

INTEGRITY COMMISSION MEETING

with

Dr Christall Byfield

re

(Carl Rattray Staff College Investigation)

held at

Integrity Commission Office, 63-67 Knutsford Blvd

on

Friday, May 31, 2024

Present were:

Integrity Commission Representatives

Mr. Kevon Stephenson - *Chairman*

(Director of Investigation)

Mr. Adrian Wellington

(Manager - Contract, Procurement and Corruption Investigation)

Ms. Shania Parkes

(Senior Investigating Officer - Contract, Procurement and Corruption Investigation)

Ms. Vanessa Ballentine

(Investigating Officer - Contract, Procurement and Corruption Investigation)

Subject's Representatives

Dr Christall Byfield

Mr. Oswest Senior-Smith - *Attorney-at-Law*

COMMENCED AT 3:35 P.M.

CHAIRMAN: Ms. Byfield, as you know, we conducted investigations into the allegations of irregularity and conflict of interest in relation to the operations at the Carl Rattray Staff College within the Department of Corrections.

MR. SENIOR-SMITH: Can I beg a favour of you, please, sir?

CHAIRMAN: Yes, yes.

MR. SENIOR-SMITH: Can you just introduce or indicate who are the...

CHAIRMAN: Certainly. I'm just going there. I'm going there.

MR. SENIOR-SMITH: Okay. Thank you.

CHAIRMAN: Now the Commission, as part of its new procedure or policy, has taken the view that it will meet with all persons against whom adverse findings have been made in the course of its investigations except for those persons who will be referred to the Director of Corruption Prosecution for consideration.

Now, that is the purpose for which we are here, to indicate the findings to you, and if you have anything to say in relation to the findings, then we say it on the record.

I am Kevon Stephenson, Director of Investigation. To my left is Ms. Vanessa Ballentine, Investigating Officer, Contract, Procurement and Corruption Investigation. To my right, Mr. Adrian Wellington, and he is the Manager for Contract, Procurement and Corruption Investigation. To his right is the Senior Investigating Officer in the Contract, Procurement and Corruption Investigation unit, and the Stenotype Writer with us...

MS. HENRY: Phebe-Ann Henry from the Office of the Services Commissions.

CHAIRMAN: Yes, right, and since we are on record..

MS. PARKES: Shania Parkes.

(Laughter)

CHAIRMAN: Oh, I didn't say your name?

MS. PARKES: No.

CHAIRMAN: Oh, sorry.

Right. Since we are on record, if you could just indicate your names, Ms. Byfield and then Counsel.

DR BYFIELD: Dr Christall Byfield.

MR. SENIOR-SMITH: Oswest Senior-Smith, Attorney-at-Law.

CHAIRMAN: Thank you very much. Right, are there any questions before I proceed?

DR BYFIELD: No.

CHAIRMAN: The investigation in relation to the allegations that I have just outlined - well, the summary that I've just outlined, having come to its conclusion, found several irregularities in certain processes utilised by the Department of Correctional Services, particularly the Carl Rattray Staff College, as well as conflict of interest on the part of, well, we had Ms. Christall Byfield, but based on what I've heard, it is Dr Christall Byfield.

DR BYFIELD:

That's fine.

CHAIRMAN:

Congratulations are, indeed, in order.

DR BYFIELD:

Thank you.

CHAIRMAN:

Former Director of the Carl Rattray Staff College in relation to procurement of goods. In light of the foregoing, the Director of Investigation made several recommendations to the Department of Correctional Services towards preventing the reoccurrence of the referenced irregularities and conflict of interest in relation to the operations of the Carl Rattray Staff College.

The authority to conduct the investigation is section 33 of the Integrity Commission Act, which empowers the Director of Investigation to conduct these investigations.

The investigation commenced on the 1st of November, 2021 on the basis of an

anonymous complaint which was received by the Director of Investigation on October 8, 2021. The complaint referred to, among other things, the following allegations:

The first one, in 2019, Ms. Christall Byfield, a former Director of the Carl Rattray Staff College, acquired the services of Mr. Juna Anderson of Juna Pest Control Services to fumigate the premises at the Staff College from flying and crawling insects. Ms. Byfield is said to have collected a percentage of the payment made to Mr. Anderson for the fumigation services.

