allocations which were disbursed to Councillors at the Hanover Parish Council. Mrs. McKenzie-Lawrence, former Secretary Manager, Hanover Parish Council, by way of her response dated April 11, 2014, provided the OCG with copies of documented allocations from the Ministry of Local Government and Community Development for the Road Maintenance Programme, as well as allocations made to the respective Divisions of the Hanover Parish Council.

Upon a review of the aforementioned documents, for the period July 20, 2012 to December 10, 2013, the following funds were allocated to the Hanover Parish Council by the Ministry of Local Government and Community Development⁷:

Table 1

DIVISION/ ALLOCATION	TYPE	OF	ALLOCATION AMOUNT
Mayor's Allocation and/or Mayor's Discretion			\$1, 650,000.00
Green Island Division			\$3,164,000.000
Lucea Division			\$2,202,000.00
Riverside Division			\$2,214,000.00
Cauldwell Division			\$2,194,000.00
Sandy Bay Division			\$2,600,000.00
Hopewell Division			\$2,070,000.00
Chester Castle Division			\$2,206,000.00
TOTAL			\$18, 300,000.00

In addition to the funds that were allocated to the Sandy Bay Division for which Mr. Hill is the Councillor, six (6) of the Councillors received a sum of \$75,000.00 for the 'Equalization Fund

⁷ Appendix B "Periodic Funding received from Ministry of Local Government and Community Development, six pages attached" Mrs. Judy McKenzie-Lawrence's Response to the OCG dated April 11, 2014.



for the Special Work Programme’ and \$75,000.00 for the Seasonal Employment Programme in December 2013⁸. In this regard, Mr. Hill’s total allocation was approximately **\$2,750,000.00**⁹.

Based on the OCG’s calculations, as it relates to the Parochial Revenue Fund Road Programme (Road Maintenance Programme), the following funds were allocated to the Hanover Parish Council for the period March 2012 to February 2014¹⁰:

Table 2

DIVISION/ ALLOCATION	TYPE OF	ALLOCATION AMOUNT
Mayor’s Allocation and/or Mayor’s Discretion		\$11,205,000.00
Green Island Division		\$13,665,000.00
Lucea Division		\$10, 439,000.00
Riverside Division		\$11,234,000.00
Cauldwell Division		\$11,234,000.00
Sandy Bay Division		\$12,125,000.00
Hopewell Division		\$11,139,000.00
Chester Castle Division		\$11,189,000.00
TOTAL		\$92, 230,000.00

Based on the above tables, the total funds allocated to Mr. Lloyd Hill as Councillor of the Sandy Bay Division, in relation to (a) the Parochial Revenue Road Programme and (b) funds from the Ministry of Local Government and Community Development, for the periods March 2012 to February 2014 and July 20, 2012 to December 10, 2013, respectively, amounted to approximately **\$14, 875,000.00**.

⁸ Letter dated December 10, 2013 from the Ministry of Local Government & Community Development to the former Secretary Manager, Hanover Parish Council, Mrs. Judy McKenzie-Lawrence found in Appendix B entitled “Periodic Funding received from Ministry of Local Government and Community Development, six pages attached” of said Mrs. Judy McKenzie-Lawrence’s Response to the OCG dated April 11, 2014.

⁹ The foregoing figure is the sum of the total allocation for the Sandy Bay Division for the period 2012-2014 and the allocation provided to Councillors from the 2013 ‘Equalization Fund for the Special Work Programme’.

¹⁰ Appendix A “Road Maintenance Program twenty four pages for the period March 2012 - February 2014 attached” Mrs. Judy McKenzie-Lawrence’s Response to the OCG dated April 11, 2014.



Recommendations for the Award of Contracts by the Hanover Parish Council

The OCG has enquired into the processes adopted by the Hanover Parish Council in approving recommendations for the award of contracts, particularly contracts below the \$500,000.00 threshold for works such as bushing and drain cleaning.

In this regard, the OCG, by way of its statutory requisition, dated April 23, 2014, required Mrs. Judy McKenzie-Lawrence, former Secretary Manager, to respond to the following question:

“Please provide an executive summary detailing the approval process employed by the Hanover Parish Council for the award of contracts below \$500,000.00, particularly as it pertains to works which include Clearing of Blocked Roadways, Bushing and Drain Cleaning. Please note if the process for general contracts awards is different, please account for same. Your response should include the name(s) and title(s) of the person(s) responsible for the approval of such contracts in the Hanover Parish Council.”¹¹

Mrs. McKenzie-Lawrence, by way of her response which was dated April 29, 2014, informed the OCG as follows:

“Please be advised that the methodology for awarding contracts below \$500,000.00 for Clearing of blocked Roadway, Bushing and Drain Cleaning is such that the direct method of Procurement, a recommended contractor list (programme) is forwarded from the

¹¹ OCG requisition dated April 23, 2014 that was sent to Mrs. Judy McKenzie-Lawrence. (Question 3).



Councillors/Mayor of the respective divisions through the Secretary Manager to myself, the Superintendent of Roads & Works. The programmes are then forwarded to the Assistant Superintendent of Roads and Works who then communicate with the Works Overseer and the Councillor to finalize on the scope of works to be executed. The works are directly, supervised by the Assistant Superintendent and are checked to be satisfactorily completed before it is forwarded to me (Superintendent Roads & Works) for certification. There are rear [sic] cases where the nature of the works may require urgent and more technical aspects that are not on the assigned programme and as such the Assistant Superintendent may engage a contractor to execute the required works in a timely manner under the direction of the Superintendent's office...¹²(OCG Emphasis)

The aforementioned representations were contained in a Hanover Parish Council Memorandum dated April 29, 2014, and sent to Mrs. Judy McKenzie-Lawrence, former Secretary Manager, Hanover Parish Council, by Mr. Alexander Mann, Superintendent, Roads & Works Department Office.

The OCG notes that based on the above response from the former Secretary Manager, Mrs. Judy McKenzie-Lawrence, contracts below \$500,000.00 are awarded by means of the 'direct method

¹² Response by Mrs. Judy McKenzie-Lawrence dated April 29, 2014 to the OCG, Appendix 1.



of procurement'. In this manner, a list of recommended contractors is forwarded from the Councillors to the Secretary Manager and Superintendent of Roads and Works.

As it regards the Direct Contracting Procurement Methodology, the OCG wishes to highlight the provisions of the 2012 and 2014 Government of Jamaica Handbook on Public Procurement Procedures, which indicates, *inter alia*, as follows:

“Procurement by Direct Contracting means only one contractor is invited to participate. For contracts valued up to \$500,000.00 this method may be used. However, this method is also permitted for procurement valued above \$500,000.00 under the following circumstances:

- (a) where the procurement is of a confidential nature;*
- (b) if a particular contractor has exclusive/proprietary rights in respect of goods, services or works;*
- (c) where standardizing equipment is available only from a specific source, and the Procuring Entity has purchased goods, equipment or technology from a contractor, and additional supply is required for reasons of uniformity;*
- (d) for the purposes of research, experiment, study or development;*
- (e) follow-on procurement, where a contractor has already provided goods, services or work and additional goods, services or works of a similar*



nature are required to complete the procurement requirements; or

(f) for reasons of extreme urgency brought about by events unforeseen by the Procuring Entity, the products or services could not be obtained in time by means of International Competitive Bidding, Local Competitive Bidding or Limited Tender procedures.

NOTE: *The use of the Direct Contracting method outside of the established thresholds shall be subject to the approval of the Head of the Procuring Entity.*¹³

¹³ Section 1.1.4 of the Government of Jamaica Handbook of Public Sector Procurement Procedures. Volume 2. Pages 5-6.



Recommendations for the Award of Contracts at the Hanover Parish Council by Mr. Lloyd Hill

As previously mentioned, it was alleged that Councillor Lloyd Hill made recommendations for the award of contracts to relatives and/or to persons with whom he is affiliated.

The OCG, by way of its statutory requisition, dated December 16, 2014, sought to ascertain the veracity of the above mentioned allegation. In its requisition, the OCG required Councillor Lloyd Hill to respond to the following question:

“1. i. Please indicate whether the following persons are related and/or affiliated to you.

- a. Aleth Brown;*
- b. Euviene Cameron;*
- c. Winsome Cunningham;*
- d. Winsbert Ellis;*
- e. Berdgeth Henry;*
- f. Elina Jarrett;*
- g. Jerome Jarrett;*
- h. John Jolly;*
- i. George Kerr;*
- j. Harris Kerr;*
- k. Oniel Messado;*
- l. Mabel Reid;*
- m. Omar Salmon;*
- n. Neroy Spence; and*
- o. Edward Walker.*

ii. In the event that your answer is in the affirmative, kindly state the nature of the relationship/affiliation



between yourself and the named person(s).”¹⁴

In his response to the OCG, Mr. Hill stated the following:

“The response to the Requisitios [sic] / Questions are as follows:

- 1 i (a) No*
- (b) No*
- (c) Yes*
- (d) No*
- (e) Yes*
- (f) Yes*
- (g) Yes*
- (h) yes*
- (i) No*
- (j) No*
- (k)No*
- (L)No*
- (m)No*
- (n) No*
- (o) No*

- (ii) (c) Half-Sister*
- (e) Niece*
- (f) Wife’s Mother*
- (g) Wife’s Step father*
- (h) Cousin”¹⁵*

Additionally, Mr. Hill confirmed these relationships in a hearing convened by the OCG on April 29, 2015. In his admission to the OCG, Mr. Hill also disclosed that he made recommendations for the award of contracts to said relatives. The following, *inter alia*, was stated:

¹⁴ OCG requisition dated December 16, 2014 that was sent to Councillor Lloyd Hill. (Question 1).

¹⁵ Response by Councillor Hill dated December 23, 2014 to the OCG. (Response 1).



“CHAIRMAN: ...Miss Elrena [sic] Jarrett is your mother-in-law?

A: Yes, sir.

CHAIRMAN: And you have made recommendations for award of contract to her?

A: Yes, sir.

CHAIRMAN: Mr. Jerome Jarrett is your mother-in-law’s husband?

A: Yes, sir?

CHAIRMAN: ...Miss Euviene Cameron she is what relation to you?

A: She is not related at all.

CHAIRMAN: Mr. John Jolly is your cousin?

A: Yes.

CHAIRMAN: Mr. Winsbert Ellis?

A: Not related at all.

CHAIRMAN: Andrea Dehaney-Dinham?

A: Not related at all, sir.

CHAIRMAN: Allegation is that it is a girlfriend who you gave contracts to?

A: No, sir, no girlfriend. We are both married separately. She is married and I am married.

CHAIRMAN: Miss Berdgeth, but Brigette [sic] Henry is your niece?

A: My niece, yes.



*CHAIRMAN: And you...made
recommendations for award
of contracts to her?*

A: Yes, sir.

*CHAIRMAN: And Winsome Cunningham is
your half sister?*

A: Yes, sir... ”¹⁶

The OCG notes that these relationships were also confirmed by the relatives and/or affiliates of Mr. Hill.

In relation to Ms. Winsome Cunningham, the following, *inter alia*, was disclosed by way of a hearing which was convened by the OCG on April 29, 2015:

*“CHAIRMAN: Now, you know
Councilor Lloyd Hill,
ma’am?*

*A: Yes, I know
Councilor Lloyd Hill.*

*CHAIRMAN: Who is he to you
ma’am?*

A: My half brother.”¹⁷

Similarly, Ms. Berdgeth Henry disclosed to the OCG, *inter alia*, her relationship and/or affiliation with Mr. Hill, as follows:

¹⁶ Transcript of hearing involving Councillor Lloyd Hill. Pages 1-2.

¹⁷ Transcript of hearing involving Winsome Cunningham. Page 3



“CHAIRMAN: *Are you familiar with
Mr. Lloyd Hill,
ma'am?*

A: *He is my uncle.*

CHAIRMAN: *Your mother's name
is?*

A: *Winsome
Cunningham.*

CHAIRMAN: *And Winsome
Cunningham is your
uncle's sister?*

A: *Half sister.”¹⁸*

By way of a hearing convened by the OCG on April 29, 2015, the OCG also enquired of Mr. Jerome Jarrett the nature of his relationship with Mr. Hill. Mr. Jarrett stated, *inter alia*, as follows:

“CHAIRMAN: ...*You ever hear the
name Lloyd Hill
before sir?*

A: *Yes sir.*

CHAIRMAN: *Who him is sir?*

A: ...*him married to my
stepdaughter.*

...

¹⁸ Transcript of hearing involving Berdgeth Henry. Page 2.



CHAIRMAN: ...Now your stepdaughter what is her mother's name?

A: Elrina Jarrett.

CHAIRMAN: ...Elrina Jarrett is your...

A: My wife.”¹⁹

Mr. John Jolly indicated to the OCG that Mr. Hill was his cousin as follows:

“CHAIRMAN: Sir in relation to Mr. Lloyd Hill, you know him sir?

A: Yes I do.

CHAIRMAN: How you know him, how you come to know him?

A: He is the Councillor for the Sandy Bay Division.

CHAIRMAN: Are your related to him sir?

A: He is my cousin.”²⁰

Based on the foregoing information, the OCG constructed the following table which indicates the established relationships between Mr. Hill and persons represented to the OCG in the allegation herein:

¹⁹ Transcript of hearing involving Jerome Jarrett. Pages 2-3.

²⁰ Transcript of hearing held on April 29, 2015 involving John Jolly. Page 2.



Table 3

NAME	RELATIONSHIP/AFFILIATION
Winsome Cunningham	Sister
Berdgeth Henry	Niece
Elrina Jarrett	Mother-in-law
Jerome Jarrett	‘Wife’s Stepfather’
John Jolly	Cousin

In light of the allegations, the OCG sought to ascertain whether Mr. Hill made recommendations for the award of contracts to the above stated relatives. In this regard, by way of a requisition dated January 29, 2015, the OCG posed the following to Mrs. Judy McKenzie-Lawrence, former Secretary Manager, Hanover Parish Council:

“List 1
Winsome Cunningham;
Berdgeth Henry;
John Jolly;
Elina [sic] Jarrett; and
Jerome Jarrett.

*Kindly refer to the named persons in List 1 above who were allegedly recommended for the award of contracts by Mr. Lloyd Hill, Councillor, Hanover Parish Council. Please indicate and/or provide: a copy of the Inter-Office Memorandum detailing the recommendation(s), in each case;”*²¹

²¹ OCG requisition dated January 29, 2015 that was sent to Mrs. McKenzie-Lawrence. (Question 1).



In her response to the OCG dated February 4, 2015, Mrs. McKenzie-Lawrence provided the OCG with copies of Inter-Office Memoranda detailing recommendations for the award of contracts by Mr. Hill to the above referenced relatives²².

The OCG notes that Mr. Hill stated that he was not related to Ms. Euviene Cameron and Mr. Winsbert Ellis. He did not disclose whether he was affiliated with them, politically or otherwise. It was Mr. Ellis and Ms. Cameron who advised the OCG of their political affiliation with Mr. Hill as will be discussed further in this Report. Based on this omission, the Office deemed it prudent to ask the following, *inter alia*, of Mrs. Judy McKenzie-Lawrence, former Secretary Manager, Hanover Parish Council:

“List 3

Winsbert Ellis;

Euviene Cameron; ...

Kindly refer to the named persons in List 3 above who were allegedly recommended for the award of contracts by Mr. Lloyd Hill, Councillor, Hanover Parish Council. Please indicate and/or provide:

- i. a copy of the Inter-Office Memorandum detailing the recommendation(s), in each case;*
- ii. a copy of the contract document(s)/agreement(s) that was/were issued by the Hanover Parish Council in relation to the contract(s) that was/were awarded, if any, to the named persons in List 3 above; and*

²² Response by Mrs. Judy McKenzie-Lawrence dated February 4, 2015 to the OCG, Appendix 1.



- iii. *copies of all cheques that were made payable by the Hanover Parish Council to the referenced persons in respect of the award of contracts in the above regard.*²³

At a hearing held on April 30, 2015, Mrs. McKenzie-Lawrence provided the OCG with copies of Inter-Office Memorandums detailing recommendations for the award of contracts by Mr. Hill to the above referenced persons.

The OCG constructed the following table highlighting the details of recommendations made by Mr. Hill for the award of contracts to his relatives and persons with whom he is affiliated:

²³ OCG requisition dated April 20, 2015 that was sent to Mrs. McKenzie-Lawrence. (Question 3).



Table 4

#	Date of Recommendation ²⁴	Name of Person Recommended	Relationship and/or Political Affiliation	Location of Works	Work Description	Recommended Amount to be Paid
1	11.02.2013	Winsome Cunningham	Sister	Springfield Road	To clear breakaway and clean drains	\$100,000.00
2	08.04.2013	Winsome Cunningham	Sister	Hannah Town Road	Bushing	\$120,000.00
3	06.05.2013	Winsome Cunningham	Sister	Sandy Bay to Upper Taylors Drive	Drain cleaning and bushing	\$60,000.00
4	01.07.2013	Winsome Cunningham	Sister	Sandy Bay Gully	Cleaning of main drain	\$50,000.00
5	17.10.2013	Winsome Cunningham	Sister	Turn Pipe Road	Road rehabilitation	\$260,000.00
6	28.11.2013	Winsome Cunningham	Sister	Tryall Gardens	Bushing and drain cleaning	\$135,000.00
7	08.11.2012	Berdgeth Henry	Niece	Springfield Road	Bushing and drain cleaning	\$160,000.00
8	19.12.2012	Berdgeth Henry	Niece	Georgia Road	Bushing and cleaning of drains	\$75,000.00
9	08.04.2013	Berdgeth Henry	Niece	Bullah Town Road	General road maintenance	\$80,000.00
10	17.04.2013	Berdgeth Henry	Niece	Ellis Gate Road	General maintenance of road and drains	\$85,000.00
11	03.06.2013	Berdgeth Henry	Niece	Burntside Road	Cleaning of main drains and side drains	\$140,000.00
12	01.07.2013	Berdgeth Henry	Niece	Sandy Bay Gully	Cleaning of main drain	\$100,000.00
13	18.07.2013	Berdgeth Henry	Niece	Tryall Gardens	Cleaning of drains	\$149,850.00

²⁴ The date on which the Hanover Parish Council stamped the Inter-Office Memorandum



#	Date of Recommendation ²⁴	Name of Person Recommended	Relationship and/or Political Affiliation	Location of Works	Work Description	Recommended Amount to be Paid
14	11.09.2013	Berdgeth Henry	Niece	Tryall Gardens	To clean drains along roadways	\$140,000.00
15	28.11.2013	Berdgeth Henry	Niece	Tryall Gardens	Bushing and drain cleaning	\$140,000.00
16	02.01.2014	Berdgeth Henry	Niece	Tryall Gardens	Cleaning of drains and bushing of roadway	\$129,900.00
17	14.05.2012	John Jolly	Cousin	Sandy Bay to Mt. Pelier	To clean main drain	\$85,000.00
18	09.07.2012	John Jolly	Cousin	Tryall Gardens	To clean drains and maintain roadways	\$110,000.00
19	23.07.2012	John Jolly	Cousin	Tryall Gardens	Cleaning of drains	\$140,000.00
20	21.08.2012	John Jolly	Cousin	Tryall Gardens	To clean drains along roadway	\$120,000.00
21	02.10.2012	John Jolly	Cousin	Tryall Gardens	Cleaning of drains and bushing along roadways	\$130,000.00
22	26.10.2012	John Jolly	Cousin	Tryall Gardens	Cleaning of drains	\$140,000.00
23	08.11.2012	John Jolly	Cousin	High Level Road to Sandy Bay	Bushing and drain cleaning	\$105,000.00
24	05.03.2013	John Jolly	Cousin	Sandy Bay to Mt. Pelier Road	Cleaning of main drain	\$70,000.00
25	05.03.2013	John Jolly	Cousin	Sandy Bay to Mt. Pelier Road	Cleaning of main drain	\$130,000.00
26	08.04.2013	John Jolly	Cousin	Sandy Bay main gully	To clean and remove debris	\$80,000.00
27	06.05.2013	John Jolly	Cousin	Sandy Bay to Mamee Heights	Drain cleaning and bushing	\$140,000.00
28	20.05.2013	John Jolly	Cousin	Tryall Gardens	Drain cleaning and bushing	\$90,000.00
29	03.06.2013	John Jolly	Cousin	Tryall Gardens	Cleaning of main drain along roadways	\$120,000.00
30	01.07.2013	John Jolly	Cousin	Tryall Gardens	Drain cleaning and bushing of drains	\$140,000.00
31	18.07.2013	John Jolly	Cousin	Sandy Bay	Cleaning of main drain	\$140,000.00