The second allegation is that last year, which would have been 2020, Ms. Byfield acquired the services of Mr. Kelliman Lawes of DigiView Company to install a camera system. The system was said to be monitored by Jamaica Eye, yet it is believed that the system is

monitored by Mr. Lawes, Ms. Byfield's brother-in-law.

The third allegation is that, in 2018 during the Easter holidays, a Seventh-day Adventist Church rented the facilities to host an event, which is the Carl Rattray Staff College. The payment in the amount of three hundred and fifty thousand dollars (\$350,000), for the hosting of the event, was collected by Staff Officer Barbara Kelly-Paddyfoot and taken to Ms. Christall Byfield's office. Ms. Byfield then retained the payment.

The fourth allegation is that Ms. Christall Byfield hired her mother, Mrs. Debbie Parsons - sorry, Mrs. Debbie Morris...

DR BYFIELD:

Parsons-Morris.

CHAIRMAN:

Parsons-Morris? Yes. Principal of St. Ann's Bay Infant School, to ratify documents during a training and

development project. It is also alleged that Ms. Byfield hired her friends, Mr. Javon Anderson and Ms. Leonie Reid to participate in the same project.

And, finally, Ms. Christall Byfield is affiliated with a business known as Grove Choice located in Golden Grove, St. Ann, which occasionally supplies Carl Rattray Staff College with goods and food supplies for training courses.

Those are the allegations. There were over 23 persons pertinent to the Director's investigation. The Terms of Reference are:

The objectives of the investigation were to determine *inter alia* the following: the procurement processes, if any, which were undertaken by the Carl Rattray Staff College or the Department of Correctional Services in the award of contracts to Mr. Juna

Anderson for the fumigation of the Carl Rattray Staff College in 2019, Mr. Kelliman Lawes for the installation of a surveillance system at the Carl Rattray Staff College, and Grove Choice for the supply of food supplies.

The second Term of Reference: The circumstances, if any, which led to the award of the referenced contracts by the Carl Rattray Staff College or the Department of Correctional Services.

DR BYFIELD:

Sorry, the circumstance of what?

CHAIRMAN:

The circumstances, if any, which led to the award of the referenced contracts by the Carl Rattray Staff College or the Department of Correctional Services.

Third Term of Reference: The veracity of the allegation that Ms. Byfield, former Director of the Carl Rattray Staff College, retained a payment in the amount of three hundred and fifty

thousand dollars (\$350,000) received from a Seventh-day Adventist Church for an event hosted at the Staff College in 2018.

Four: Whether there was or were any irregularity or irregularities and/or impropriety/improprieties in relation to the award and implementation of the following contracts: one, fumigation of the Carl Rattray Staff College in 2019 by Mr. Juna Anderson; two, installation of a surveillance system at the Carl Rattray Staff College by Mr. Kelliman Lawes; and three, supply of goods by Grove Choice.

Five: Whether the process utilised in the Curriculum Development And Training Project for the selection of facilitators or trainers amounted to conflict of interest on the part of Ms. Christall Byfield.

Six: The veracity of the allegations that Ms. Christall Byfield is affiliated with a business known as Grove Choice, which supplied Carl Rattray Staff College with goods and food supplies for training courses.

Seven: Whether there were any breaches of the Government of Jamaica Public Sector Procurement Guidelines of 2014, Public Procurement Act, the Public Procurement Regulations, Staff Orders for the Public Service, the Integrity Commission Act, and any other legislation applicable in the circumstances, of course, in respect of the operations of the Carl Rattray Staff College.

And, finally: Whether recommendations ought to be made.

What I will do now is to take you to the conclusions drawn from the report,

having completed – well, before I do so, let me share with you the extent of the enquiries.

The following actions were executed pursuant to the investigation:

During the period November 1, 2021 to September 25, 2023, 43 notices were served on individuals to provide written statements. During the period November 1, 2021 to September 12, 2023, 56 witness statements were recorded or obtained. During the period September 20, 2022 to April 13, 2023, five judicial hearings were conducted, and, of course, there was a review of the Public Procurement Regulations, the Public Procurement Act, the Integrity Commission Act, and other applicable laws and policies. And then, of course, a cross referencing of the statements and other supporting documents was

conducted in order to inform the DI's conclusions and recommendations.

Conclusions:

In relation to the award of contract to Juna Pest Control for the fumigation of the premises of the Carl Rattray Staff College in 2019, the DI concludes that on January 3rd, 2020 an agreement was entered into between the Department of Correctional Services and Juna Pest Control Service Limited in the amount of two hundred and twenty thousand dollars (\$220,000) for fumigation services. The DI concludes that there is no evidence of irregularities or impropriety in the processes utilised by the Department of Correctional Services in the referenced award of contract to Juna Pest Control Services. The DI concludes that there is no evidence to support the allegation that Mr. Juna Anderson provided a portion of the contract sum to Ms. Christall

Byfield, former Director of the Carl Rattray Staff College. The DI's conclusion is based on the fact that the money provided by way of envelopes to selected officers of the Carl Rattray Staff College by Mr. Juna Anderson was done sometime after the contract was executed, and this gift seemed to be permissible under section 4.3(I) of the Staff Orders for the Public Service.

You will not be able to -- the evidence will come to you in the full report, but there was a finding that envelopes were provided to certain persons at the Staff College.

DR BYFIELD: Did you get the names of the persons who got those envelopes? I don't know.

CHAIRMAN: Yes, we did, and your name was not one of the names, so there was no finding in relation to you on that account.

DR BYFIELD: I'm telling you.

CHAIRMAN:

As it relates to the contract awarded to DigiView Security Limited for the installation of a surveillance system at the Carl Rattray Staff College, the DI concludes that on March 23rd, 2020 a contract was entered into between the Ministry of National Security and DigiView Security Limited for the supply and installation of CCTV cameras at the Department of Correctional Services, Carl Rattray Training Institute in the amount of four million, seven hundred and forty-four thousand, five hundred and twenty-one dollars, six cents (\$4,744,521.06). The DI concludes that there is no evidence of irregularity or impropriety in the procurement processes utilised by the Ministry of National Security in the referenced award of contract to DigiView Security Limited. Importantly, the procurement was not handled by the Department of Correctional Services but rather by the Ministry of National

Security on their behalf. This conclusion is grounded on the basis that the procurement methodology utilised by the Ministry of National Security in the referenced award of contract was limited tender and that the rationale for the selection of DigiView Security Limited as the successful bidder was due to the fact that, one, DigiView Security Limited offered the more competitive cost of the two respondents, and DigiView Security Limited executed a similar project previously with the Ministry of National Security.

I will not go through the conclusions that do not relate to you, Ms. Byfield, but I will go through allegations regarding conflict of interest in the selection of individuals to participate in the Curriculum Development and Training Project held at the Carl Rattray Staff College in 2020.

The DI concludes that a conflict of interest arose as a consequence of the relationship between Ms. Christall Byfield and her mother, Mrs. Debbie Parsons-Morris who was recommended by Ms. Byfield to participate in the Curriculum Development and Training Project held at the Carl Rattray Staff College in 2020. The DI further concludes that the conflict of interest concerned actualised due to the failure on the part of Ms. Byfield and other officers of the college who were aware of the existing relationship and who failed to adhere to the established policies. particularly section 10 of the Department of Correctional Services' Code of Discipline and section 4.2.9 of the Staff Orders for the Public Service. Both policies prescribe the manner in which conflicts of interest ought to be managed and the responsibility on the part of those

concerned to, among other things, make the necessary disclosures or declarations.

These are the adverse conclusions, Ms. Byfield. If you have a response or any further information to share, then you can note it and indicate that on the record, because the record would form part of the investigation report going to Parliament.