#	Date of Recommendation ²⁴	Name of Person Recommended	Relationship and/or Political Affiliation	Location of Works	Work Description	Recommended Amount to be Paid
32	23.08.2013	John Jolly	Cousin	Turn Pipe to High Level Road, Sandy Bay	To clean blocked side drains and cross drains	\$200,000.00
33	29.08.2013	John Jolly	Cousin	Tryall Gardens	To clean main drains	\$130,000.00
34	03.10.2013	John Jolly	Cousin	Tryall Gardens	Drain cleaning and bushing of roads	\$155,000.00
35	17.10.2013	John Jolly	Cousin	Turn Pipe Road	Road rehabilitation	\$480,000.00
36	28.11.2013	John Jolly	Cousin	Tryall Gardens	Bushing and drain cleaning	\$145,000.00
37	02.01.2014	John Jolly	Cousin	Tryall Gardens	Cleaning of drains and bushing of roadway	\$140,000.00
38	27.02.2014	John Jolly	Cousin	Tryall Gardens	Drain cleaning and bushing along roadways	\$170,000.00
39	17.04.2013	Elrina Jarrett	Wife's mother	Tryall Gardens	Cleaning of drains and bushing along roadways	\$80,000.00
40	01.07.2013	Elrina Jarrett	Wife's mother	Taylor's Drive to Sandy Bay	Bushing and cleaning of drain	\$105,000.00
41	03.09.2013	Elrina Jarrett	Wife's mother	High Level Road	Road maintenance	\$150,000.00
42	28.11.2013	Elrina Jarrett	Wife's mother	Mt. Pelier	Bushing and drain cleaning	\$10,000.00
43	28.11.2013	Jerome Jarrett	Wife's stepfather	Mt. Pelier	Bushing and drain cleaning	\$10,000.00
44	02.01.2014	Jerome Jarrett	Wife's stepfather	Mt. Pelier	Cutting and cleaning of playfield area	\$75,000.00
45	09.07.2012	Winsbert Ellis	PNP Affiliate	Tryall Gardens	To clean drains and maintain roadways	\$100,000.00
46	23.07.2012	Winsbert Ellis	PNP Affiliate	Tryall Gardens	Cleaning of drains	\$100,000.00
47	21.08.2012	Winsbert Ellis	PNP Affiliate	Tryall Gardens	To clean drains	\$15,000.00
48	21.08.2012	Winsbert Ellis	PNP Affiliate	Tryall Gardens	To clean, shape, marl and roll sections of road at Tryall Gardens	\$275,000.00
49	02.10.2012	Winsbert Ellis	PNP Affiliate	Tryall Gardens	Cleaning of drains	\$130,000.00



#	Date of Recommendation ²⁴	Name of Person Recommended	Relationship and/or Political Affiliation	Location of Works	Work Description	Recommended Amount to be Paid
50	26.10.2012	Winsbert Ellis	PNP Affiliate	Tryall Gardens	Cleaning of drains	\$109,900.00
51	08.11.2012	Winsbert Ellis	PNP Affiliate	Tryall Gardens	Bushing and drain cleaning	\$150,000.00
52	15.01.2013	Winsbert Ellis	PNP Affiliate	Tryall Gardens	Bushing of roadways and cleaning of related drains and other drains	\$150,000.00
53	05.03.2013	Winsbert Ellis	PNP Affiliate	Tryall Gardens	Drain cleaning and bushing	\$115,000.00
54	20.05.2013	Winsbert Ellis	PNP Affiliate	Tryall Gardens	Drain cleaning and bushing	\$130,000.00
55	01.07.2013	Winsbert Ellis	PNP Affiliate	Tryall Gardens	Drain cleaning and bushing of drains	\$145,000.00
56	18.07.2013	Winsbert Ellis	PNP Affiliate	Tryall Gardens	Cleaning of drains	\$130,000.00
57	29.08.2013	Winsbert Ellis	PNP Affiliate	Sandy Bay	To clean main drains and side drains	\$140,000.00
58	29.08.2013	Winsbert Ellis	PNP Affiliate	Sandy Bay	Road rehabilitation	\$300,000.00
59	17.10.2013	Winsbert Ellis	PNP Affiliate	Turn Pipe Road	Road rehabilitation	\$260,000.00
60	08.11.2013	Winsbert Ellis	PNP Affiliate	Tryall Gardens to Sandy Bay	Drain cleaning and bushing along roadways	\$220,000.00
61	28.11.2013	Winsbert Ellis	PNP Affiliate	Tryall Gardens	Bushing and drain cleaning	\$100,000.00
62	18.02.2014	Winsbert Ellis	PNP Affiliate	Tryall Gardens	Bushing and cleaning of drains along roadways	\$135,000.00
63	04.07.2014	Winsbert Ellis	PNP Affiliate	Tryall Gardens	Rehabilitation of sections of roadway	\$312,920.00
64	08.11.2012	Euviene Cameron	PNP Affiliate	Donalia to Burntside Road	To clean side drains and cross drains	\$160,000.00
65	11.02.2013	Euviene Cameron	PNP Affiliate	Burntside Road	To clean side drains and cross drains	\$140,000.00
66	06.05.2013	Euviene Cameron	PNP Affiliate	Plani Mountain	Drain cleaning and bushing	\$144,600.00
67	29.08.2013	Euviene Cameron	PNP Affiliate	Burntside to Donalia Road	To clean cross drains	\$110,000.00
68	03.10.2013	Euviene Cameron	PNP Affiliate	Hannah Town	Bushing of roads	\$180,000.00



#	Date of Recommendation ²⁴	Name of Person Recommended	Relationship and/or Political Affiliation	Location of Works	Work Description	Recommended Amount to be Paid
69	15.07.2014	Euviene Cameron	PNP Affiliate	Burntside	Drain cleaning	\$150,000.00
TOTAL						\$9,417,170.00

Based on the foregoing, Mr. Hill has made recommendations for the award of contracts in favour of his relatives and persons to whom he is politically affiliated totaling approximately **\$9,417,170.00**.

It is instructive to note that **recommendations in the form of Inter-Office Memoranda, are sent by a Councillor to the Secretary Manager giving details of the name of the contractor, contact and contract details, measurement of works to be done, location of works to be done and the sum to be paid for the contract. Consequently, once a recommendation is made for the award of a contract to a contractor, invariably, that person is awarded the contract for the works.**



The Selection Process Utilised in the Recommendation for the Award of Contracts

The selection process utilised by Mr. Lloyd Hill in making recommendations for the award of contracts was examined during the course of the Investigation. As established before there is no documented policy at the Hanover Parish Council regarding the selection process utilised in the recommendation for the award of contracts. Such recommendations are made solely at the discretion of the Councillor.²⁵

By way of a hearing held on April 29, 2015, Mr. Hill disclosed to the OCG the basis on which he recommended Ms. Winsome Cunningham and Ms. Euviene Cameron, his sister and political affiliate, respectively. He said, *inter alia*, the following:

“A: ...They were recommended because they are responsible persons who would be able to manage...

CHAIRMAN: *The main intention of yours when you select these persons, what is it you are trying to achieve?*

A: *Try to get persons who you are sure will honour their commitments to the persons who they employ, one, and that they will genuinely rotate the number of persons. Employ as many as possible*

²⁵ Transcript of hearing held on April 1, 2014 involving Ms. Shernet Haughton. Page 41



*and not the same persons all the time so I think those persons will work with that, sir.*²⁶ (OCG Emphasis)

Based on the admission of Mr. Hill, such recommendations were made based on the individual's ability to execute and manage the works. Interestingly, Mr. Hill made recommendations in favour of Ms. Winsome Cunningham and Ms. Euvienne Cameron, aged sixty-five (65) and sixty-seven (67) respectively.

The Selection of Euvienne Cameron for the Award of Contracts

By way of a hearing which was held on April 29, 2015 and which involved Euvienne Cameron, the following, *inter alia*, was disclosed:

“CHAIRMAN: ...how old are you, ma'am?
A: I will be 68 on the 20th of June.
...
CHAIRMAN: You get eight contracts to bush and drain clean, ma'am?
A: I think so, yes.
CHAIRMAN: ...Burnside Road from 1st Bridge, this was the 17th of July, 2012, to the 31st of July, 2012, almost two weeks.

...

²⁶ Transcript of hearing involving Mr. Lloyd Hill. Page 8.



Now, for the work that was done, you do any of the work, ma'am?

A: I didn't really do the work, I get the people to do the work.

CHAIRMAN: You get the people to do the work?

A: Yes.

CHAIRMAN: You supervise the work for this contract, ma'am?

A: Yes.

CHAIRMAN: For this contract over two weeks you go there every day, ma'am, or sometimes?

A: I go there everyday.

CHAIRMAN: You stay the whole day too?

A: I don't stay the whole day.”²⁷

In respect of the aforementioned contract that was awarded to Ms. Cameron, she asserted that she employed fifty (50) persons to execute same. Ms. Cameron indicated that the persons whom she employed were paid less than \$2,000.00 for a period of two (2) weeks. This admission by Ms. Cameron was made during a hearing held on April 29, 2015, as follows:

“CHAIRMAN: ...The next one is hundred thousand dollars, Burnside again; de-bush and drain cleaning. This is from the 7th of March, 2012, to the 21st of

²⁷ Transcript of hearing involving Euvienne Cameron. Pages 3- 4.



March, 2012, two weeks...How much people you get to do this one here ma'am?

A: Fifty.

CHAIRMAN: Fifty and is hundred thousand dollars worth of work. How much you paid them ma'am?

A: Me pay them less than the two.

CHAIRMAN: Less than the two thousand?

A: Hmm.”²⁸

At the stated hearing, Ms. Cameron also indicated, *inter alia*, the following in relation to a contract for drain cleaning at Burnside Road:

“CHAIRMAN: ...drain cleaning again at Burnside Road from 1st Bridge and at main drain at 2nd Bridge from the 11th to the 25th of May, 2012, where you get paid a hundred and thirty thousand dollars, ma'am. You remember that one, ma'am?

A: Yes.

²⁸ Transcript of hearing involving Euvienne Cameron. Pages 8 –9.



CHAIRMAN: *You alone do this work,
ma'am?*

A: **Me no do none.**²⁹
(OCG Emphasis)

As highlighted in the above quotation, Ms. Cameron advised the OCG that she did no work in relation to the contract that was awarded to her in the amount of \$130,000.00, for the execution of drain cleaning works.

Having regard to the contracts discussed herein, Ms. Cameron stated during the course of a hearing on April 29, 2015, that she is of the opinion that the recommendations were made on the basis that she is an 'area leader'. The following, *inter alia*, was disclosed:

“CHAIRMAN: *Did you know that these eight
contracts you get that is Mr.
Hill recommend you, ma'am?*

A: *Yes. Could I say something
else?*

CHAIRMAN: *Please, ma'am?*

A: *Yes, because sometimes I
used to get it from the Public
Works too.*

CHAIRMAN: *When it did name Public
Works?*

A: **Yes. I am the area leader.**

CHAIRMAN: **You are the area leader?**

A: **Yes.**

CHAIRMAN: **For the PNP?**

²⁹ Transcript of hearing involving Euvienne Cameron. Page 6.



- A: Yes.
- CHAIRMAN: And Mr. Hill always look after you?
- A: Yes. Him look after me to look after the people, not him...
- CHAIRMAN: *You did know him a recommend you to get contract to clean road? Him tell you say him a go give you work, ma'am?*
- A: *No, him tell me a must come out and do work.*
- CHAIRMAN: *You ask for any work, ma'am or you ask Mr.?*
- A: *Sometimes me ask.*³⁰
(OCG Emphasis)

In an attempt to clarify what was meant by Ms. Cameron when she described herself as an 'area leader', the following, *inter alia*, was posed to her:

- “OCG OFFICER: *Miss Cameron you said earlier that you are the area representative, you are the area leader?*
- A: *Yes, ma'am.*
- Q: *For what?*

³⁰ Transcript of hearing involving Euvienne Cameron. Page 16.



- A: *In the community.*
- Q: *What community is that?*
- A: *From Cash Hill round.*
- Q: *You are the leader for Cash Hill community?*
- A: *Yes.*
- Q: *What do you do as area leader, what does that mean?*
- A: ***I am a PD worker** (polling division) so they call me a area leader. So I always find out what is going on in the area where the help is needed and so on.”³¹*
(OCG Emphasis)

In accordance with the responses provided by Ms. Cameron, the recommendations for the award of contracts by Mr. Hill made in her favour were based on the fact that she is a member of the People’s National Party (PNP).

The Selection of Winsome Cunningham for the Award of Contracts

In a hearing that was convened by the OCG on April 29, 2015, Ms. Winsome Cunningham appeared and advised of the manner in which contracts were awarded to her. In this regard, the following, *inter alia*, was disclosed:

- “CHAIRMAN: *Now, Mr. Hill, him give you contract to do work, ma’am?*
- A: *No.*

³¹ Transcript of hearing involving Euvienne Cameron. Page 19.



CHAIRMAN: Where you get the contracts from ma'am?

A: From this gentleman down by the Parish Council. Is two of them.

...

CHAIRMAN: ...the people who you talking about is them carry you and show you the work?

A: Who that?

CHAIRMAN: The person name that you can't remember?

A: Mr. Humphrey.

CHAIRMAN: Okay. So you half brother, Mr. Hill never tell you say him give you no work?

A: Not really, him never mention about work a just Mr. Humphrey.

CHAIRMAN: Now, how you know that you must go and talk to Mr. Humphrey?

A: Because I hear that work is going on so I ask Mr. Humphrey.”³²

³² Transcript of hearing involving Winsome Cunningham. Pages 3-4.



Ms. Cunningham also advised the OCG of the manner in which the contracts for which she was recommended by her brother, were executed. She indicated, *inter alia*, as follows:

“CHAIRMAN: ...how old are you?
A: How old are me?
CHAIRMAN: Yes, ma’am.
A: I am 68 years old August
 coming.
CHAIRMAN: ...The next contract to clean
 and clear, this is at Upper
 Taylors Drive, Sandy Bay.
 This is from May 9th to the
 24th of May, 2013, sixty
 thousand dollar worth a
 work, ma’am?
A: Yes, sir.
 ...
CHAIRMAN: So from the 9th of May to the
 24th of May, how much time
 you go on this site, ma’am?
 You don’t go everyday?
A: No, not everyday.
CHAIRMAN: And you supervise them,
 ma’am?
A: Yes.
 ...



CHAIRMAN: ...you don't go everyday
though?

A: Honestly, is not every day I
go.³³ (OCG Emphasis)

Based on the aforementioned disclosure, the OCG notes that Ms. Cunningham, albeit acting in a supervisory role, did not visit the site on which the stated works was being executed on a daily basis.

The competence of Ms. Winsome Cunningham in respect of the recommendation for the award of contracts for road rehabilitation work is of keen interest to the OCG. The OCG notes that road maintenance works as described by the National Contracts Commission (NCC), involves, *inter alia*, the following:

“Road Maintenance works

*The filling of cracks and voids in existing asphaltic surfaces. The installation of precast bumpers, traffic signs, non-electrical markers and striping of the surfaces. The clearing and maintenance of carriageway verges. The assembling, installation of fencing, guardrails, signs and non-electrical markers.”*³⁴

The referenced contract which was awarded to Ms. Winsome Cunningham, Mr. Lloyd Hill's sister, was valued at \$260,000.00 and dated October 17, 2013. In enquiring further details of the

³³ Transcript of hearing involving Winsome Cunningham. Pages 10 -11.

³⁴ National Contracts Commission Category and Grade Limits. July 2003.

<http://www.ncc.gov.jm/ncc/documents/2003categorylist.pdf>. Accessed on January 27, 2016.



contract, the following questions were posed to Ms. Cunningham in a judicial hearing held on April 29, 2015:

“CHAIRMAN: From in October 25 to November 8,2013, this is at Turnpipe Road, contract also to supply and furnish asphaltic concrete on site, spread, loot, wet and compress to required levels and gradient. You know anything bout them thing deh, ma'am?

A: Yes, sir.

CHAIRMAN: You know how to compact to required level and gradient?

A: No, I get men who can do it.

CHAIRMAN: You get men who can do it. So how you know if them doing it right?

A: When Mr. Gentleman from Lucea came and check the work...

CHAIRMAN: Mr. Humphrey?

A: Yes. He know if it done proper. If it don't done proper him say Miss



Cunningham this have to do over and this have to do over.

CHAIRMAN: Suppose him tell you it need to do over, how you explain to the worker them and tell them what to do if you don't know what to do?

A: But he explain to me and I get professional people who can do it.

CHAIRMAN: So this one was for two hundred and sixty thousand dollars?

A: Yes, sir.

CHAIRMAN: So for this one you don't do anything there, you get people, you can't -- tell me exactly what you do on this one?

*A: Honestly, I couldn't manage that, because you know I have to get the man to compress and do whatever. I couldn't manage it, but I oversee it.*³⁵

³⁵ Transcript of hearing held on April 29, 2015 involving Ms. Winsome Cunningham. Pages 7-8.



In accordance with the provisions of the NCC's description of categories of works and grade limits, road maintenance works includes "*the filling of cracks and voids in existing asphaltic surfaces*". The description of work to be executed in Ms. Cunningham's contract, that is, the spreading of asphalt, would therefore fall within the scope provided by the NCC. However, the OCG questions Ms. Cunningham's competence in executing same. **By her own admission, she did not execute the works herself and had no knowledge of the process and skills required in executing the work, as she 'got men who could do it' and was only made aware that the works were completed properly after the site was inspected and the work verified by Mr. Enoch Humphrey, Assistant Superintendent of Roads and Works, Hanover Parish Council.** The OCG notes that Ms. Cunningham stated that although she "*honestly could not manage*" the execution of the works, she sought to act in a supervisory role by overseeing the project. However, it was Ms. Cunningham who also admitted to the OCG that she did not visit the site on every occasion in which the works were being executed.

The Selection of Berdgeth Henry for the Award of Contracts

During the course of its Investigation, the OCG, sought to ascertain the basis on which Ms. Berdgeth Henry was recommended for the award of contracts. By way of a hearing held on April 29, 2015, Ms. Henry provided the OCG with details of the process utilised in selecting her for award of contracts:

"CHAIRMAN: At the time that you received the contracts were you aware that your uncle recommended you for contracts?"

A: No.

...



CHAIRMAN: ...Now, ma'am, would it be accurate to say that you received about eleven contracts from the Hanover Parish Council?

A: Yes, sir.

CHAIRMAN: In respect of all the contracts you received Mr. Humphrey contacted you to tell you that you had gotten contracts?

A: Yes, sir.

CHAIRMAN: How did he contact you?

A: Sometime when we go on the round robin and he would give me a call.

...

CHAIRMAN: So is not like a formal setting that him call you to the Parish Council and have a meeting?

A: No.

CHAIRMAN: It is always like an informal thing?

A: Yes. If I saw him because through [sic] he know I am not working if he saw me...



CHAIRMAN: *So how would he know that you not working?*

A: *Because at the time when we go to round robin everybody was like talking and my mother would say like my daughter is not working.*

...