The DI concludes that the Department of Correctional Services, having paid Ms. Byfield an honorarium for work or services, and in bracket we have the Curriculum Development Project held during the period January 2021 to August 2021, which fell within the scope of her duties as Director of the Carl Rattray Staff College, acted contrary to section 6.7.4 of the Staff Orders for the Public Service.

The DI further concludes that the payments made to Ms. Byfield were irregular and should not have been made. Steps should, therefore, be taken to recover the amounts paid in the foregoing regard.

Still on the point but slightly separately, the DI acknowledges that the work may well have been done by Ms. Byfield, and depending on the circumstances, additional compensation may have been necessary.

Notwithstanding, the honorarium, by definition, was not the appropriate scheme under which such a payment should have been made.

Allegations regarding conflict of interest in the purchase of goods from Grove Choice by the Carl Rattray Staff College.

The DI concludes that during the period February 10, 2021 to September 29, 2021, the Department of Correctional Services engaged Grove Choice to purchase goods in the sum of one million, two hundred and forty-six thousand, five hundred and forty-nine dollars, 90 cents (\$1,246,549.90). The DI concludes that, as it relates to the purchase of food supplies from Grove Choice by the DCS and the Carl Rattray Staff College, there is evidentiary material to indicate that this process was replete with irregularities. The DI's conclusion is premised on the following: a), there was no formal procurement process utilised by the Department of Correctional Services; b), the Procurement Unit were not involved in the procurement of goods and services for the Carl Rattray Staff College; and c), the nature and extent of the affiliation between Ms. Christall Byfield and Mr. Veron Bryan

was not disclosed by Ms. Byfield, as required.

Further, the DI concludes that Ms. Byfield's conduct in the foregoing regard breached the Department of Correctional Services' Code of Discipline as well as the Staff Orders for the Public Service which treats with conflict of interest.

DR BYFIELD: Sorry, can you - You said that DCS's Procurement was not involved? That's what you said?

CHAIRMAN: The Procurement Unit were not involved in the procurement of goods and services for Carl Rattray Staff College.

The DI's conclusion is on the basis that a conflict of interest existed between Ms. Christall Byfield, then Director of the Carl Rattray Staff College and Mr. Veron Bryan, owner of Grove Choice, which could reasonably be

inferred to have influenced the engagement of Grove Choice. Further, it is clear that Ms. Byfield and Mr. Bryan have an affiliation which transcends what was indicated to the DI by Mr. Bryan.

The DI's conclusion is based on the following: a), Ms. Byfield was given autonomy by her supervisor, Mrs. Althea Davis, Senior Director, Human Resource Management and Administration to select a supplier to provide the goods, and as a result, Ms. Byfield selected Grove Choice.

Mr. Bryan had only two Government of Jamaica customers, that is, the Carl Rattray Staff College, and the St. Ann's Bay Infant School. To reiterate, the principal of St. Ann's Bay Infant School is Mrs. Debbie Parsons-Morris, mother of Ms. Christall Byfield.

And c), the email correspondence between Ms. Byfield and a representative from PriceSmart confirms that Ms. Byfield held the position of purchasing manager at Grove Choice at the material time. Those are the conclusions.

The recommendations: there is one particular recommendation in relation to you, Ms. Byfield.

As it relates to the questionable conduct of Ms. Christall Byfield, previously delineated, the DI recommends that the Department of Correctional Services apply such sanctions as it deems appropriate and necessary having regard to the seriousness of the referenced conduct and to demonstrate that such conduct is inconsistent with the standard of behaviour expected from holders of public office. The DI's recommendation

is premised on Ms. Byfield's failure to appropriately treat with a conflict of interest situation which arose by virtue of her connection with the proprietor of Grove Choice, a supplier of goods to Carl Rattray Staff College and several other individuals, including her mother, who participated in the ratification project for the college. That is the extent of our findings.

The position here now, Counsel and Ms. Byfield, is if there is anything that we mentioned that you think is not so and you have anything to support it, we are open to looking at those issues to see whether they will affect our findings and recommendation.