CHAIRMAN: ***So at various times at various round robins that is when Mr. Humphrey informed you in that informal setting that you get contract because him know you not working?***

A: ***Yes.***

CHAIRMAN: *...Mr. Humphrey he has called you on your personal cell phone?*

A: *Yeah.*

CHAIRMAN: *And you know how him get your number?*

A: *When we meet up at the round robin...*

CHAIRMAN: *So is like at the round robin when him tell you, you get contract that is when him ask you for your number and your personal details?*



A: Yes...

...

Q: ...I am asking you whether or not you had gone to him and said that you needed some work?

A: No.

Q: So I am asking you now if when he told you at Round Robin that he had some work for you if you didn't consider that strange? Why would he just come to you and ask you?

A: **Is not really he come to me, you know. We were there talking and talking, having fun and all a that and we were talking about work because I wasn't working and that come up, the work. Is not really like I go to him and ask him. We were there talking and talking that is how it come up....**

Q: Okay. When you were talking is it that he said to you that he will give you some work or he had something already planned for you to do?

A: No.



Q: *What did he say?*

A: ***He say whenever he has a work he will let me know.***³⁶

(OCG Emphasis)

The OCG notes that Ms. Henry indicated that she was not aware that her uncle, Mr. Lloyd Hill, recommended her for the award of contracts at the Hanover Parish Council. Based on the responses she provided to the OCG it is apparent that no formal method was utilized in selecting Ms. Henry for the award of contracts as this was usually done during ‘round robin’ parties in the community between herself and Mr. Enoch Humphrey, Assistant Superintendent of Roads and Works at the Hanover Parish Council.

During the course of a hearing held on April 29, 2015, Ms. Henry admitted, *inter alia*, as follows:

“CHAIRMAN: *...A contract at Tryall Gardens for a hundred and forty nine thousand six hundred and forty to de-bush road reservation, clean catchment and draining system?*

A: *Yes, sir.*

CHAIRMAN: *...You remember that contract ma'am?*

A: *Yes. Sir.*

³⁶ Transcript of hearing involving Berdgeth Henry. Pages 3-26.



CHAIRMAN: *You did any work on the contract, ma'am?*

A: *Yes, sir.*

CHAIRMAN: *...Other people worked, ma'am?*

A: *Yes, sir.*

CHAIRMAN: *How many others for that?*

A: *About ten to fifteen people worked.*

CHAIRMAN: *Not sure of the number? You write down them names, you have any record?*

A: *No, I don't.*

CHAIRMAN: *You just know who is who?*

A: *Not really, **because I will get some and then Mr. Humphrey would get some?***

CHAIRMAN: ***Mr. Humphrey would get some?***

A: ***Yes.***

...



CHAIRMAN: Him find the people them for you?

A: Yes.

CHAIRMAN: Get the people them?

A: Yes. He will get like three and I will find the next twelve.

CHAIRMAN: *And when him get them him say use these people?*

A: *Not really.*

CHAIRMAN: *What him do?*

A: Him just say, these gentlemen need a work. So we work together.³⁷

(OCG Emphasis)

Of note, Mr. Humphrey denied the foregoing disclosures made by Ms. Henry in a hearing held on April 30, 2015. He indicated that he has never engaged in any such conversation with Ms. Henry. Detailed below is a verbatim extract of his evidence in this regard:

“CHAIRMAN: *...Miss Henry advises that she goes to places like round robins and that is where she sees you and at the round*

³⁷ Transcript of hearing involving Berdgeth Henry. Pages 8-10.



robins that is where you inform her and tell her, you know that a contract is issued...What she is saying is that there is no process she is called and invited to the Parish Council, it is a very informal thing, at least settings, and she speaks to round robins that you and her attend on a regular basis...and that is the place where you inform her of the award of contracts to her. Any comment on that?

A: **First I am hearing that...I have never been to a round robin.**

...

CHAIRMAN: *She alleges that she got persons to do the work and you Mr. Humphrey presented to her three persons and said that she should hire these persons to also do the work. She says that you, not only were you giving out the*



work...in addition to the person she selected, you said that these are persons who need work?

A: ***First and foremost I wasn't the one who give out, because I don't give out work, that is the first thing, that is a fact. And the second thing I don't know Miss Berdgeth Henry as you said is a niece of the councillor...And I'm not even too sure if I know her, because I am not the one who gives out the work.***³⁸

Having heard the above evidence from Mr. Humphrey, the OCG provided him with copies of contracts awarded to Ms. Henry, which bore his signature indicating that he in fact endorsed that the work was satisfactorily completed. This was reflected in a hearing convened by the OCG on April 29, 2015 below:

“Q: *I am going to show you two contracts and I would like you to tell us, the contractor on the contracts is Miss Berdgeth Henry I would like*

³⁸ Transcript of hearing involving Enoch Humphrey. Pages 74-75.



you to tell us if this is your signature on this contract?...

A: Yes, I signed off as checking as work satisfactorily done.

CHAIRMAN: Pardon me?

A: I signed off as checking as work satisfactorily done.

...

The works overseer is the one who will follow up with the contractor to ensure that the work is done. When he is satisfied that the work is done he presents them to me and then I go and do a final check, during that time I don't necessarily have to see anyone.

CHAIRMAN: You don't necessarily have to see anyone?

A: No, I just check what the work is saying...

CHAIRMAN: Do you now recall the lady sir?



A: **I don't recall her face.**

CHAIRMAN: *The name, does the name ring a bell?*

A: *By looking at it, yes **the name will ring a bell.***³⁹

The OCG notes that a total of six (6) contracts were awarded to Ms. Berdgeth Henry and to which Mr. Humphrey affixed his signature to indicate that he had verified the works which were executed.

Mr. Humphrey himself, in a hearing convened by the OCG on June 3, 2014, outlined his role(s) and function(s) as the Assistant Superintendent of Roads and Works, as follows:

“Q: Your present job function, sir?”

A: *Assistant Superintendent and **it entails supervising mostly, supervising and checking works as they are done.***

Q: ...Have you performed other functions, other jobs outside of Assistant Superintendent?

A: *Not really.*

...

Q: ...Now sir, can you tell us what, if any, role you play from start to finish and when I say start, after a recommendation may be made

³⁹ Transcript of hearing involving Enoch Humphrey. Pages 77- 79.



for an award of contract, do you have any role to play?

A: I am not the one who will issue the work, the issuing of the work is done by a Works overseer and then now the Works overseer would have been there while the work is going on when it is completed, I can go when it is completed or I can at sometimes just randomly pass through just to ensure that the work is done.

Q: ...as Assistant Superintendent of Works, do you have any part to play in decision making process, because you would agree with me even though a recommendation is made it may not be approved. Do you have any part to play after a recommendation is made in respect of the processes?

A: No.

Q: ...what is the actual point that you become involved in any contract or any work being done, when is it that you become involve?

A: Once the Works overseer issued the work he would have had the contract written up then the work would be issued, then when that is completed he indicates to me by giving me the contracts and to say these works are



completed, then you are now able to go through and do the final check

...

Once he hand me the contract he would have indicated to me that these works are completed for me to now go through and do a final check for me to verify.

...

Q: And just to be clear, you have no part to play in respect of recommendation of persons for contracts?

*A: **My role as the technical officer is not to recommend those persons**, my role as the technical officer is to act upon in the implementation of the work of those persons.”⁴⁰ (OCG Emphasis)*

It is the OCG’s observation that Mr. Humphrey himself stated that his function as the Assistant Superintendent of Roads and Works entails supervising and checking or verifying works as they are executed. He also stated that he is not involved in the decision making process, does not issue any works, nor does he recommend individuals for the award of contracts.

The Selection of Mr. Jerome Jarrett and Mrs. Elrina Jarrett for the Award of Contracts

Councillor Lloyd Hill admitted that Mr. Jerome Jarrett and Mrs. Elrina Jarrett are his wife’s stepfather and mother, respectively. In an effort to ascertain the circumstances in which the Jarretts were selected to be recommended for the award of contracts at the Hanover Parish

⁴⁰ Transcript of hearing held on April 30, 2015 involving Enoch Humphrey. Pages 36-41.



Council, the OCG, by way of a hearing held on April 29, 2015, asked the following of Mr. Jerome Jarrett:

“CHAIRMAN: Now, you get contract to do work at the Parish Council?”

A: Yes, I get a contract cause we have piece of land going to the playfield...we give a piece of the road to the playfield in our land, so we gave them the privilege to deal with the road and then we ask them that if we give them the road and whenever any work that we can get...they will give us a work whenever any work available in the council...

CHAIRMAN: ...when you say we give, who you give, you give the Hanover Parish Council?

A: Parish Council...

CHAIRMAN: So the arrangement is...you give them the land which is the road to go into the playfield, the arrangement is that whenever any work



*come up to clean the same
road weh you give them you
get it?*

A: *Can get it and then when
they gave me something mi
share it up.*

...

CHAIRMAN: *The piece of land weh the
road run on is for you and
your wife own?*

A: *Right.*

CHAIRMAN: *You and your wife agree.*

A: *To give them the privilege.*

CHAIRMAN: *To give the Parish Council
the privilege?*

A: *To put the road there to go
out there.*

CHAIRMAN: *To put the road through your
land to the playfield?*

A: *Right.*

CHAIRMAN: *The understanding is that
you will get first privilege to
clean the same road and*



them pay you fi clean the same road?

A: Going out there, because we gave them free, so whenever any work come up then we have a little benefit.

...

CHAIRMAN: Now, the people who come from the Parish Council is a Mr. Humphrey come up there?

A: Either Mr. Humphrey or Mr. Rose.

...

CHAIRMAN: Now, the land that you said your wife give privilege, you have any paper that say is your land?

A: That is my wife land?

CHAIRMAN: Yes.

A: They have their taxes paper.

CHAIRMAN: So is not you and fi her own, is just her own?



A: *Her own and me have another piece where a gutter come through, so sometimes whenever holiday time them always give me the draining to clean my land, because everybody...*

CHAIRMAN: *Come again?*

A: ***When holiday they always give me the work to clean the draining in my land.***

...

CHAIRMAN: *Mr. Humphrey choose the people and give you?*

A: *No, him just bring me a slip to sign...Him gave me the work and then me get somebody along with me and help clean.*⁴¹

(OCG Emphasis)

The above disclosure made by Mr. Jarrett is similarly reflected in a verbatim extract of a transcript of a hearing involving Mr. Lloyd Hill held on April 29, 2015, and which is highlighted below:

⁴¹ Transcript of hearing held on April 29, 2015, involving Jerome Jarrett. Pages 4-11.



“CHAIRMAN: *Mr. Hill your mother-in-law, recommendations for her, for contract Mr. Hill?*

A: *...It was just a foot track, but they were developing the playfield into a major sporting facility and they needed a road and they said they didn't have any money to pay for the land so they got the land through his wife's land which is my mother-in-law land and the understanding was that whenever work was going to be done on the road that she would benefit because she didn't get pay for the land. So it is really on that basis that she was recommended.*

CHAIRMAN: *Is there any signed document to that effect or just a verbal arrangement?*

A: *Is just a verbal arrangement because the community was very excited about the field, so it would have been*



*unpopular for her to
refuse.”⁴²*

(OCG Emphasis)

Based on the above admissions, it is the OCG’s finding that the Hanover Parish Council entered into a verbal agreement with the Jarretts to utilise their lands and in turn the Jarretts would “*have a little benefit*” whenever works are to be executed in this regard. Additionally, the OCG notes that Mr. Jarrett was the recipient of contracts from the Hanover Parish Council to clean the drain on his own land.

⁴² Transcript of hearing held on April 29, 2015, involving Lloyd Hill. Page 5.



Contracts Awarded to Persons Related to and/or Politically Affiliated with Mr. Lloyd Hill

As mentioned herein, the OCG requested of the Hanover Parish Council to provide copies of all recommendations, contracts and cheques awarded and made payable to the relatives of Mr. Lloyd Hill and persons with whom he is affiliated during the period 2012-2014. The OCG has produced, hereunder, a table outlining contracts which were awarded and payments made to persons related to and/or politically affiliated with Mr. Hill:



Table 5

Name of Person Awarded Contract	Nature of Relationship to Mr. Lloyd Hill	Date of Recommendation made by Lloyd Hill	Amount Recommended by Lloyd Hill \$	Cheque Payments Issued by the Hanover Parish Council \$	Date of Cheque Issued by the Hanover Parish Council	Bank of Encashment	Date of Corresponding Contract Issued by the Hanover Parish Council
Winsome Cunningham	Sister	11.02.2013	100,000.00	99,600.00	21.02.2013	NCB	None provided by the Hanover Parish Council
		08.04.2013	120,000.00	120,000.00	18.04.2013	NCB	11.04.2013
		06.05.2013	60,000.00	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	09.05.2013
		01.07.2013	50,000.00	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	05.07.2013
		17.10.2013	260,000.00	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	25.10.2013
		28.11.2013	135,000.00	135,000.00	17.12.2013	NCB	03.12.2013
		None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	26,000.00	27.03.2014	NCB	None provided by the Hanover Parish Council
		CHEQUE PAYMENTS TOTAL = \$380,600.00					
Berdgeth Henry	Niece	08.11.2012	160,000.00	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	12.11.2012
		19.12.2012	75,000.00	75,000.00	04.01.2013	NCB	21.12.2012
		08.04.2013	80,000.00	80,000.00	18.04.2013	NCB	11.04.2013



Name of Person Awarded Contract	Nature of Relationship to Mr. Lloyd Hill	Date of Recommendation made by Lloyd Hill	Amount Recommended by Lloyd Hill \$	Cheque Payments Issued by the Hanover Parish Council \$	Date of Cheque Issued by the Hanover Parish Council	Bank of Encashment	Date of Corresponding Contract Issued by the Hanover Parish Council
		17.04.2013	85,000.00	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	Date illegible
		03.06.2013	140,000.00	139,900.00	13.06.2013	NCB	07.06.2013
		01.07.2013	100,000.00	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	05.07.2013
		18.07.2013	149,850.00	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	15.07.2013
		11.09.2013	140,000.00	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	13.09.2013
		28.11.2013	140,000.00	139,975.00	17.12.2013	NCB	03.12.2013
		02.01.2014	129,900.00	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	06.01.2014
		None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	149,640.00	07.04.2014	NCB	24.03.2014
CHEQUE PAYMENTS TOTAL= \$584,515.00							
John Jolly	Cousin	14.05.2012	85,000.00	85,000.00	08.06.2012	NCB	None provided by the Hanover Parish Council



Name of Person Awarded Contract	Nature of Relationship to Mr. Lloyd Hill	Date of Recommendation made by Lloyd Hill	Amount Recommended by Lloyd Hill \$	Cheque Payments Issued by the Hanover Parish Council \$	Date of Cheque Issued by the Hanover Parish Council	Bank of Encashment	Date of Corresponding Contract Issued by the Hanover Parish Council
		09.07.2012	110,000.00	110,000.00	23.07.2012	NCB	09.07.2012
		23.07.2012	140,000.00	140,000.00	03.08.2012	NCB	20.07.2012
		21.08.2012	120,000.00	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	21.08.2012
		02.10.2012	130,000.00	129,950.00	11.10.2012	NCB	24.09.2012
		26.10.2012	140,000.00	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	29.10.2012
		08.11.2012	105,000.00	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	12.11.2012
		None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	160,000.00	18.12. 2012	NCB	None provided by the Hanover Parish Council
		None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	164,999.10	07.03.2013	NCB	None provided by the Hanover Parish Council
		05.03.2013	130,000.00	129,800.00	21.03.2013	NCB	11.03.2013
		05.03.2013	70,000.00	70,000.00	04.04.2013	NCB	None provided by the Hanover Parish Council
		08.04.2013	80,000.00	79,500.00	18.04.2013	NCB	11.04.2013
		06.05.2013	140,000.00	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	09.05.2013
		20.05.2013	90,000.00	90,000.00	30.05.2013	NCB	None provided by



Name of Person Awarded Contract	Nature of Relationship to Mr. Lloyd Hill	Date of Recommendation made by Lloyd Hill	Amount Recommended by Lloyd Hill \$	Cheque Payments Issued by the Hanover Parish Council \$	Date of Cheque Issued by the Hanover Parish Council	Bank of Encashment	Date of Corresponding Contract Issued by the Hanover Parish Council
							the Hanover Parish Council
		03.06.2013	120,000.00	120,000.00	13.06.2013	NCB	07.06.2013
		01.07.2013	140,000.00	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	06.07.2013
		18.07.2013	140,000.00	140,000.00	02.08.2013	NCB	15.07.2013
		23.08.2013	200,000.00	200,000.00	30.08.2013	NCB	19.08.2013
		29.08.2013	130,000.00	130,000.00	04.09.2013	NCB	30.08.2013
		03.10.2013	155,000.00	154,700.00	11.10.2013	NCB	04.10.2013
		17.10.2013	480,000.00	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	25.10.2013
		28.11.2013	145,000.00	144,925.00	17.12.2013	NCB	03.12.2013
		02.01.2014	140,000.00	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	10.01.2014
		27.02.2014	170,000.00	170,000.00	21.03.2014	NCB	None provided by the Hanover Parish Council
		None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	48,000.00	27.03.2014	NCB	None provided by the Hanover Parish Council
CHEQUE PAYMENTS TOTAL= \$2,266,874.10							
Elrina Jarrett	Wife's mother	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	11,593.65	29.03.2012	NCB	None provided by the Hanover Parish Council
		None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	55,047.49	12.04.2012	NCB	None provided by the Hanover Parish Council



Name of Person Awarded Contract	Nature of Relationship to Mr. Lloyd Hill	Date of Recommendation made by Lloyd Hill	Amount Recommended by Lloyd Hill \$	Cheque Payments Issued by the Hanover Parish Council \$	Date of Cheque Issued by the Hanover Parish Council	Bank of Encashment	Date of Corresponding Contract Issued by the Hanover Parish Council
		Council	the Hanover Parish Council				the Hanover Parish Council
		None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	13,608.50	07.06.2012	NCB	None provided by the Hanover Parish Council
		None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	8,789.96	11.10.2012	NCB	None provided by the Hanover Parish Council
		None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	30,000.00	18.12.2012	NCB	None provided by the Hanover Parish Council
		None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	01.04.2013
		17.04.2013	80,000.00	79,950.00	18.04.2013	NCB	11.04.2013
		01.07.2013	105,000.00	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council
		None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	3,980.32	15.08.2013	NCB	None provided by the Hanover Parish Council
		None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	20,000.00	22.08.2013	NCB	None provided by the Hanover Parish Council
		03.09.2013	150,000.00	149,920.00	12.09.2013	NCB	None provided by the Hanover Parish Council
		28.11.2013	10,000.00	10,000.00	17.12.2013	NCB	03.12.2013
		None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	145,000.00	07.03.2014	NCB	None provided by the Hanover Parish Council
		None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	8,767.06	08.05.2014	NCB	None provided by the Hanover Parish Council



Name of Person Awarded Contract	Nature of Relationship to Mr. Lloyd Hill	Date of Recommendation made by Lloyd Hill	Amount Recommended by Lloyd Hill \$	Cheque Payments Issued by the Hanover Parish Council \$	Date of Cheque Issued by the Hanover Parish Council	Bank of Encashment	Date of Corresponding Contract Issued by the Hanover Parish Council	
CHEQUE PAYMENTS TOTAL= \$536,656.98								
Jerome Jarrett	Wife's stepfather	28.11.2013	10,000.00	10,000.00	17.12.2013	NCB	03.12.2013	
		None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	7,590.00	12.04.2012	NCB	None provided by the Hanover Parish Council	
		02.01.2014	75,000.00	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	08.01.2014	
CHEQUE PAYMENTS TOTAL= \$17,590.00								
Winsbert Ellis	PNP Affiliate	09.07.2012	100,000.00	100,000.00	23.07.2012	NCB	09.07.2012	
		23.07.2012	100,000.00	100,000.00	03.08.2012	NCB	23.07.2012	
		21.08.2012	15,000.00	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council
		21.08.2012	275,000.00	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council
		02.08.2012	130,000.00	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	24.09.2012
		None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	120,000.00	30.08.2012	NCB	21.08.2012	
		None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	170,000.00	14.09.2012	NCB	21.08.2012	