MR. SENIOR-SMITH: Thank you for that, and for your outline, but is it possible to get a hard copy to see it, so that we can properly respond, because...

CHAIRMAN: *(Non-verbal answer)*.

DR BYFIELD: Even after submission to Parliament?

CHAIRMAN: We have not yet made a submission...

DR BYFIELD: No, I said "even after."

CHAIRMAN: Oh, after? Certainly, but what we are doing now is giving you an opportunity beforehand so that you're not surprised by the publication of the document in the public domain, because there could be something that jumps out that you hear that you think you could correct.

MR. SENIOR-SMITH: Something does jump out, but then it's to make, probably, a more informed response.

CHAIRMAN: Yes. If you tell me what it is, we could probably provide you with the information around that point, and you probably would be able to - because the conclusions without the evidence would not be, probably, as useful to you in responding.

(Dr Byfield confers with Counsel)

DR BYFIELD: As it relates to not making a declaration as to who my mom is, my mom has attended dinners, everything, she

was introduced. As a matter of fact, on the day in which we had the final day of the project, I would have given out plaques to the persons who participated, and I would have spoken to the fact that my mom came to assist us, and that was done free of cost. When she came - initially when I asked her to come, it was just to assist us; it was not for any payment whatsoever. It was at that time when Ms. Davis was going through the documents Ms. Davis then said to my mom she is to submit an invoice, to which I did not agree with, and as a result, if you look at the invoice, it says the person that signs it "Services received in satisfactory order," was the overseer at the time. I didn't sign it, because, again, it's not necessarily because I don't think she was to get it or whatever, but I did not trust Ms. Davis at the time, so that was my issue.

Everybody know that my mom is my mom. My stepfather is a correctional officer; there's no hiding. My mom has attended dinners with me, everything. Everybody... As I said, I have pictures from the event; I even have recordings.

On that specific day, the 5th of, I think it was January - February, when we closed the event, I spoke of my mom being my mom, I thanked her and everybody else who participated in the activity for helping us to get that curriculum thing done, and the payment and the invoice would have been dated long after that date, so to say that I did not disclose who my mom is, that is not true.

2019 when I was awarded Staff of the Year, my mom was my date to that event, to which I introduced her to the Commissioner. Ms Davis knows my mom. My mom is somebody she has spoken to on

the phone. We did a Curriculum Writing course together, myself; Ms. Davis; Lygia Martin, who is now the Director of the College; Noel Beckford, we were all students at HEART in the Curriculum Writing class, so to say that, it's very, just... it's very unfortunate.

CHAIRMAN: There are a number of things that are at play, I would imagine. I think the first thing is that, based on how the investigation unfolded, you did not make a statement to the Commission because – and I can understand why – at the time you were, indeed, a suspect.

DR BYFIELD: A suspect, right.

CHAIRMAN: You are not, at this point, a suspect at the end of our investigation, and so if you would like, you have the opportunity to make a formal statement.

DR BYFIELD: I mean, not necessarily. Those are the two things that jumped out at me. The next one, really, is the big thing that Procurement was not aware. Like, in order for us to get goods and services

at Carl Rattray, as much as I am the Director, I have to write. Not even me; the person who is in charge of the kitchen - sorry he's no longer in Jamaica - would have to write to Mrs. Davis, Althea Davis. When that is done, Ms. Davis sends something to Procurement. Procurement then contacts whomever, and I have emails to show that Procurement was the persons who got in - to say that Procurement...

(Turns phone screen towards Chairman)

It says here clearly Procurement Officer, Procurement Unit. He sent the email to Grove Choice, not to me. I was only copied as the Director on the email, so Procurement... There's no process at all that ever happened that Procurement is not a part of. And when Ms. Davis said she gave me autonomy to choose, that is not true. They were getting goods and services from Kingston that, by the time it got

there, it was spoilt, and as a result, Ms. Harris asked that we stop getting things from Kingston and to get things from the parish of St. Ann, so - but none of those...