Name of Person Awarded Contract	Nature of Relationship to Mr. Lloyd Hill	Date of Recommendation made by Lloyd Hill	Amount Recommended by Lloyd Hill \$	Cheque Payments Issued by the Hanover Parish Council \$	Date of Cheque Issued by the Hanover Parish Council	Bank of Encashment	Date of Corresponding Contract Issued by the Hanover Parish Council
		26.10.2012	109,900.00	109,900.00	08.11.2012	NCB	29.10.2012
		08.11.2012	150,000.00	150,000.00	22.11.2012	NCB	12.11.2012
		None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	150,000.00	25.01.2013	NCB	25.01.2013
		15.01.2013	150,000.00	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	18.01.2013
		05.03.2013	115,000.00	114,995.00	21.03.2013	NCB	11.03.2013
		20.05.2013	130,000.00	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council
		01.07.2013	145,000.00	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	05.07.2013
		18.07.2013	130,000.00	130,000.00	05.08.2013	NCB	15.07.2013
		None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	20,000.00	15.08.2013	NCB	06.08.2013
		29.08.2013	140,000.00	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	30.08.2013
		29.08.2013	300,000.00	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	23.09.2013
		None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	299,880.00	03.10.2013	NCB	None provided by the Hanover Parish Council
		17.10.2013	260,000.00	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	11.10.2013



Name of Person Awarded Contract	Nature of Relationship to Mr. Lloyd Hill	Date of Recommendation made by Lloyd Hill	Amount Recommended by Lloyd Hill \$	Cheque Payments Issued by the Hanover Parish Council \$	Date of Cheque Issued by the Hanover Parish Council	Bank of Encashment	Date of Corresponding Contract Issued by the Hanover Parish Council
		None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	228,580.00	25.10.2013	NCB	None provided by the Hanover Parish Council
		08.11.2013	220,000.00	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	08.11.2013
		28.11.2013	100,000.00	99,875.00	17.12.2013	NCB	03.12.2013
		18.02.2014	135,000.00	135,000.00	27.02.2014	NCB	None provided by the Hanover Parish Council
		None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	25,975.00	27.03.2014	NCB	None provided by the Hanover Parish Council
		04.07.2014	312,920.00	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	01.07.2014
		None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	100,000.00	03.10.2014	NCB	None provided by the Hanover Parish Council
		None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	113,350.00	30.10.2014	NCB	None provided by the Hanover Parish Council
CHEQUE PAYMENTS TOTAL= \$2,167,555.00							
Euviene Cameron	PNP Affiliate	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	07.03.2012
		None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	130,000.00	30.05.2012	NCB	11.05.2012
		None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	17.07.2012



Name of Person Awarded Contract	Nature of Relationship to Mr. Lloyd Hill	Date of Recommendation made by Lloyd Hill	Amount Recommended by Lloyd Hill \$	Cheque Payments Issued by the Hanover Parish Council \$	Date of Cheque Issued by the Hanover Parish Council	Bank of Encashment	Date of Corresponding Contract Issued by the Hanover Parish Council
		None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	55,000.00	22.08.2012	NCB	None provided by the Hanover Parish Council
		08.11.2012	160,000.00	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	12.11.2012
		None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	20,000.00	17.12.2012	NCB	None provided by the Hanover Parish Council
		11.02.2013	140,000.00	139,900.00	21.02.2013	NCB	16.02.2013
		06.05.2013	144,600.00	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	09.05.2013
		29.08.2013	110,000.00	110,000.00	04.09.2013	NCB	30.08.2013
		03.10.2013	180,000.00	179,400.00	11.10.2013	NCB	04.10.2013
		15.07.2014	150,000.00	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council
CHEQUE PAYMENTS TOTAL= \$634,300.00							
GRAND TOTAL= \$6,588,091.08							

Based upon the referenced Table and the OCG's calculations, the total value of cheque payments made payable to the aforementioned persons amounted to **\$6,588,091.08**. As indicated herein, the total allocation of funds to Mr. Hill for the period March 2012 to April 2014 was



\$14,875,000.00. Consequently, **approximately forty-four percent (44%) was allocated to the stated persons.**

Detailed hereunder, are the total values of recommendations, corresponding contracts and cheque payments made to Mr. Hill's relatives and persons with whom he is politically affiliated:

- **Winsome Cunningham**

- Recommendations

- The OCG is in possession of six (6) recommendations which were made in favour of Ms. Cunningham and amounted to approximately \$725,000.00.

- Contract(s) Awarded

- The OCG is in possession of five (5) contracts that were awarded to Ms. Cunningham and which total approximately \$625,000.00.

- Payment(s) Received

- As it relates to payments, the OCG is in possession of four (4) cheques which were made payable to her and which totaled \$380,600.00.

- **Berdgeth Henry**

- Recommendations

- The OCG is in possession of ten (10) recommendations for the award of contract to Ms. Henry. These recommendations totaled approximately \$1,199,750.00.

- Contract(s) Awarded

- The OCG is in possession of eleven (11) contracts which were awarded to Ms. Henry and which correspond with the recommendations for the award of contracts. The total of these contracts is approximately \$1,348,817.00.



It is the OCG's finding that Ms. Henry was awarded a contract on July 15, 2013 **before** she was recommended for the award of the contract on July 18, 2013. The aforementioned observation reflects an irregular practice, given the fact that the recommendation for the award of contract ought to precede the actual contract award.

Payments Received

The OCG is in possession of five (5) cheques in the sum of \$584,515.00 which were made payable to Ms. Henry.

- **John Jolly**

Recommendations

The OCG is in possession of twenty-two (22) recommendations for the award of contracts to Mr. Jolly. These recommendations totaled approximately \$3,160,000.00.

Contract(s) Awarded

The OCG is in possession of eighteen (18) contracts which were awarded to Mr. Jolly, totaling approximately \$2,743,875.00.

It is the OCG's observation that similar to Ms. Berdgeth Henry, Mr. Jolly was awarded a contract on July 15, 2013 **before** he was recommended for the award of same on July 18, 2013. The aforementioned observation reflects an irregular practice, given the fact that the recommendation for the award of contract ought to precede the actual contract award.

Payments Received

The OCG is in possession of eighteen (18) cheques in the sum of \$2,266,874.10 which were made payable to Mr. Jolly.



- **Elrina Jarrett**

Recommendations

The OCG is in possession of four (4) recommendations for the award of contracts to Mrs. Jarrett. These recommendations totaled approximately \$345,000.00.

Contract(s) Awarded

The OCG is in possession of three (3) contracts which were awarded to Mrs. Jarrett totaling approximately \$109,950.00.

Payments Received

As it relates to payments for works executed by Mrs. Jarrett on behalf of the Hanover Parish Council, the OCG is in possession of twelve (12) cheques which were made payable to Mrs. Jarrett and which amount to a sum of \$536,656.98.

- **Jerome Jarrett**

Recommendations

The OCG is in possession of two (2) recommendations for the award of contracts to Mr. Jarrett. These recommendations totaled approximately \$85,000.00.

Contract(s) Awarded

The OCG is in possession of two (2) contracts which were awarded to Mr. Jarrett totaling approximately \$85,000.00.

Payments Received

As it relates to payments for works executed by Mr. Jarrett on behalf of the Hanover Parish Council, the OCG is in possession of two (2) cheques which were made payable to Mr. Jarrett and which amount to a sum of \$17,590.00.



- **Winsbert Ellis**

Recommendations

The OCG is in possession of nineteen (19) recommendations for the award of contract to Mr. Ellis. These recommendations totaled approximately \$3,017,820.00.

Contract(s) Awarded

The OCG is in possession of eighteen (18) contracts which were awarded to Mr. Ellis and which correspond with the recommendations for the award of contracts. The total of these contracts is approximately \$2,771,970.00.

It is the OCG's observation that similar to Mr. Jolly and Ms. Henry, Mr. Ellis was awarded contracts on October 11, 2013 and July 1, 2014 **prior to** the recommendations being made. He was recommended for the award of these contracts on October 17, 2013 and July 4, 2014 respectively. The aforementioned observation reflects an irregular practice, given the fact that the recommendation for the award of contract ought to precede the actual contract award.

Payments Received

The OCG is in possession of seventeen (17) cheques in the sum of \$2,167,555.00 which were made payable to Mr. Ellis.

- **Euviene Cameron**

Recommendations

The OCG is in possession of six (6) recommendations which were made in favour of Ms. Cameron and which totaled approximately \$884,600.00.

Contract(s) Awarded



The OCG is in possession of eight (8) contracts that were awarded to Ms. Cameron and which total approximately \$1,018,900.00.

Payment(s) Received

As it relates to payments for works executed by Ms. Cameron on behalf of the Hanover Parish Council, the OCG is in possession of six (6) cheques which were made payable and which totaled \$634,300.00.

The OCG has also constructed, hereunder, the following Table, which represents the contracts that are in the possession of the OCG and which were awarded by the Hanover Parish Council to relatives and/or persons with whom Mr. Hill is politically affiliated:



Table 6

#	Name	Nature of Relationship	Contract Amount \$	Contract Date
1	Winsome Cunningham	Sister	120,000.00	11.04.2013
2			60,000.00	09.05.2013
3			50,000.00	05.07.2013
4			260,000.00	25.10.2013
5			135,000.00	03.12.2013
TOTAL \$625,000.00				
6	Berdgeth Henry	Niece	160,000.00	12.11.2012
7			75,000.00	21.12.2012
8			80,000.00	11.04.2013
9			84,600.00	Date illegible
10			139,900.00	07.06.2013
11			100,000.00	05.07.2013
12			149,850.00	15.07.2013
13			139,952.00	13.09.2013
14			139,975.00	03.12.2013
15			129,900.00	06.01.2014
16			149,640.00	24.03.2014
TOTAL \$1,348,817.00				
17	John Jolly	Cousin	110,000.00	09.07.2012
18			140,000.00	20.07.2012
19			120,000.00	21.08.2012
20			129,950.00	24.09.2012
21			140,000.00	29.10.2012
22			105,000.00	12.11.2012



#	Name	Nature of Relationship	Contract Amount \$	Contract Date
23			129,800.00	11.03.2013
24			79,500.00	11.04.2013
25			140,000.00	09.05.2013
26			140,000.00	15.07.2013
27			120,000.00	07.06.2013
28			140,000.00	06.07.2013
29			200,000.00	19.08.2013
30			130,000.00	30.08.2013
31			154,700.00	04.10.2013
32			480,000.00	25.10.2013
33			144,925.00	03.12.2013
34			140,000.00	10.01.2014
TOTAL \$2,743,875.00				
35	Elrina Jarrett	Wife's mother	20,000.00	01.04.2013
36			79,950.00	11.04.2013
37			10,000.00	03.12.2013
TOTAL \$109,950.00				
38	Jerome Jarrett	Wife's stepfather	10,000.00	03.12.2013
39			75,000.00	08.01.2014
TOTAL \$85,000.00				
40	Winsbert Ellis	PNP Affiliate	100,000.00	09.07.2012
41			100,000.00	23.07.2012
42			120,000.00	21.08.2012
43			170,000.00	21.08.2012
44			129,950.00	24.09.2012
45			109,900.00	29.10.2012



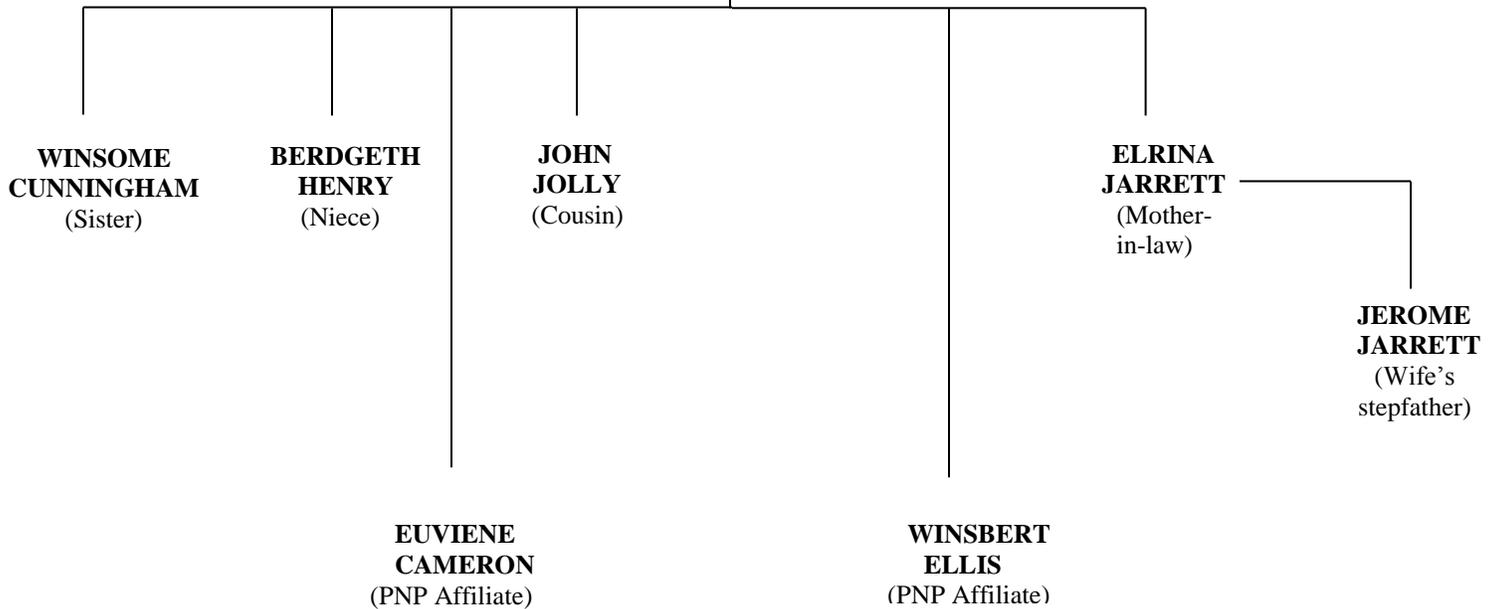
#	Name	Nature of Relationship	Contract Amount \$	Contract Date
46			150,000.00	12.11.2012
47			150,000.00	18.01.2013
48			114,995.00	11.03.2013
49			144,800.00	05.07.2013
50			130,000.00	15.07.2013
51			20,000.00	06.08.2013
52			140,000.00	30.08.2013
53			299,880.00	23.09.2013
54			259,750.00	11.10.2013
55			219,900.00	08.11.2013
56			99,875.00	03.12.2013
57			312,920.00	01.07.2014
TOTAL \$2,771,970.00				
58	Euviene Cameron	PNP Affiliate	100,000.00	07.03.2012
59			130,000.00	11.05.2012
60			55,000.00	17.07.2012
61			160,000.00	12.11.2012
62			139,900.00	16.02.2013
63			144,600.00	09.05.2013
64			110,000.00	30.08.2013
65			179,400.00	04.10.2013
TOTAL \$1,018,900.00				
GRAND TOTAL \$ 8,703,512.00				



Additionally, the OCG has also produced the following Chart which reflects the relationship between Mr. Hill and certain persons identified as relatives and/or persons with whom he is politically affiliated:

Chart 1

LLOYD HILL



Based on the above findings, the OCG notes that Mr. Hill made recommendations for the award of contracts to persons related to and/or politically affiliated with him. The OCG is of the view that the award of contracts to persons related to him would amount to nepotism. Nepotism, by definition, refers to the “bestowal of official favors on one’s relatives, esp. in hiring.”⁴³ Further, a relative is defined as “a person connected with another by blood or affinity...”⁴⁴ Additionally, favouritism is defined as a “preference or selection, usu. invidious, based on factors other than

⁴³ Black’s Law Dictionary. Ninth Edition. Thompson Reuters. 2009.

⁴⁴ Ibid.



*merit.*⁴⁵ In this regard, the actions of Mr. Lloyd Hill in making recommendations to political affiliates, amounts to favouritism.

⁴⁵ Ibid.



The Process Utilised by the Hanover Parish Council in the Measurement, Finalization and Verification of Works

The OCG deemed it prudent to determine the process utilised by the Hanover Parish Council in the measurement and verification of works, especially those which fall within the threshold of \$500,000 and below. In a hearing convened by the OCG on June 3, 2014, Mr. Enoch Humphrey, Assistant Superintendent of Roads & Works, Hanover Parish Council, advised the OCG as to what is entailed in the verification process. The following, *inter alia*, was disclosed:

“OCG OFFICER: Mr. Humphrey...could you explain this verification process?”

*A: **The verification process involves going, checking on site, you have the contract in your hand and the contract would have stated that work should be done from point A. to point B, it would have also stated what is to be done, so when you got here you would have been looking for basically two things, if it is in distant [sic], if it is measurement you would have been looking for that in terms of the nature work you would also be looking for that, whether it is to clean and clear blocked drain for***



example, so once you go there you would have seen physically the evidence that this earth drain was cleaned of all the blockage materials.⁴⁶

In relation to the award of contracts to Ms. Berdgeth Henry, the OCG also highlights her admission during the course of a hearing held on April 29, 2015:

“CHAIRMAN: So Mr. Humphrey basically tell you when him scoping the work him tell you how much him going to, how much, amount of money will be paid?

A: No, sir. He give me the contract and then after we do the work he came and take up the work, measure it up and everything and whenever...

CHAIRMAN: *So when you get the contract you don't know how much, whether is twenty feet or thirty feet? You don't know before?*

⁴⁶ Transcript of hearing involving Enoch Humphrey. Page 42.



A: *No.*

CHAIRMAN: *So how you can sign a contract and you don't know?*

A: *Is not like you take up a contract and you don't know.*

CHAIRMAN: *So for all the contracts...You don't actually know how much work to do?*

A: *He is the one come back and take up the measurement.*

CHAIRMAN: ***Before you start the work, in relation to all the contracts you really don't know before you start how much the work measure?***

A: ***No.***

CHAIRMAN: ***Is only when him finish him tell you how much it is and tell you the rate that him going to pay?***

A: ***Yes.***

CHAIRMAN: ***The first time you know the rate is after the work done?***

A: ***Yes.***



...

OCG OFFICER: ...When Mr. Humphrey comes on the site and show you where to do the work you sign the contract at that point?

A: Yes, ma'am, I sign it right there.

Q: The contract has anything filled out on it?

A: He would fill it out whenever he done he would just come and say, Miss Henry, can you sign this. So is there him do his work and then after now he would do it I would just sign it.

Q: But you sign it before you do the work or you sign it after?

A: No, after.

Q: You sign it after you do the work?

A: Yes, ma'am.”¹

(OCG Emphasis)



The OCG accepts the account of Ms. Henry, that in relation to the award of a contract for which she was recommended, (a) she was not told by Mr. Humphrey the measurement of the works to be executed, (b) she was made aware of the rate at which she was to be paid **after** the works were already executed and (c) Mr. Humphrey facilitated her signing the contract **after** the referenced works were executed.



MR. ANTHONY WALKER

Allocations Made to Councillor Anthony Walker by the Hanover Parish Council for the Period 2012-2014

Mr. Anthony Walker, in his capacity as Councillor for the Cauldwell Division, received allocations to undertake works in his division. In that regard, the OCG sought to ascertain the total allocations which were disbursed to Councillors at the Hanover Parish Council, in particular, Mr. Anthony Walker. Based on a review of documents provided to the OCG by Mrs. McKenzie-Lawrence, former Secretary Manager, in her response of April 11, 2014, the OCG constructed the following table which reflects funds allocated to the Hanover Parish Council by the Ministry of Local Government and Community Development for the period July 20, 2012 to December 10, 2013⁴⁷:

Table 7

DIVISION/ ALLOCATION	TYPE OF	ALLOCATION AMOUNT
Mayor's Allocation and/or Mayor's Discretion		\$1, 650,000.00
Green Island Division		\$3,164,000.000
Lucea Division		\$2,202,000.00
Riverside Division		\$2,214,000.00
Cauldwell Division		\$2,194,000.00
Sandy Bay Division		\$2,600,000.00
Hopewell Division		\$2,070,000.00
Chester Castle Division		\$2,206,000.00
TOTAL		\$18, 300,000.00

⁴⁷ Appendix B "Periodic Funding received from Ministry of Local Government and Community Development, six pages attached" Mrs. Judy McKenzie-Lawrence's Response to the OCG dated April 11, 2014.



Six (6) of the Councillors at the Hanover Parish Council received a sum of \$75,000.00 for the Equalization Fund for the Special Work Programme in December 2013⁴⁸ and \$75,000.00 for the Seasonal Employment Programme during the same period. In this regard, Mr. Walker's total allocation was approximately **\$2,344,000.00**.

Based on the OCG's calculations Mr. Walker's allocation under the Parochial Revenue Fund Road Programme (Road Maintenance Programme) for the period March 2012 to February 2014, is reflected below⁴⁹:

Table 8

DIVISION/ ALLOCATION	TYPE OF	ALLOCATION AMOUNT
Mayor's Allocation and/or Mayor's Discretion		\$11,205,000.00
Green Island Division		\$13,665,000.00
Lucea Division		\$10,439,000.00
Riverside Division		\$11,234,000.00
Cauldwell Division		\$11,234,000.00
Sandy Bay Division		\$12,125,000.00
Hopewell Division		\$11,139,000.00
Chester Castle Division		\$11,189,000.00
TOTAL		\$92,230,000.00

Based on the foregoing, the total funds allocated to Mr. Anthony Walker as Councillor of the Cauldwell Division, as it relates to (a) the Parochial Revenue Road Programme and (b) funds from the Ministry of Local Government and Community Development, for the periods March

⁴⁸ Letter dated December 10, 2013 from the Ministry of Local Government & Community Development to the former Secretary Manager, Hanover Parish Council, Mrs. Judy McKenzie-Lawrence found in Appendix B entitled "Periodic Funding received from Ministry of Local Government and Community Development, six pages attached" of said Mrs. Judy McKenzie-Lawrence's Response to the OCG dated April 11, 2014.

⁴⁹ Appendix A "Road Maintenance Program twenty four pages for the period March 2012 - February 2014 attached" Mrs. Judy McKenzie-Lawrence's Response to the OCG dated April 11, 2014.



2012 to February 2014 and July 20, 2012 to December 10, 2013, respectively, amounts to approximately **\$13,578,000.00**.



Recommendations for the Award of Contracts at the Hanover Parish Council by Mr. Anthony Walker

As indicated herein, it is alleged that Mr. Anthony Walker made recommendations for the award of contracts to relatives and/or to persons with whom he is politically affiliated.

In this regard, the OCG, by way of its requisition, dated December 16, 2014, required Councillor Anthony Walker to respond to the following question:

“1. i. Please indicate whether the following persons are related and/or affiliated to you.

- a. Heda [sic] Meggoe;*
- b. Marvin [sic] Meggoe;*
- c. Patricia Kerr;*
- d. Megan Henry;*
- e. Conroy Wedderburn;*
- f. Dian [sic] Cunningham;*
- g. Crosby Pearce;*
- h. Denton Brissett;*
- i. Sanikal [sic] Allen;*
- j. Herbert [sic] Williams;*
- k. Simone Henry;*
- l. Ora [sic] Dillon;*
- m. Elaxley Vassell;*
- n. Everal [sic] Miller;*
- o. Simone Days [sic];*
- p. Daren Barnes;*
- q. Orane Kentish;*



- r. Avian Perry;
- s. Akeem Lewis;
- t. Alva Campbell;
- u. Lloyd Forrester;
- v. Sharon Campbell;
- w. Tony Buchanan;
- x. Winsome Tomlinson;
- y. Lolette Cavelle[sic]; and
- z. Sherika Smith.

ii. *In the event that your answer is in the affirmative, kindly state the nature of the relationship/affiliation between yourself and the named person(s).⁵⁰*

In his response to the OCG dated January 12, 2015, Mr. Walker stated the following:

“...Most of twenty six (26) names mentioned are affiliated to me, most of which through politics, some of which are party workers, (indoor/outdoor agents, cluster managers, P.D. captains, runners etc.) as well as distant relatives, no immediate family member.

Heather, not Heda Meggoe, Mervin, not Marvin Meggoe and Sharon Campbell are related to me. Conroy Wedderburn is my constituency youth representative (party worker). The other names

⁵⁰ OCG requisition dated December 16, 2014 that was sent to Mr. Anthony Walker. (Question 1).



mentioned, (f to z) are all party workers and supporters, except for (items c and m.), Patricia Kerr and Elaxley Vassell whose names I do not know at all... ”⁵¹(OCG Emphasis)

Additionally, Mr. Walker expounded on the nature of these relationships and/or affiliations in a hearing held on April 28, 2015. The following, *inter alia*, was stated:

“CHAIRMAN: **Now sir, are you related to Heather Meggoe?**

A: **Yes sir.**

CHAIRMAN: **Who is she to you sir?**

A: **My half-sister, my mother’s child.**

CHAIRMAN: **Mr. Mervin Meggoe?**

A: *Yes sir, same thing.*

CHAIRMAN: **Half-brother?**

A: **Yes sir.**

CHAIRMAN: **Megan Henry?**

A: *Yes sir, same thing.*

CHAIRMAN: *Sister?*

A: **Yes, sister as well.**

CHAIRMAN: **Sharon Campbell?**

A: **Sharon as well, yes sir,...Sister as well, all my mother’s children.**

CHAIRMAN: *Miss Sanikah Allen?*

⁵¹ Response by Mr. Walker dated January 12, 2015 to the OCG. (Response 1).



A: *Sanikah Allen is not related to me, she is a member of the Peoples National Party. I think she is a Secretary for the Constituency, one of the constituency representatives.*

CHAIRMAN: *The allegation is that she is your sweet heart?*

A: *I don't have a sweet heart...*

CHAIRMAN: *The allegation is that she got three contracts and because of the boyfriend/girlfriend relationship, that is why she got the contract.*

A: *Sanikah Allen is a friend of the family, the PNP party family...*

CHAIRMAN: *Do you know a Miss Patricia Kerr?*

A: *No sir...*

CHAIRMAN: *Now Miss Simone Henry?*

A: *Simone is my division secretary.*

CHAIRMAN: *Mr. Herbert* [sic] *Williams?*

A: *Herbert* [sic], *he is one of the runners for my division as well.*

CHAIRMAN: *Mr. Oral Dillon?*



A: ...Oral is a member of the community.

CHAIRMAN: **Mr. Everald Miller?**

A: **...He is my division vice chairman, second in command to me.**

CHAIRMAN: Mr. Darren Vaz?

A: Darren is also a political representative for the constituency...

CHAIRMAN: **Orane Kentish?**

A: **He is the treasurer for the division...**

...

CHAIRMAN: **Avion** [sic] **Perry?**

A: ...he is not from the area, from my community...**She works at the Member of Parliament's office...**

CHAIRMAN: Mr. Ian Hayles, Member of Parliament?

A: Yes, sir.

...

CHAIRMAN: **Who is Alva Campbell?**

A: **Alva Campbell is also a worker.**

CHAIRMAN: What do you mean by worker Mr. Walker?



A: *There is a particular list that each representative get with names of people who work right throughout, especially during the political campaign period, Election Day. They are either runners that go to get people, assist people to come vote or supervisors that ensure that things go good throughout Election Day, as well as people who ensure that the constituents are okay if their councillor is not available or the Member of Parliament. They sort of work for the party...*

CHAIRMAN: *Lloyd Forrester?*

A: *Same thing sir.*

CHAIRMAN: *...Who is he?*

A: *He is a party worker as well sir, no relation...*

CHAIRMAN: *Tony Buchanan?*

A: *He is just an ordinary contractor as I know, recommended through the council.*

CHAIRMAN: *Lolett* [sic] *Covil* [sic]?



A: *Also a party worker sir...*
CHAIRMAN: *...Sherika [sic] Smith?*
A: *Party worker as well.*⁵²(OCG Emphasis)

The OCG notes that these relationships were also confirmed by the relatives and/or affiliates of Mr. Walker. By way of a hearing held on April 28, 2015, Mrs. Sharon Campbell admitted the following, *inter alia*, to the OCG:

“CHAIRMAN: *...Now ma’am, you know Councillor Anthony Walker?*
A: *Yes, I do.*
...
CHAIRMAN: *What is him to you ma’am?*
A: *He is my brother.*”⁵³

Additionally, Mr. Mervin Meggoe confirmed to the OCG, that Mr. Walker was his brother. Reflected hereunder is a verbatim extract of a transcript of a hearing which was held on April 28, 2015:

“CHAIRMAN: *Now, you know Mr Anthony Walker sir?*
A: *Yes sir.*
CHAIRMAN: *Who is he to you, sir?*

⁵² Transcript of hearing held on April 28, 2015 involving Mr. Anthony Walker. Pages 1-7.

⁵³ Transcript of hearing held on April 28, 2015 involving Mrs. Sharon Campbell. Page 3.



A:

My half-brother.”⁵⁴

Based on Mr. Walker’s own admissions, the OCG constructed the following table which illustrates the established relationships between Mr. Walker and certain persons who were awarded contracts by the Hanover Parish Council based upon his recommendations:

Table 9

NAME	RELATIONSHIP/AFFILIATION
Sharon Campbell	Sister
Heather Meggoe	Sister
Megan Henry	Sister
Mervin Meggoe	Brother
Sanikah Allen	Secretary for the Western Hanover Constituency Office
Simone Henry	Cauldwell Division Secretary
Hubert Williams	PNP political runner
Errald Miller	Cauldwell Division Vice Chairman
Orane Kentish	Cauldwell Division Treasurer
Avian Perry	Employee at the Western Hanover Constituency Office
Alva Campbell	PNP political runner
Lloyd Forrester	PNP political runner
Shakira Smith	PNP political runner
Lolette Colville	PNP political runner

In light of the allegations mentioned herein, the OCG sought to ascertain whether Mr. Walker made recommendations for the award of contracts to the above stated persons. In this regard, by

⁵⁴ Transcript of hearing held on April 28, 2015 involving Mr. Mervin Meggoe. Page 2.



way of a requisition dated January 29, 2015, the OCG posed the following to Mrs. Judy McKenzie-Lawrence, former Secretary Manager, Hanover Parish Council:

“ *List 2*
Heather Meggoe;
Mervin Meggoe;
Megan Henry;
Conroy Wedderburn;
Dian Cunningham;
Crosby Pearce;
Denton Brissett;
Sanikal [sic] Allen;
Herbert [sic] Williams;
Simone Henry;
Ora Dillon;
Everal [sic] Miller;
Simone Days[sic];
Daren Barnes;
Orane Kentish;
Avian Perry;
Akeem Lewis;
Alva Campbell;
Lloyd Forrester;
Sharon Campbell;
Tony Buchanan;
Winsome Tomlinson;
Lolette Cavelle[sic]; and
Sherika Smith.



Kindly refer to the named persons in List 2 above who were allegedly recommended for the award of contracts by Mr. Anthony Walker, Councillor, Hanover Parish Council. Please indicate and/or provide:

- i. A copy of the Inter-Office Memorandum detailing the recommendation(s), in each case;*
- i. A copy of the contract document(s)/agreement(s) that was/were issued by the Hanover Parish Council in relation to the contract(s) that was/were awarded, if any, to the named persons in List 2 above; and*
- ii. Evidence of all payments that were made by the Hanover Parish Council in respect of contracts awarded to persons listed above. ”⁵⁵*

Mrs. McKenzie-Lawrence, in her response to the OCG dated February 4, 2015, provided copies of Inter-Office Memorandums which detailed recommendations for the award of contracts made by Mr. Walker to the referenced individuals⁵⁶.

Based on a review of these documents, the OCG constructed the following table highlighting details of the recommendations which were made by Mr. Walker in favour of his relatives and persons with whom he is politically affiliated:

⁵⁵ OCG requisition dated January 29, 2015 that was sent to Mrs. McKenzie-Lawrence. (Question 2).

⁵⁶ Response by Mrs. Judy McKenzie-Lawrence dated February 4, 2015 to the OCG, Appendix 1.



Table 10

#	Date of Recommendation Made by Anthony Walker	Name of Person Recommended by Anthony Walker	Relationship and/or Affiliation to Anthony Walker	Location of Works	Work Description	Recommended Amount to be Paid \$
1	15.11.2012	Heather Meggoe	Sister	Rell River	Bushing	110,000.00
2	13.03.2013	Heather Meggoe	Sister	Rockspring	Bushing	100,000.00
3	15.10.2012	Mervin Meggoe	Brother	Grange	Bushing	60,000.00
4	11.02.2013	Mervin Meggoe	Brother	Rell River	Bushing	110,000.00
5	09.04.2013	Mervin Meggoe	Brother	Grange	Bushing	150,000.00
6	09.04.2013	Sharon Campbell	Sister	Kendal	Bushing	135,000.00
7	13.03.2013	Megan Henry	Sister	Rell River	Drain cleaning	100,000.00
8	May 2012 ⁵⁷	Sanikah Allen	Secretary for the Western Hanover Constituency Office	Grange	Drain cleaning	30,000.00
9	26.11.2013	Sanikah Allen	Secretary for the Western Hanover Constituency Office	Rockspring	Bushing	15,000.00
10	09.05.2013	Simone Henry	Caldwell Division Secretary	Prospect	Drain cleaning	45,000.00
11	30.08.2013	Simone Henry	Caldwell Division Secretary	Caldwell	Drain cleaning	50,000.00
12	28.07.2014	Simone Henry	Caldwell Division Secretary	Caldwell (Lowlers)	Drain cleaning	80,000.00
13	19.06.2012	Herbert Williams	PNP political runner (election day worker)	Cessnock	Bushing	100,000.00
14	15.07.2014	Herbert Williams	PNP political runner (election day worker)	Nigga House, Rockspring	Drain cleaning, bushing, road maintenance	105,000.00
15	19.06.2012	Errald Miller	Caldwell Division Vice Chairman	Cessnock, One St.	Bushing	100,000.00
16	08.11.2012	Errald Miller	Caldwell Division Vice Chairman	(Crooks Town) Rockspring	Bushing	90,000.00

⁵⁷ Date not specified on Inter-Office Memorandum. However, it is stamped June 20, 2012 by the Hanover Parish Council.



#	Date of Recommendation Made by Anthony Walker	Name of Person Recommended by Anthony Walker	Relationship and/or Affiliation to Anthony Walker	Location of Works	Work Description	Recommended Amount to be Paid \$
17	05.06.2013	Errald Miller	Cauldwell Division Vice Chairman	Rockspring	Drain cleaning	120,000.00
18	22.08.2013	Orane Kentish	Cauldwell Division Treasurer	Haughton Court	Drain cleaning	150,000.00
19	26.11.2013	Orane Kentish	Cauldwell Division Treasurer	Haughton Court	Bushing	25,000.00
20	22.08.2013	Avian Perry	Employee at the Western Hanover Constituency Office	Haughton Court	Drain cleaning	150,000.00
21	26.08.2014	Avian Perry	Employee at the Western Hanover PNP Constituency Office	Rell River	Road maintenance	80,000.00
22	07.05.2012	Alva Campbell	PNP political runner (election day worker)	Rell River	Drain cleaning	30,000.00
23	30.04.2012	Lloyd Forrester	PNP political runner (election day worker)	Rockspring	Drain cleaning	25,000.00
24	04.07.2013	Lloyd Forrester	PNP political runner (election day worker)	Rockspring	Drain cleaning	50,000.00
25	26.11.2013	Lloyd Forrester	PNP political runner (election day worker)	Rockspring	Bushing	10,000.00
26	11.06.2014	Lloyd Forrester	PNP political runner (election day worker)	Rockspring	Drain cleaning	200,000.00
27	06.11.2014	Lloyd Forrester	PNP political runner (election day worker)	Rockspring	Bushing	80,000.00
28	05.06.2013	Sherika Smith	PNP political runner (election day worker)	Cauldwell	Drain cleaning	110,000.00
29	19.06.2012	Lolette Colville	PNP political runner (election day worker)	Rell River	Drain cleaning	35,000.00
30	15.07.2014	Lolette Colville	PNP political runner (election day worker)	Rell River, Friendship	Drain cleaning and bushing	105,000.00



#	Date of Recommendation Made by Anthony Walker	Name of Person Recommended by Anthony Walker	Relationship and/or Affiliation to Anthony Walker	Location of Works	Work Description	Recommended Amount to be Paid \$
						TOTAL \$ 2,550,000.00

Based on the foregoing, Mr. Walker has made recommendations for the award of Government of Jamaica contracts in favour of his relatives and persons with whom he is politically affiliated totaling **approximately \$2,550,000.00**. As mentioned herein, and based on the processes of the Hanover Parish Council, **once a recommendation is made for the award of contract to a particular contractor, invariably, that person is awarded the contract for the works.**



The Selection Process Utilised in the Recommendation for the Award of Contracts by Anthony Walker

The selection process utilised by Mr. Walker in making recommendations for the award of contracts to his relatives and political affiliates was examined during the course of the Investigation.

The Selection of Sharon Campbell to be Recommended for the Award of Contracts

Mrs. Sharon Campbell, the sister of Mr. Walker, disclosed to the OCG, by way of a hearing held on April 28, 2015, that he recommended her for the award of contracts after she requested financial assistance to purchase a refrigerator for their mother. Mrs. Campbell further indicated that upon this request, Mr. Walker gave her a ‘*crash programme*’ in this regard. This is reflected in a verbatim extract of a transcript of the hearing dated April 28, 2015, as follows:

“CHAIRMAN: *Now madam, Mr. Walker, Councillor Walker made recommendations for you to be awarded contracts?*

A: *Contracts?*

CHAIRMAN: *Contracts ma’am.*

A: *I am not sure about contracts. I remember asking him about some help to purchase something for our mother – well, he gave me the idea, because I know about crash programme, so he gave me the idea that it was a crash programme*



thing that he could assists
[sic] with, but I definitely
would have to work, because
he was not in a position to
just give me some money
that I asked about. It was a
fridge I really wanted, my
mother's fridge door fell off.
So I told him about it and he
said he was not able to give
me any money like that, so I
would have to work, but he
gave me the impression of a
crash programme thing
where persons work...

...

OCG OFFICER: Mrs Campbell, what is your understanding of a crash programme?

A: Persons working, like, my understanding was based as a childhood thing that my mother used to do where she would get a job from the Parish Council and employ some persons from the community to work and whether to clean the banking, mostly to clean the roads



because that is bush and sweep and pick up. So that is my understanding, and if there were pot holes to put some stones in and press or whatever.”⁵⁸

In regard to the foregoing, Mr. Walker, during a judicial hearing held on April 28, 2015, stated *inter alia*, as follows:

“*CHAIRMAN: Sentiment has been expressed by at least one of your sisters and at least one other person, that they have asked you for money and in turn what you have suggested to them is that they have to work?*

A: That is true sir.

CHAIRMAN: And in that vein that is how you made the award to them.

A: Recommendations sir.

CHAIRMAN: Thank you, for the award.

A: The truth is yes sir, that is sort of true, sort of.

CHAIRMAN: So by doing that you were trying to help them out but making them work for it.

⁵⁸ Transcript of hearing held on April 28, 2015 involving Sharon Campbell. Pages 3-26.



A: *You can look at it that way...if I had known then that it wasn't right I probably wouldn't have done that.*⁵⁹ (OCG Emphasis)

The OCG notes that Mr. Walker, in the award of a contract to his sister, Mrs. Sharon Campbell, utilised public funds to assist with her personal needs, she being a member of his family, instead of utilising his personal funds in the aforementioned regard.

The contract to which Mrs. Campbell referred, was for 'bushing' in Kendall District, Hanover in the amount of \$135,000.00. Mrs. Campbell admitted that whilst the works was being executed, she was not present on site at all times. This admission was made during a hearing held on April 28, 2015, as follows:

“CHAIRMAN: *The contract that I see your signature on, it says the work was done between the 10th to the 15th of April 2013. This is five days; this is what the contract says?*

A: *Okay.*

...

CHAIRMAN: *Now, you did that for five days?*

A: *I didn't go there five days really.*

⁵⁹ Transcript of hearing held on April 28, 2015 involving Anthony Walker. Pages 8-9.



CHAIRMAN: How many days you went there?

A: About three times.

CHAIRMAN: *So about two days you never go at all?*

A: *Right.*

CHAIRMAN: *So nobody was there supervising them those days?*

A: *Well my brother lives close by so he told me persons were doing fine...*

CHAIRMAN: So for the two days that you did not go you can't say whether or not the people were supervised?

A: But work was definitely done upon confirmation.

CHAIRMAN: How you know?

A: Upon confirmation.

CHAIRMAN: From who?

A: On the final day of course when things were acceptable.⁶⁰

Mrs. Campbell's recollection of what transpired in the execution of the contract was read to Mr. Walker during a hearing held on April 28, 2015. Mr. Walker had this to say to the OCG:

⁶⁰ Transcript of hearing held on April 28, 2015 involving Sharon Campbell. Page 20-23



“CHAIRMAN: *She indicates that for the project that she supervised, the project that the contract says it was five days, she said she only went three days?*

A: *She did what sir?*

CHAIRMAN: *She said she only went three days...*

A: *I wouldn't know about it...*

...

...most of the times, not just for me, but it is a general thing, the person that is recommended, not all the time, most of the time, they don't do the physical work, that is what I know, I don't know if what happen with the days.”⁶¹

The Selection of Sanikah Allen to be Recommended for the Award of Contracts

The OCG sought to determine the basis on which Ms. Sanikah Allen was recommended by Mr. Anthony Walker for the award of contracts. Ms. Allen, whilst in attendance at a hearing convened by the OCG on April 28, 2015, disclosed, *inter alia*, the following:

“CHAIRMAN: *How were you selected to get the contract, ma'am?*

⁶¹ Transcript of hearing held on April 28, 2015 involving Anthony Walker. Pages 9-10.



A: *Well I expressed interest in getting some funds to assist with something and he said he would give me some work to do and then after I got the work from—somebody from the Parish Council came and gave out the work.*⁶²
(OCG Emphasis)

Based on the aforementioned verbatim extract, it was Ms. Allen’s position that she needed financial assistance and approached Councillor Walker in this regard. He in turn recommended her for the award of three (3) contracts.

The Selection of Mervin Meggoe for the Award of Contracts

Mr. Meggoe explained to the OCG, the circumstances surrounding his selection by Mr. Walker for the award of contracts at the Hanover Parish Council. In a hearing held on April 28, 2015, the following, *inter alia*, was disclosed:

“CHAIRMAN: *Now, the work that you get, Mr. Walker contact you or is you tell him say you want work?*

A: *Well, mi ask him fi a money still, mi always a ask him.*

CHAIRMAN: *Fi a money?*

⁶² Transcript of hearing held on April 28, 2015 involving Sanikah Allen. Page 3



A: **Yes, so him seh him did ago
mek mi do some work.**⁶³

(OCG Emphasis)

It is the OCG's observation that Mr. Walker made recommendations for the award of contracts in favour of Mr. Mervin Meggoe based on requests for financial assistance made by the latter.

The Selection of Political Affiliates to be Recommended for the Award of Contracts

As mentioned herein, Mr. Anthony Walker indicated to the OCG that there is a list which details the names of persons who work for political parties during the 'political campaign period' and on Election Day. These persons include political runners who assist in ensuring persons vote on Election Day as well as persons who see to the wellbeing of constituents in the event that the Member of Parliament or Councillor is unavailable⁶⁴. Of note, Mr. Walker has made several recommendations for the award of contracts to political runners and employees of the PNP Constituency Office. To reiterate representations that were made by Councillor Anthony Walker, the OCG notes hereunder the following:

"Most of twenty six (26) names mentioned are affiliated to me, most of which through politics, some of which are party workers, (indoor/outdoor agents, cluster managers, P.D. captains, runners etc.) as well as distant relatives, no immediate family member.

Heather, not Heda Meggoe, Mervin, not Marvin Meggoe and Sharon Campbell are related to me. Conroy Wedderburn is my constituency youth representative (party worker). The other names

⁶³ Transcript of hearing held on April 28, 2015 involving Mr. Mervin Meggoe. Page 4-5.

⁶⁴ See excerpt from transcript of hearing held on April 28, 2015 involving Mr. Anthony Walker on page 107 of this Report.



***mentioned, (f to z) are all party workers and supporters,** except for (items c and m.), Patricia Kerr and Elaxley Vassell whose names I do not know at all... ’65*

⁶⁵ Response to the OCG by Mr. Anthony Walker dated January 12, 2015.



Contracts Awarded to Persons Related to and/or Politically Affiliated with Mr. Anthony Walker

As mentioned herein, the OCG requested of the Hanover Parish Council, copies of all recommendations, contracts awarded and cheques made payable to the relatives of Mr. Walker and persons with whom he is politically affiliated. The OCG has produced, hereunder, a table outlining certain contracts which were awarded and payments made to persons related to and/or politically affiliated with Mr. Walker:



Table 11

Name of Person Awarded Contract	Nature of Relationship to Mr. Anthony Walker	Date of Recommendation	Recommended Amount \$	Cheque Payments \$	Date of Cheque	Bank of Encashment	Corresponding Contract Date
Sharon Campbell	Sister	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	15,000.00	17.12.2012	NCB	None provided by the Hanover Parish Council
		09.04.2013	135,000.00	135,000.00	18.04.2013	NCB	10.04.2013
TOTAL= \$150,000.00							
Heather Meggoe	Sister	15.11.2012	110,000.00	110,000.00	17.12.2012	NCB	None provided by the Hanover Parish Council
		13.03.2013	100,000.00	100,000.00	21.03.2013	NCB	01.03.2013
TOTAL= \$210,000.00							
Megan Henry	Sister	13.03.2013	100,000.00	100,000.00	21.03.2013	NCB	01.03.2013
		None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	80,000.00	27.02.2014	NCB	None provided by the Hanover Parish Council
		None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	52,000.00	14.11.2014	NCB	None provided by the Hanover Parish Council
TOTAL= \$232,000.00							
Mervin Meggoe	Brother	15.10.2012	60,000.00	55,450.00	26.10.2013	NCB	None provided by the Hanover Parish Council
		11.02.2013	110,000.00	110,000.00	21.02.2013	NCB	01.02.2013
		09.04.2013	150,000.00	150,000.00	18.04.2013	NCB	None provided by the Hanover Parish Council
TOTAL= \$315,450.00							
Sanikah Allen	Secretary for the Western Hanover Constituency Office	May 2012 ⁶⁶	30,000.00	30,000.00	07.06.2012	NCB	None provided by the Hanover Parish Council
		None provided by the	None provided by	None	None	None provided	09.05.2012

⁶⁶ Date not specified on Inter-Office Memorandum. However, it is stamped June 20, 2012 by the Hanover Parish Council.



Name of Person Awarded Contract	Nature of Relationship to Mr. Anthony Walker	Date of Recommendation	Recommended Amount \$	Cheque Payments \$	Date of Cheque	Bank of Encashment	Corresponding Contract Date
		Hanover Parish Council	the Hanover Parish Council	provided by the Hanover Parish Council	provided by the Hanover Parish Council	by the Hanover Parish Council	
		None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	150,000.00	30.08.2012	NCB	21.08.2012
		None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	150,000.00	17.12.2012	NCB	19.11.2012
		26.11.2013	15,000.00	None provided by the Hanover Parish Council			
TOTAL= \$330,000.00							
Simone Henry	Cauldwell Division Secretary	30.08.2013	50,000.00	50,000.00	22.05.2013	NCB	None provided by the Hanover Parish Council
		09.05.2013	45,000.00	None provided by the Hanover Parish Council			
		28.07.2014	80,000.00	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	20.08.2014
TOTAL= \$50,000.00							
Herbert Williams	PNP political runner (election day worker)	19.06.2012	100,000.00	None provided by the Hanover Parish Council			
		None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	120,000.00	17.12.2012	NCB	
		15.07.2014	105,000.00	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	Date illegible



Name of Person Awarded Contract	Nature of Relationship to Mr. Anthony Walker	Date of Recommendation	Recommended Amount \$	Cheque Payments \$	Date of Cheque	Bank of Encashment	Corresponding Contract Date
TOTAL= \$120,000.00							
Errald Miller	Cauldwell Division Vice Chairman	19.06.2012	100,000.00	100,000.00	05.07.2012	NCB	22.06.2012
		08.11.2012	90,000.00	90,000.00	22.11.2012	NCB	None provided by the Hanover Parish Council
		05.06.2013	120,000.00	120,000.00	13.06.2013	NCB	None provided by the Hanover Parish Council
		None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	130,000.00	14.09.2012	NCB	21.08.2012
		None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	48,000.00	24.09.2013	NCB	None provided by the Hanover Parish Council
TOTAL= \$488,000.00							
Orane Kentish	Cauldwell Division Treasurer	22.08.2013	150,000.00	150,000.00	12.09.2013	NCB	None provided by the Hanover Parish Council
		26.11.2013	25,000.00	None provided by the Hanover Parish Council			
		None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	120,000.00	24.12.2013	NCB	None provided by the Hanover Parish Council
		None provided by the Hanover Parish Council	09.07.2014				
		None provided by the Hanover Parish Council	21.07.2014				
		None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	158,400.00	14.11.2014	NCB	None provided by the Hanover Parish Council
TOTAL= \$428,400.00							
Avian Perry	Employee at the Western Hanover PNP	22.08.2013	150,000.00	150,000.00	12.09.2013	NCB	None provided by the Hanover Parish



Name of Person Awarded Contract	Nature of Relationship to Mr. Anthony Walker	Date of Recommendation	Recommended Amount \$	Cheque Payments \$	Date of Cheque	Bank of Encashment	Corresponding Contract Date
	Constituency Office						Council
		26.08.2014	80,000.00	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	01.09.2014
TOTAL= \$150,000.00							
Alva Campbell	PNP political runner (election day worker)	07.05.2012	30,000.00	30,000.00	07.06.2012	NCB	None provided by the Hanover Parish Council
		None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	130,000.00	03.08.2012	NCB	None provided by the Hanover Parish Council
		None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	150,000.00	30.08.2012	NCB	21.08.2012
		None provided by the Hanover Parish Council	17.03.2014				
TOTAL= \$310,000.00							
Lloyd Forrester	PNP political runner (election day worker)	30.04.2012	25,000.00	25,000.00	07.06.2012	NCB	None provided by the Hanover Parish Council
		None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	1,265.00	05.07.2012	NCB	None provided by the Hanover Parish Council
		None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	150,000.00	17.12.2012	NCB	None provided by the Hanover Parish Council
		04.07.2013	50,000.00	49,500.00	15.08.2013	NCB	None provided by the Hanover Parish Council
		26.12.2013	10,000.00	10,000.00	23.12.2013	NCB	None provided by the Hanover Parish Council
		11.06.2014	200,000.00	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	13.06.2014
		06.11.2014	80,000.00	None provided by the Hanover Parish Council			



Name of Person Awarded Contract	Nature of Relationship to Mr. Anthony Walker	Date of Recommendation	Recommended Amount \$	Cheque Payments \$	Date of Cheque	Bank of Encashment	Corresponding Contract Date
TOTAL= \$235,765.00							
Sherika Smith	PNP political runner (election day worker)	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	40,000.00	21.12.2012	NCB	None provided by the Hanover Parish Council
		05.06.2013	110,000.00	None provided by the Hanover Parish Council			
		None provided by the Hanover Parish Council	09.09.2013				
TOTAL= \$40,000.00							
Lolette Colville	PNP political runner (election day worker)	19.06.2012	35,000.00	None provided by the Hanover Parish Council			
		15.07.2014	105,000	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	None provided by the Hanover Parish Council	29.07.2014
		None provided by the Hanover Parish Council	12.03.2014				
GRAND TOTAL = \$3,059,615.00							

Based upon the referenced Table and the OCG's calculations, the total value of cheque payments made to the aforementioned persons amounted to **\$3,059,615.00**. As indicated herein, the total allocation of funds to Mr. Walker for the period March 2012 to April 2014 was **\$13,578,000.00**. The OCG notes that **of this amount, approximately twenty-three percent (23%) was allocated to his relatives and persons with whom he is politically affiliated.**

Detailed hereunder, are the total values of recommendations, corresponding contracts and cheque payments made to Mr. Walker's relatives and political affiliates:



- **Heather Meggoe**

Recommendations

The OCG is in possession of two (2) recommendations which were made in favour of Ms. Meggoe and which totaled \$210,000.00.

Contract(s) Awarded

The OCG is in possession of one (1) contract that was awarded to Ms. Meggoe in the amount of \$100,000.00

Payment(s) Received

As it relates to payments for works executed by Ms. Meggoe on behalf of the Hanover Parish Council, the OCG is in possession of two (2) cheques which were made payable and which totaled \$210,000.00.

- **Sharon Campbell**

Recommendations

The OCG is in possession of a recommendation which was made in favour of Mrs. Campbell in the amount of \$135,000.00.

Contract(s) Awarded

The OCG is in possession of a contract which was awarded to Mrs. Campbell and which was valued at \$135,000.00.

Payments Received

The OCG is in possession of two (2) cheques made payable to Mrs. Campbell totalling \$150,000.00.



- **Megan Henry**

Recommendations

The OCG is in possession of a recommendation which was made in favour of Ms. Henry in the amount of \$100,000.00.

Contract(s) Awarded

The OCG is in possession of a contract which was awarded to Ms. Henry and which was valued at \$100,000.00.

Payments Received

The OCG is in possession of three (3) cheques, which were made payable to Ms. Henry totalling \$232,000.00.

- **Mervin Meggoe**

Recommendations

The OCG is in possession of three (3) recommendations which were made in favour of Mr. Meggoe and which totaled \$320,000.00.

Contract(s) Awarded

The OCG is in possession of a contract which was awarded to Mr. Meggoe and which was valued at \$110,000.00.

Payments Received

The OCG is in possession of three (3) cheques which were made payable to Mr. Meggoe totalling \$315,450.00.



- **Sanikah Allen**

- Recommendations

- The OCG is in possession of two (2) recommendations which were made in favour of Ms. Allen in the amount of \$45,000.00.

- Contract(s) Awarded

- The OCG is in possession of three (3) contracts which were awarded to Ms. Allen totaling \$330,000.00.

- Payments Received

- The OCG is in possession of three (3) cheques which were made payable to Ms. Allen totaling \$330,000.00.

- **Simone Henry**

- Recommendations

- The OCG is in possession of three (3) recommendations which were made in favour of Ms. Henry and which totaled \$175,000.00.

- Contract(s) Awarded

- The OCG is in possession of a contract which was awarded to Ms. Henry and which was valued at \$80,000.00.

- Payments Received

- The OCG is in possession of a cheque in the sum of \$50,000.00 which was made payable to Ms. Henry.



- **Herbert Williams**

Recommendations

The OCG is in possession of two (2) recommendations which were made in favour of Mr. Williams totaling approximately \$205,000.00.

Contract(s) Awarded

The OCG is in possession of a contract which was awarded to Mr. Williams in the amount of \$105,000.00.

Payments Received

The OCG is in possession of a cheque in the amount of \$120,000.00 which was made payable to Mr. Williams.

- **Errald Miller**

Recommendations

The OCG is in possession of three (3) recommendations which were made in favour of Mr. Miller totaling approximately \$310,000.00.

Contract(s) Awarded

The OCG is in possession of two (2) contracts which were awarded to Mr. Miller totaling approximately \$230,000.00.

Payments Received

The OCG is in possession of five (5) cheques which were made payable to Mr. Miller totaling \$488,000.00.



- **Orane Kentish**

Recommendations

The OCG is in possession of two (2) recommendations which were made in favour of Mr. Kentish which total approximately \$175,000.00.

Contract(s) Awarded

The OCG is in possession of two (2) contracts which were awarded to Mr. Kentish totaling approximately \$135,000.00.

Payments Received

The OCG is in possession of three (3) cheques which were made payable to Mr. Kentish totaling \$428,400.00.

- **Avian Perry**

Recommendations

The OCG is in possession of two (2) recommendations which were made in favour of Ms. Perry in the sum of approximately \$230,000.00.

Contract(s) Awarded

The OCG is in possession of a contract which was awarded to Ms. Perry in the amount of \$80,000.00.

Payments Received

The OCG is in possession of a cheque in the sum of \$150,000.00 which was made payable to Ms. Perry.



- **Alva Campbell**

Recommendations

The OCG is in possession of a recommendation which was made in favour of Ms. Campbell in the amount of \$30,000.00.

Contract(s) Awarded

The OCG is in possession of two (2) contracts which were awarded to Ms. Campbell totaling approximately \$188,150.00.

Payments Received

The OCG is in possession of three (3) cheques which were made payable to Ms. Campbell totaling \$310,000.00.

- **Lloyd Forrester**

Recommendations

The OCG is in possession of five (5) recommendations which were made in favour of Mr. Forrester in the sum of approximately \$365,000.00.

Contract(s) Awarded

The OCG is in possession of a contract which was awarded to Mr. Forrester and which was valued at \$199,950.00.

Payments Received

The OCG is in possession of five (5) cheques which were made payable to Mr. Forrester totaling \$235,765.00.



- **Sherika Smith**

- Recommendations

- The OCG is in possession of a recommendation which was made in favour of Ms. Smith in the sum of approximately \$110,000.00.

- Contract(s) Awarded

- The OCG is in possession of a contract which was awarded to Ms. Smith in the amount of \$30,000.00.

- Payments Received

- The OCG is in possession of a cheque in the sum of \$40,000.00 which was made payable to Ms. Smith.

- **Lolette Colville**

- Recommendations

- The OCG is in possession of two (2) recommendations which was made in favour of Ms. Colville in the amount of \$140,000.00.

- Contract(s) Awarded

- The OCG is in possession of two (2) contracts which were awarded to Ms. Colville totaling approximately \$239,925.00.

- Payments Received

- The OCG is not in possession of any cheques made payable to Ms. Colville.



The OCG has also constructed, hereunder, the following Table, which represents the contracts that are in the possession of the OCG and which were awarded by the Hanover Parish Council to relatives and/or persons with whom Mr. Walker is affiliated:



Table 12

#	Name	Nature of Relationship	Contract Amount \$	Contract Date
1	Sharon Campbell	Sister	135,000.00	10.04.2013
TOTAL \$135,000.00				
2	Heather Meggoe	Sister	100,000.00	01.03.2013
TOTAL \$100,000.00				
3	Megan Henry	Sister	100,000.00	01.03.2013
TOTAL \$100,000.00				
4	Mervin Meggoe	Brother	110,000.00	01.02.2013
TOTAL \$110,000.00				
5	Sanikah Allen	Secretary for the Western	150,000.00	21.08.2012
6		Hanover Constituency Office	30,000.00	09.05.2012
7			150,000.00	19.11.2012
TOTAL \$330,000.00				
8	Herbert Williams	PNP political runner (election day worker)	105,000.00	Date illegible
TOTAL \$105,000.00				
9	Simone Henry	Cauldwell Division Secretary	80,000.00	20.08.2014
TOTAL \$80,000.00				
10	Errald Miller	Cauldwell Division Vice	100,000.00	22.06.2012
11		Chairman	130,000.00	21.08.2012
TOTAL \$230,000.00				
12	Orane Kentish	Cauldwell Division Treasurer	45,000.00	09.07.2014
13			90,000.00	21.07.2014
TOTAL \$135,000.00				

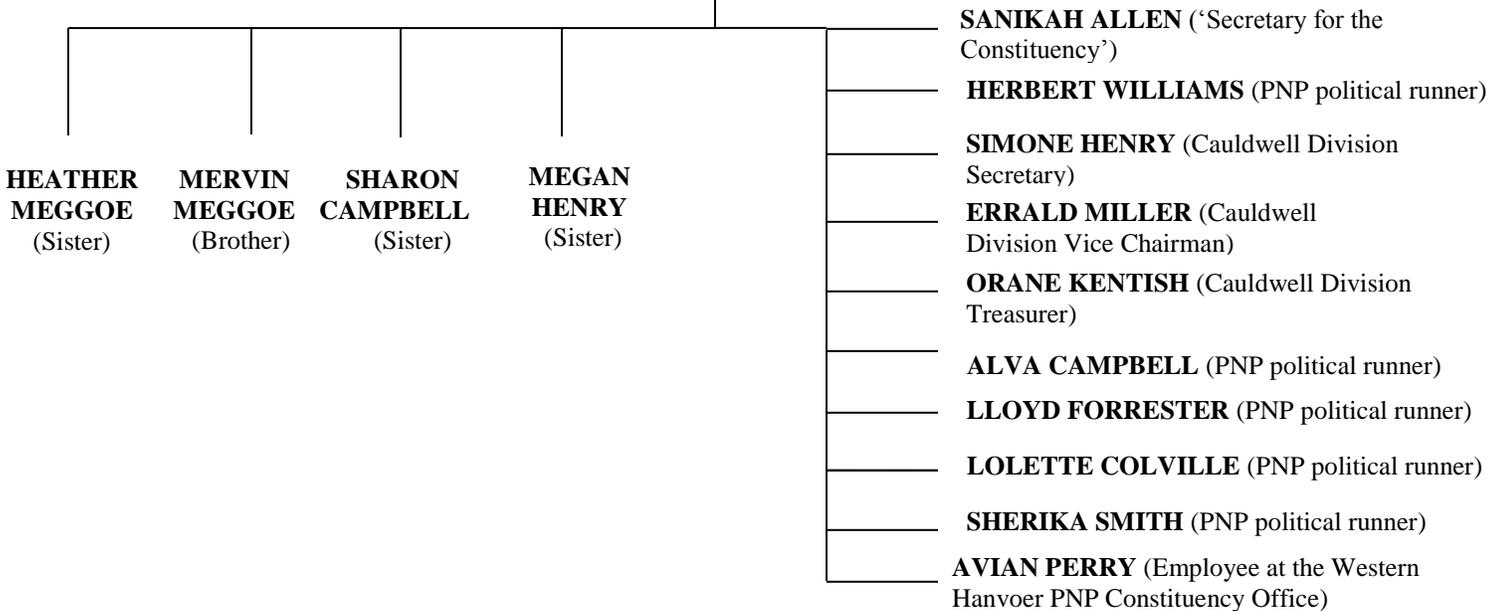


#	Name	Nature of Relationship	Contract Amount \$	Contract Date
14	Alva Campbell	PNP political runner (election day worker)	150,000.00	21.08.2012
15			38,150.00	17.03.2014
TOTAL \$188, 150.00				
16	Lloyd Forrester	PNP political runner (election day worker)	199,950.00	13.06.2014
TOTAL \$199,950.00				
17	Lolette Colville	PNP political runner (election day worker)	135,000.00	12.03.2014
18			104,925.00	29.07.2014
TOTAL \$239,950.00				
19	Sherika Smith	PNP political runner (election day worker)	30,000.00	09.09.2013
TOTAL \$30,000.00				
20	Avian Perry	Employee at the Western Hanover PNP Constituency Office	80,000.00	01.09.2014
TOTAL \$80,000.00				
GRAND TOTAL \$ 2,063,050.00				

Additionally, the OCG has also produced the following Chart which reflects the relationship(s) between Mr. Walker and persons identified as relatives and/or persons with whom he was politically affiliated:



ANTHONY WALKER



Based on the above findings, the OCG notes that Mr. Walker made recommendations for the award of Government of Jamaica contracts to persons related to and/or and to whom he is politically affiliated. The OCG reiterates that nepotism, by definition, refers to the “*bestowal of official favors on one’s relatives, esp. in hiring.*”⁶⁷ Further, a relative is defined as “*a person connected with another by blood or affinity...*”⁶⁸ The term favouritism refers to a “*preference or selection, usu. invidious, based on factors other than merit.*”⁶⁹ In this regard, the actions of Mr. Anthony Walker amount to nepotism and favouritism.

At this juncture the OCG reiterates the provisions of the Councillor’s Handbook, A Guide for Jamaican Councillors, which states that Councillors should “**Not misuse their official position to their own advantage or to the advantage or disadvantage of others**”...and that they should

⁶⁷ Black’s Law Dictionary. Ninth Edition. Thompson Reuters. 2009.

⁶⁸ Ibid.

⁶⁹ Ibid.



ensure their **“...individual interest does not interfere or appear to interfere with the interest of the Local Authority”**.⁷⁰ (OCG Emphasis)

In addition, the OCG notes that Section 4.2 of the 2012 and 2014 GoJ Handbook of Public Sector Procurement Procedures detail the requirements in respect of issues of conflict of interest and unethical conduct. Section 4.2 states as follows:

*“All personnel involved in the procurement process are expected to observe the GoJ Code of Conduct for Civil Servants outlined in the Staff Orders. **They are expected to be free from interests or relationships that are actually or potentially detrimental to the best interests of the Government, and shall not engage or participate in any transaction involving a company, its affiliates, divisions or subsidiaries, in which they have even minor interests.**”*⁷¹ (OCG Emphasis)

Further, Section 4.2.1 states as follows:

“Any GoJ employee involved in the procurement process, who has entered into, or is about to enter into a financial or other business relationship that might involve a conflict of interest must immediately inform their supervisors in writing of the circumstances involved. This information is to be reviewed at an appropriate level and a decision

⁷⁰ The Councillor’s Handbook. Produced by Communications Unit, Office of the Prime Minister, The Department of Local Government, 2009. Page 28.

⁷¹ Section 4.2 of the GoJ Handbook of Public Sector Procurement Procedures, 2012 and 2014. Page 18.



taken as to whether there is a conflict of interest, and if so, what course of action is to be adopted.

*It is the duty of all staff and any other Public Officer and officials directly or indirectly involved in the procurement process – especially in the preparation of bidding documents; evaluation; contract negotiations; contract management; and payments – to declare any potential conflicts of interest. **A conflict of interest will arise when the individual has a direct or indirect relationship with a contractor, which may affect or might reasonably be deemed by others, to affect impartiality on any matter related to his/her duties***

...

A Public Officer shall declare any relationship with a bidder, contractor or consultant and shall take no part in either the decision-making process or the implementation of any contract where such a relationship exists. A personal relationship is defined as consanguinity or affinity...⁷² (OCG Emphasis)

Section 4.2.1 also highlights, *inter alia*, that a conflict of interest exists when GoJ employees involved in the procurement process, “...have a direct or indirect interest in, or relationship with an outsider that is inherently unethical, or who it might be implied or construed could make

⁷² Section 4.2.1 of the GoJ Handbook of Public Sector Procurement Procedures, 2012 and 2014. Pages 18-19.



possible personal gain due to his/her ability to influence dealings or otherwise inhibit the impartiality of the employee's judgment".⁷³

Of note, Section 36 of the Contractor General Act Public Sector Procurement Regulations, 2008, provides, *inter alia*, the following:

“(1) It is the duty of any public officer directly or indirectly involved with the procurement process and particularly in the preparation of bidding documents, evaluation, contract negotiations and contract management and payments to—

(a) declare to the head of his entity or chairman of the entity's procurement committee any potential conflict of interest in relation to a proposed Government contract;

(b) declare to the head or chairman, any relationship with a bidder, supplier, contractor or consultant and refrain from taking part in either the decision making process or the implementation of any prospective Government contract where such a relationship exists.

(2) Every personal relationship shall be disclosed in writing or, if in a meeting orally and then

⁷³ Section 4.2.1 of the GoJ Handbook of Public Sector Procurement Procedures, 2012. Page 19.



minuted, and any person who has made such a disclosure of personal relationship shall not sit in any meeting while deliberations on the subject matter are being conducted...

(5) In this regulation, a “personal relationship” means consanguinity or affinity up to the third civil degree.⁷⁴ (OCG Emphasis)

The OCG notes that consanguinity or affinity up to the ‘third civil degree’ includes “...*spouse, domestic partner, parent, mother-in-law, father-in-law, step-parent, children, domestic partner children, son-in-law, daughter-in-law, step-child, brother, step-brother, brother-in-law, sister, step-sister, sister-in-law, grandparent, grandchild, uncle, aunt, nephew, niece, great-grandchild, and great-grandparent.*”⁷⁵

Based on the foregoing, the OCG sought to ascertain whether Councillors Lloyd Hill and Anthony Walker, declared their relationship(s) and/or affiliation(s) to the Hanover Parish Council. By way of a requisition dated March 18, 2016, the OCG posed the following questions to Mr. David Gardner, Secretary Manager, Hanover Parish Council:

“1. *Kindly indicate whether the Council was provided with a declaration of Mr. Lloyd Hill’s relationship and/or political affiliation with the following persons:*

List 1

Winsome Cunningham;

⁷⁴ The Contractor General Act Contractor General Act Public Sector Procurement Regulations, 2008. Section 15 (1) and (2).

⁷⁵ https://www.nmcourts.gov/newface/hr/forms/degrees_of_family_relations_9_2_11.pdf. Degrees of Family Relationships. Accessed February 3, 2016.



Berdgeth Henry;
John Jolly;
Elina Jarrett;
Jerome Jarrett;
Euviene Cameron; and
Winsbert Ellis.

If your response to the above is 'yes', please provide the following:

- i. The date on which the disclosure /declaration was made;*
- ii. The medium through which same was made;*
- iii. The representative of the Hanover Parish Council to whom the disclosure was made; and*
- iv. Details of any and all actions taken by the Parish Council to safeguard the interest of the Hanover Parish Council upon becoming aware of the disclosure.*

In the event that your response is 'no', please also provide details of any and all actions taken by the Parish Council to safeguard the interest of the Hanover Parish Council upon becoming aware of the disclosure.

- 2. Kindly indicate whether the Council was provided with a declaration of Mr. Anthony Walker's*



relationship and/or political affiliation with the following persons:

List 2

Sharon Campbell;

Heather Meggoe;

Mervin Meggoe;

Megan Henry;

Sanikah Allen;

Herbert Williams;

Simone Henry;

Errald Miller;

Orane Kentish;

Avion Perry;

Alva Campbell;

Lloyd Forrester;

Lolette Colville; and

Sherika Smith.

If your response to the above is 'yes', please provide the following:

- i. The date on which the disclosure /declaration was made;*
- ii. The medium through which same was made;*
- iii. The representative of the Hanover Parish Council to whom the disclosure was made;*
and



- iv. *Details of any and all actions taken by the Parish Council to safeguard the interest of the Hanover Parish Council upon becoming aware of the disclosure.*

*In the event that your response is 'no', please also provide details of any and all actions taken by the Parish Council to safeguard the interest of the Hanover Parish Council upon becoming aware of the disclosure.*⁷⁶

In his response to the OCG dated March 29, 2016, Mr. Gardner, advised the OCG, *inter alia*, as follows:

“(1). A. **The Council was not provided with a Declaration by Mr. Lloyd Hill pertaining to his alleged relationship or political affiliation to the listed individuals.**

b. **It is not the norm for Officers of Council to go about trying to ascertain the nature of an individual's relationship to a Councillor prior to a work engagement.** However, the Council has tried to be far more vigilant in

⁷⁶ OCG requisition dated March 18, 2016 that was sent to Mr. David Gardner, Secretary Manager, Hanover Parish Council.



the whole process of engaging persons to do work. Also, more frequent value for money audit inspections are done.

c. Further, work programmes are presented to the Finance Committee for scrutiny, in order to enhance transparency.

(2). a. The Council was not provided with a declaration by Mr. Anthony Walker pertaining to his alleged relationship or political affiliation to the listed individuals.

*b. As stated at (1) b. above.”⁷⁷
(OCG Emphasis)*

The OCG accepts the response of Mr. Gardner that the Hanover Parish Council “*was not provided with a declaration*” from neither Mr. Lloyd Hill nor Mr. Anthony Walker. The OCG has not seen any evidence which suggests that both Councillors recused themselves from the ‘decision making process or in the implementation of any contract where such a relationship exists’. The OCG notes that the aforementioned failure(s) on the part of both Councillors is a contravention of the Contractor General Act Public Sector Procurement Regulations.

Further, Mr. Gardner stated that it is not the practice of the Hanover Parish Council to “*ascertain the nature of an individual’s relationship to a Councillor prior to a work*

⁷⁷ Response dated March 29, 2016 addressed to the OCG by Mr. David Gardner.



engagement". Nevertheless, and as represented by Mr. Gardner, the Parish Council has employed a more vigilant approach in the contract award process and more audits are being conducted. This is definitely a move in the right direction and must be applauded.

Additionally, Section 40 of the Contractor General Act Public Sector Procurement Regulations, 2008, indicates, *inter alia*, as follows:

"A person who

- a) **contravenes these Regulations; or**
- b) **aids, abets or otherwise knowingly facilitates or is an accessory to the contravention of these Regulations, commit an offence and is liable, on summary conviction in a Resident Magistrate's Court, to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding three months or to both ...**⁷⁸

It is the OCG's finding that a conflict of interest/nepotism and favouritism arise in the circumstances surrounding the award of contracts to relatives and political affiliates of both Mr. Anthony Walker and Mr. Lloyd Hill. This conflict of interest arises as both Councillors have a relationship and/or political affiliation with the contractors which may reasonably and objectively be deemed by others to give rise to issues of illicit benefit(s), being obtained, impartiality and bias on matters related to their duties, and in particular the process which resulted in the award of Government of Jamaica contracts to the named persons.

At this juncture, the OCG places emphasis on Section 14 (1) (b) of the Corruption (Prevention) Act which indicates, *inter alia*, the following:

⁷⁸ The Contractor General Act Contractor General Act Public Sector Procurement Regulations, 2008. Section 40.



“A public servant commits an act of corruption if he-

...

(b) in the performance of his public functions does any act or omits to do any act for the purpose of obtaining any illicit benefit for himself or any other person;...⁷⁹

Based on the above provision, the OCG is of the view that consideration ought to be given as to whether Councillors Lloyd Hill and Anthony Walker committed acts of corruption in the performance of their public functions as Councillors of the Hanover Parish Council. In relation to Councillor Lloyd Hill, the award of contracts to his wife’s mother and stepfather in exchange for the use of their land by the Hanover Parish Council may be deemed as an illicit benefit. In relation to Councillor Anthony Walker, consideration ought properly to be given as to whether the award of a contract to his sister for the purpose of obtaining a refrigerator for their mother, may be deemed an illicit benefit.

Of note, Section 15 of the Corruption (Prevention) Act, 2000, further provides:

“Any person who commits an act of corruption commits an offence and is liable-

...

(a) on summary conviction in a Resident Magistrate’s Court-

(i) in the case of a first offence to a fine not exceeding one million dollars or to imprisonment

⁷⁹ The Corruption (Prevention) Act, 2000. Section 14 (1) (b).



*for a term not exceeding two years or to both such
fine and imprisonment;...⁸⁰*

⁸⁰ The Corruption (Prevention) Act, 2000. Section 15 (1) (b).



CONCLUSIONS

Based upon the sworn responses provided by Officers of the Hanover Parish Council and the witnesses called, as well as documentary evidence submitted to the OCG during hearings, the OCG has arrived at the following considered conclusions:

1. There were instances of nepotism/conflict of interest and favouritism involved in the recommendations for the award of Government contracts to relatives and persons politically affiliated with Councillor Lloyd Hill and Councillor Anthony Walker.
2. Councillor Hill made recommendations for the award of contracts to his relatives and persons with whom he is politically affiliated. Sixty- nine (69) recommendations in the sum of \$9,417,170.00, were made by Councillor Hill to his relatives and persons with whom he is politically affiliated. Of this number, forty-four (44) recommendations were made to his relatives and twenty-five (25) recommendations were made to persons with whom he is politically affiliated.
3. Sixty-five (65) contracts, with a cumulative value of \$8,703,512.00 were awarded by the Hanover Parish Council to relatives and persons affiliated with Mr. Hill. Of this number, thirty-nine (39) contracts were awarded to his relatives and twenty-six (26) contracts were awarded to persons with whom he is politically affiliated. The OCG further concludes that the award of contracts to the stated persons was as a direct result of the recommendations made by Mr. Hill. The OCG has found no evidence which suggests that Mr. Hill declared a personal or prejudicial interest in relation to these contracts and contractors, whom he admitted to the OCG were his family members and political affiliates.

The failure of Mr. Hill to declare the abovementioned interest in the procurement process constitutes a breach of Section 4.2.1 of the Government of Jamaica Handbook on Public Procurement Procedures, 2012 and 2014.



Further, the failure of Mr. Hill to declare a conflict of interest in the procurement process especially as it relates to the award and implementation of contracts involving relatives and political affiliates is nepotism and favouritism and amounts to a contravention of Section 36 of the Contractor General Act Public Sector Procurement Regulations, 2008.

4. Thirty (30) recommendations amounting to \$2,550,000.00 were made by Councillor Walker to his relatives and persons with whom he is politically affiliated. Of this number, seven (7) recommendations were made to his relatives and twenty-three (23) recommendations were made to persons with whom he is politically affiliated.
5. The OCG concludes that Councillor Walker made recommendations for the award of contracts to political affiliates inclusive of self-styled 'area leaders', 'political runners' (election day workers), employees of the PNP Constituency office, indoor/outdoor agents, cluster managers, polling division captains, other party workers and supporters.
6. Twenty (20) contracts, with a cumulative value of \$2,063,050.00 were awarded by the Hanover Parish Council to relatives and persons politically affiliated with Mr. Walker. Of this number, four (4) contracts were awarded to his relatives and sixteen (16) contracts were awarded to persons with whom he is politically affiliated. The OCG concludes that the award of contracts to the stated persons was as a direct result of the recommendations made by Mr. Walker.

Mr. Walker failed to declare a personal or prejudicial interest in relation to these contracts and contractors as is required to Section 4.2.1 of the Government of Jamaica Handbook on Public Procurement Procedures, 2012 and 2014, and as such has breached the referenced guidelines.



Councillor Anthony Walker breached the provisions of Section 36 of the Contractor General Act Public Sector Procurement Regulations, 2008, by his failure to declare a conflict of interest in the referenced procurement process and his actions amount to nepotism.

7. Councillors Lloyd Hill and Anthony Walker breached the following provisions of the Councillors Handbook, A Guide for Jamaican Councillors which outlines expected roles as Councillors within the Hanover Parish Council:

✚ *“Demonstrate fairness and honesty in all dealings and conduct and be open with and accountable to the community at all times...*

✚ **Display openness and transparency in every aspect of your job...**

✚ **Ensure that your individual interest does not interfere or appear to interfere with the interest of the Local Authority**

✚ **Declare at Council meetings all personal or prejudicial interests**

✚ **Do not seek to improperly influence decisions to the advantage of yourself and/or the disadvantage of anyone else...**

✚ **Endeavour not to bring the Local Authority into disrepute at any time**

...

• **Not misuse Council resources or authorize their misuse, in particular for unauthorized party**



political purposes”

8. The OCG was unable to reconcile in all instances, the recommendations, contracts and cheques made in favour of the relatives and political affiliates of both Mr. Hill and Mr. Walker.
9. The total allocation of funds received by Mr. Hill for the period March 2012 to April 2014 was approximately \$14,875,000.00. Approximately 44% (\$6,588,091.08) of the allocations received by Mr. Hill was made payable to his family members and political affiliates.
10. The total allocation of funds received by Mr. Walker for the period March 2012 to April 2014 was approximately \$13,578,000.00. Approximately 23% (\$3,059,615.00) of the allocations received by Mr. Walker was made payable to his family members and political affiliates.
11. The following persons are related to and/or politically affiliated with Mr. Hill, and for whom recommendations were made and they were awarded multiple contracts by the Hanover Parish Council. The table below sets out the relationships:

Name of Relative/Political Affiliate	Relationship
Winsome Cunningham	Sister
Berdgeth Henry	Niece
John Jolly	Cousin
Elrina Jarrett	Wife’s mother
Jerome Jarrett	Wife’s stepfather
Winsbert Ellis	PNP Affiliate
Euviene Cameron	PNP Affiliate

12. The OCG concludes that the following persons are related to and/or politically affiliated with Mr. Walker, and for whom recommendations were made and they were



awarded multiple contracts by the Hanover Parish Council. The table below sets out the relationships:

Name of Relative/Political Affiliate	Relationship
Sharon Campbell	Sister
Heather Meggoe	Sister
Megan Henry	Sister
Mervin Meggoe	Brother
Sanikah Allen	Secretary for the Western Hanover Constituency Office
Simone Henry	Cauldwell Division Secretary
Herbert Williams	PNP political runner (election day worker);
Errald Miller	Cauldwell Division Vice Chairman
Orane Kentish	Cauldwell Division Treasurer
Avian Perry	Employee to the Western Hanover PNP Constituency Office
Alva Campbell	PNP political runner (election day worker)
Lloyd Forrester	PNP political runner (election day worker)
Sherika Smith	PNP political runner (election day worker)
Lolette Colville	PNP political runner (election day worker)

13. Ms. Berdgeth Henry, Mr. John Jolly and Mr. Winsbert Ellis were awarded contracts by the Hanover Parish Council prior to a recommendation being made for the award of contracts. The recommendations had a retroactive effect and the OCG is of the view that this exhibits great irregularity and impropriety in the contract award process utilised by the Hanover Parish Council.

14. The recommendations for the award of contracts by both Mr. Walker and Mr. Hill were unethical and amount to a conflict of interest/nepotism and favouritism. As public servants in the execution of their public function, they advanced a private interest which resulted in a monetary benefit to their family members and persons politically affiliated to them. In this respect, the numerous instances evidenced in this report collectively contravened the principles of integrity and good governance.



This private interest is evident in the establishment of an arrangement between the Hanover Parish Council and Mr. Jerome Jarrett and his wife, Mrs. Elrina Jarrett. The Jarretts, based on recommendations made by Mr. Lloyd Hill, were awarded contracts by the Hanover Parish Council in exchange for the use of their land.

This private interest is also highlighted by the actions of Mr. Anthony Walker's recommendation of his sister, Mrs. Sharon Campbell, for the award of a contract based upon her request for financial assistance from him to purchase a refrigerator for their mother. On that basis, Mrs. Campbell was awarded a contract in the amount of \$135,000.00. Mr. Walker therefore, instead of utilising his personal funds to assist his sister with a personal need for their mother, utilised public funds to alleviate the need of his family member.

Consideration must be given as to whether Councillors Lloyd Hill and Anthony Walker, in this regard, breached Section 14 (1) (b) of the Corruption (Prevention) Act and whether they obtained an illicit benefit for themselves or other persons in their capacity as public servants.

15. Whilst being Councillors, both Mr. Hill and Mr. Walker had an interest, directly or indirectly, in contracts awarded to their family members and/or political affiliates based on their recommendations. This was in contravention of Sections 99 and 100 of the Parish Council Act. Sections 99 and 100 of the Parish Council Act stipulates:

“ A contract entered into between a Parish Council and any councilor thereof or in which any such councilor is pecuniarily interested, whether directly or indirectly, whether the contract be made



before or after he became a councillor of such Council, shall be null and void; unless—

- (a) if made after he became such councillor it has been entered into with the express sanction; or*
- (b) if made before he became such councillor, it has received, prior to his nomination as a candidate, the subsequent approval, of the Minister.”*

16. Councillors Lloyd Hill and Mr. Anthony Walker breached the provisions of The Councillors’ Handbook, A Guide for Jamaican Councillors and the attendant Code of Ethics for Councillors by recommending their relatives and political affiliates for the award of several contracts at the Hanover Parish Council. Their individual interests have interfered with the interest of the Local Authority. They have failed to declare their prejudicial or personal interests to the Parish Council and they have improperly influenced decisions at the Hanover Parish Council to the advantage of other persons to whom they are related and politically affiliated.
17. The actions of both Mr. Hill and Mr. Walker have had the effect of undermining public confidence in their ability to act appropriately in their positions and fulfill their responsibilities as Councillors of the Divisions of Sandy Bay and Cauldwell, respectively, at the Hanover Parish Council. The actions of both Councillors also give rise to the issue of misconduct in public office and the misuse of public funds, contrary to the provisions of the common law.
18. The recommendation and selection process of contractors as utilised by Mr. Hill and Mr. Walker and/or the Hanover Parish Council is devoid of checks and balances that are necessary for transparency and accountability in the management of public funds. In this regard, contracts have been awarded by the Hanover Parish Council without



implementing and utilising a due diligence process through which the skills, competencies or possible relationships and/or affiliations of persons being recommended are examined.

By way of illustration, the OCG highlights that Ms. Winsome Cunningham and Ms. Berdgeth Henry, the sister and niece of Mr. Lloyd Hill, respectively, were recommended by him to execute road rehabilitation and road maintenance works. Based on the descriptions of these categories of works provided by the National Contracts Commission (NCC), there is no evidence to suggest that in the case of Ms. Cunningham, she was competent to execute and implement the works in order to be recommended for the award of contracts in the above regard.

The OCG, therefore, questions the basis for Mr. Hill's recommendation in favour of Ms. Cunningham to perform works related to road rehabilitation. The OCG notes Mr. Hill's arguments in favour of his recommendation of Ms. Cunningham, namely, her capability to be responsible and to be able to 'manage' the execution of the referenced works. However, Ms. Cunningham indicated that she employed persons to execute the works that she '**honestly could not manage**' and that she supervised the performance of the road rehabilitation works for which she had no technical competence. The OCG further concludes that Ms. Cunningham, albeit acting in a supervisory role, did not visit the site on which the stated works was being executed, on a daily basis. This, in the OCG's opinion, presents opportunities for sub-standard works being completed as well as a disregard of the duty to protect and guarantee public safety and the welfare of users of a public thoroughfare.

19. Having regard to the allegation that "...*Councillor Anthony Walker from the Cauldwell Division brothers and sisters ...has been collecting money for him*", the OCG has found **no evidence** that Mr. Anthony Walker collected monies and directly benefitted from the award of contracts made to his relatives and political affiliates.



20. The OCG concludes that, in some instances, contractors do not understand what ought to be done prior to the commencement of works on a site. The scope of works, inclusive of the measurement of the works and the rates at which they are to be paid are not explained to the contractors. Additionally, government contracts are being signed after the works are executed. In point of fact, Ms. Berdgeth Henry, the niece of Mr. Lloyd Hill, disclosed that she (i) was not told the measurement of the works that were to be executed (ii) was made aware of the rate at which she was to be paid after the works was completed and (iii) signed a contract after the referenced works were executed.

Also, the fact that Ms. Henry signed a blank contract form is inferred. An officer of the Parish Council who produces a blank form to be signed by a contractor, and thereafter completes the form in the absence of that contractor, commits an act which is tainted and fraught with suspicion, and is poised for possible corruption to be perpetuated.

21. The OCG accepts the account of Ms. Berdgeth Henry, the niece of Councillor Lloyd Hill, in relation to the selection process which was utilised by the Hanover Parish Council in selecting her for the award of contracts. Ms. Henry asserted that she was selected for the award of government contracts in informal settings, namely, at 'round robin' parties by Mr Enoch Humphrey, Assistant Superintendent of Roads and Works, Hanover Parish Council. Notwithstanding the fact that Mr. Enoch Humphrey has denied the assertions by Ms. Henry, the OCG nonetheless rejects the representations made by Mr. Humphrey in this regard. This is on the basis that he was less than credible in his account as he indicated that he was not sure if he knew Ms. Henry. It was only after being shown the contracts which bore his signature indicating that he endorsed the referenced works as being satisfactorily completed, that Mr. Humphrey then stated that her name 'will ring a bell'.



22. The nepotistic actions of Councillors Lloyd Hill and Anthony Walker are shameless and brazen acts. The OCG further highlights that the actions of Councillors Lloyd Hill and Anthony Walker now represent a third occurrence of acts which are nepotistic and corrupt in nature being reported by the OCG within twelve (12) months. It is therefore the considered view of the OCG that the actions of at least three (3) of the Councillors have brought the Hanover Parish Council into disrepute. It has also brought into question the moral authority to effectively execute its mandate and command public confidence.



REFERRALS

The OCG, in the conduct of its Investigation, is required to be guided by Section 21 of the Contractor General Act. Section 21 provides as follows:

“If a Contractor-General finds, during the course of his investigations or on the conclusion thereof that there is evidence of a breach of duty or misconduct or criminal offence on the part of an officer or member of a public body, he shall refer the matter to the person or persons competent to take such disciplinary or other proceeding as may be appropriate against that officer or member and in all such cases shall lay a special report before Parliament.”⁸¹ (OCG Emphasis)

1. In keeping with the findings and conclusions cited herein, the Contractor General refers Mr. Lloyd Hill, Councillor, Hanover Parish Council, to the Director of Public Prosecutions (DPP) for such further action, as deemed appropriate, regarding the common law offence of misconduct in a Public Office, breaches of the Government of Jamaica Handbook of Public Sector Procurement Procedures, 2012 and 2014, breaches of the Contractor General Act Public Sector Procurement Regulations 2008 and breaches of the Corruption (Prevention) Act which have been identified herein.
2. The Contractor General refers Mr. Anthony Walker, Councillor, Hanover Parish Council, to the Director of Public Prosecutions (DPP) for such further action, as deemed appropriate, regarding the common law offence of misconduct in a Public Office, breaches of the Government of Jamaica Handbook of Public Sector Procurement Procedures, 2012 and 2014, breaches of the Contractor General Act Public Sector

⁸¹ The Contractor General Act, Section 21.



Procurement Regulations 2008, and breaches of the Corruption (Prevention) Act which have been identified herein.

The OCG is referring a copy of its Special Report of Investigation to the Director of Public Prosecution (DPP), having particular regard to breaches of the following provisions:

1. Section 4(1) of the Contractor General Act in relation to the award of government contracts;
2. ‘Code of Ethics for Councillors’ in relation to failing to declare a personal or prejudicial interest in a government contract;
3. Section 4.2, “Conflict of Interest” of the GoJ Handbook of Public Sector Procurement Procedures (May 2012 and March 2014);
4. Section 36 of the Contractor General Act Public Sector Procurement Regulations (2008);
5. Section 14 of the Corruption (Prevention) Act;
6. R v Dytham [1979] Q.B. 722 in relation to the common law offence of misconduct in a public office;
7. Williams v R (1986) 39 WIR 129 in relation to the common law offence of misconduct in a public office; and
8. Attorney-General’s Reference (No 3 of 2003) [2004] EWCA Crim 868 in relation to the common law offence of misconduct in public office.

The OCG is also referring this matter to the Director of Public Prosecutions, having particular regard to the provisions of Section 40 of the Contractor General Act Public Sector Procurement Regulations (2008) and Section 14 (1) (b) of the Corruption (Prevention) Act.

Section 40 of the Contractor General Act Public Sector Procurement Regulations provides as follows:

“A person who —



- c) contravenes these Regulations; or
d) aids, abets or otherwise knowingly facilitates or is an accessory to the contravention of these Regulations, commit an offence and is liable, on summary conviction in a Resident Magistrate's Court, to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding three months or to both ...
(OCG Emphasis)

Section 15 of the Corruption (Prevention) Act, 2000, further provides:

“Any person who commits an act of corruption commits an offence and is liable-

...

(b) on summary conviction in a Resident Magistrate's Court-

(i) in the case of a first offence to a fine not exceeding one million dollars or to imprisonment for a term not exceeding two years or to both such fine and imprisonment;...⁸² (OCG Emphasis)

⁸² The Corruption (Prevention) Act, 2000. Section 15 (1) (b).



RECOMMENDATIONS

Section 20 (1) of the Contractor-General Act mandates that “after conducting an Investigation under this Act, a Contractor-General shall, in writing, inform the principal officer of the public body concerned and the Minister having responsibility therefor of the result of that Investigation and make such recommendations as he considers necessary in respect of the matter which was investigated.” (OCG’s Emphasis)

1. The OCG strongly recommends that the Ministry of Local Government and Community Development create policies and implement systems in relation to the contract award process that will allow for the provision of appropriate oversight of discretionary decisions and of personnel with the authority to make such decisions. In the absence of proper checks and balances and an independent selection and award criterion, the contract award process runs the risk of being labelled nepotistic.
2. It is also crucial for the Ministry of Local Government and Community Development to put the necessary enforcement mechanisms in place to ensure that Councillors abide by the principles outlined in The Councillors’ Handbook, A Guide for Jamaican Councillors and attendant Code of Ethics for Councillors with appropriate sanctions for failure to comply with same. It is also being strongly recommended that sanctions are promulgated to address breaches of the Code of Ethics for Councillors.
3. It is incumbent on the Ministry of Local Government and Community Development to ensure that its public officials are made aware of the requirements in relation to identifying and disclosing conflicts of interest, and that reasonable steps be taken to ensure the enforcement of this requirement.
4. As outlined in the Framework for Commonwealth Principles on Promoting Good Governance and Combatting Corruption, the OCG hereby recommends by reiterating the following:



“...the rule of law should apply to all those involved in the administration and provision of services in the public interest, as it does to the whole of civil society. Those holding offices of trust need to be bound by well publicized Codes of Conduct with appropriate sanctions for breaches that are enforced consistently and vigorously. These codes should, inter alia, cover: standards of integrity, potential conflicts of interest, acceptance of gifts, misuse of information for personal gain, and disclosure of assets and financial interests. Ethical standards should be promoted--through education and training where necessary-- which instill pride in the virtues of integrity, professionalism, efficiency, transparency, and impartiality in the public service”.⁸³

(OCG Emphasis)

5. Notwithstanding the provisions of Section 36 of the Contractor General Act Public Sector Procurement Regulations, the OCG recommends that parish councils and public bodies in general, refrain from awarding contracts to the relatives and affiliates of public officials and officers in an effort to avoid even the slightest perception of bias, nepotism/conflict of interest and favouritism. Further, the recommendation is being made that the Contractor General Act Public Sector Procurement Regulations 2008 be amended to prevent the award of contracts to relatives and affiliates of public officials/officers.

⁸³ Nicholls, Colin. *Corruption and Misuse of Public Office, 2nd Edition*. Oxford University Press. 2011. Para. 11.96, Page 407.



6. Further, the OCG must recommend that Councillors recuse themselves from the decision making processes which involve the award of government contracts in circumstances which may exhibit potential conflicts of interest and in particular, where there is even the slightest hint and/or suggestion of nepotism, whether real or perceived.
7. The OCG recommends that Public Bodies should, in keeping with the stipulated Procurement Guidelines, establish robust and transparent systems and processes to ensure that the selection of contractors at the community level is free from the perception of bias and political interference in the award of contracts.
8. The OCG recommends that strict adherence to the Procurement Guidelines and attendant Contractor General Act Public Sector Procurement Regulations 2008 should be observed by all procuring Public Bodies and the respective Public Officers who are charged with the responsibility of administering the award of Government contracts.
9. The OCG recommends that in circumstances where a Public Body has identified that there is a breach of the procurement procedures, the responsible agency should seek to remedy the said breach in an expeditious and effective manner as opposed to continuing with the implementation of the project in violation of applicable GOJ Public Sector Procurement Procedures, the attendant Regulations and other governing laws.
10. Where a project permits the receipt of recommendations from a Councillor for the engagement of contractors, the suitability of the recommended contractors should be, at a minimum, independently vetted by the Procuring/Implementing Public Body.



11. Unsatisfactory and unacceptable systems are currently employed at the Hanover Parish Council in the award of contracts below \$500,000.00 for works such as bushing, drain cleaning and the clearing of blocked roadways. The unacceptable practices which are employed by the Hanover Parish Council include the following:

- (a) Recommendations by some Councillors at the Hanover Parish Council of relatives and political affiliates, without declaring this fact, who are invariably awarded contracts thereafter.
- (b) The process utilised in the selection of contractors is devoid of due diligence checks which ought to be performed to ascertain the identities of the individuals and to determine whether there are any potential conflicts of interest;
- (c) The verification of the competence of persons recommended for the award of contracts is not undertaken by the Hanover Parish Council;
- (d) In some instances works are not verified by the Hanover Parish Council as satisfactorily done. There is also no document which proves that works such as bushing and drain cleaning are executed, in the absence of the Assistant Superintendent of Roads and Works verifying that the referenced works were executed; and
- (e) In some instances persons are awarded contracts **before** they are recommended for same.

The state of affairs also gives rise to serious public health implications, especially as it regards the poor processes employed in the management of works relating to drain cleaning and bushing. The Hanover Parish Council **must** as a matter of urgency, ensure that proper policies and procedures are employed in the recommendations for the award of these contracts, the scoping and drafting of the specifications and the monitoring of the execution of the works. The Hanover Parish Council must ensure that the selection process and successful completion of these works are not only achieved but that the evidence of this forms a part of the Council's records.



12. The OCG recommends that the Hanover Parish Council implements a system to independently ascertain the competence of contractors, especially where works require a certain degree of technical aptitude and skills.

13. The OCG recommends that the roles and responsibilities of the Secretary Manager of the Hanover Parish Council should be reviewed as it regards the administration of the award of government contracts. As the administrative head and principal accountable officer at the Parish Council, the Secretary Manager is charged with managing the effective administration of government contracts and, therefore, must ensure that a system is implemented and enforced to conduct appropriate due diligence checks prior to the award of contracts. The Secretary Manager must, as a matter of good governance, employ systems, protocols and standard operating principles which promote fairness, integrity and public confidence in the procurement process.

14. The recommendations for the award of contracts ought properly not to be made by Councillors to employees of the Constituency Office or the Councillors' offices and such recommendations and award of contracts are tainted at the very least with the perception of favouritism towards these employees. Further, the Parish Council must administer government resources in accordance with the established tenets of the Ministry of Finance Procurement Policy Statement which seeks to, among other things, promote fairness, integrity and public confidence in the procurement process, rather than in a manner which essentially funnels funds through the political machinery for political and personal benefits.

15. The OCG strongly recommends that the Ministry of Local Government and Community Development initiate an investigation into the procedures utilised in the contract award process by the Roads and Works Department at the Hanover Parish Council. In particular, the Ministry of Local Government should, in the conduct of



their investigation, consider whether disciplinary actions may be taken against Mr. Enoch Humphrey, Assistant Superintendent, Roads and Works, as it regards producing blank contracts to contractors for them to sign as well as the selection of contractors, a responsibility which falls outside the scope of his roles and functions at the Hanover Parish Council.

16. The OCG also strongly recommends that the Ministry of Local Government and Community Development conduct an audit and initiate an investigation into the circumstances surrounding the verbal agreement entered into between the Hanover Parish Council and Mrs. Elrina Jarrett and Mr. Jerome Jarrett, Mr. Lloyd Hill's wife's mother and stepfather, respectively. The OCG reminds the Ministry that the agreement for the Hanover Parish Council to use the Jarretts' land in exchange for the award of contracts to these persons has legal implications. These implications will bind the Hanover Parish Council and by extension, the Ministry of Local Government.