The documents that were signed, I had absolutely nothing... it was between Procurement and them, and I do have emails to show that Procurements was the ones who sent out those emails requesting purchase orders - requesting pricing and then they sent them the purchase orders. I was only copied on those emails.

MR. SENIOR-SMITH: In relation to the opportunity for that statement that you referred to, how long do we have?

CHAIRMAN: Well, the matter is now proceeding to Parliament pending the record, so we could give you...

(Chairman confers with investigators)

Up until the 11th.

MR. SENIOR-SMITH: Of June?

CHAIRMAN: Of June.

MR. SENIOR-SMITH: Okay. We'll consider it and then respond.

CHAIRMAN: Also, remember, you indicated that everybody would know that your mom is your mom; there is a procedure for disclosure, which does not...

DR BYFIELD: Sorry, but you understand that - all right, so my mom has... there's no... My mom has been affiliated with the DCS for a very long time, right, as a principal, she go to Hill Top, all of those, and as I said, at the time, she was not a part of the project.

I invited Dr Junior Martin - which I know you didn't mention - but Dr Junior Martin was the person that was supposed to come, and it wasn't for a fee; it was just to come and assist.

My mom, having been a part of HEART for years and know what is required, I

said, *Mom, just come and help me read over these documents.*

Mrs. Davis was the person who came and saw the amount of work she did and said, *I want to pay you.* I did not recommend for her to be paid, so if I knew that it was probably a paid project then it would have been another - but she was not to be paid. There is nothing there to say that she was to be paid. She was coming to assist me, that's all, which she has done. She teach classes for free. Why don't they mention those things? She teach Customer Service for free and all of those things there, as an assistant to me, so I don't... I really don't get it. Those things were not mentioned.

CHAIRMAN:

Well, one of the things is that you don't have the benefit of the evidence in the report.

DR BYFIELD:

Okay.

CHAIRMAN: Which will become available after the report is tabled in Parliament.

DR BYFIELD: Okay.

CHAIRMAN: Well, that is pretty much it unless there is something else that you would wish for me to prioritise. We will wait to hear from you up to the 11th of June. Thank you very much indeed for your time and do have yourself a good weekend.

The time is now 4:09. The proceedings are now adjourned.

ADJOURNED

**ALLEGATIONS OF IMPROPRIETY
AND CONFLICT OF INTEREST IN
RELATION TO THE OPERATIONS OF THE
CARL RATTRAY STAFF COLLEGE**

**Held in the Meeting Room
Sagikor SIGMA Building 3rd Floor,
63-67 Knutsford Boulevard
Kingston**

THE COMMISSION

Mr. Kevon Stephenson	-	Chairman
Mr. Adrian Wellington	-	Member
Miss Vanessa Ballentine	-	Member
Mr. Sanjay Harrisingh	-	Member

**Mrs. Althea Davis - Senior Director, Human Resource
Management and Administration, DCS**

Miss Stefany Roper - Legal Officer, DCS

Tuesday, June 4, 2024

Commencement 10:12 a.m.

CHAIRMAN: Good morning again everybody. The time is now 10.12 a.m.

My name is Kevon Stephenson, Director of Investigation.

To my right is Mr. Adrian Wellington, the Manager of Contract Procurement and Corruption Investigation.

To my left is Miss Vanessa Ballentine, Investigating Officer, Contract Procurement and Corruption Investigation. And;

To her left is Mr. Sanjay Harrisingh, Investigating Officer, Contract Procurement and Corruption Investigation.

Please, if you could introduce yourselves, I am not aware who you are. Yes, Madam...

MRS. DAVIS: My name is Althea Davis, Senior Director Human Resource Management and Administration.

MISS ROPER: Stefany Roper, Legal Officer, Department of Correctional Service.

CHAIRMAN: Thank you very much indeed. Remind me of your name, Madam.

MRS. WILLIAMS: My name is Stephanie Lewis Williams, Stenowriter from the Office of the Services Commissions.

CHAIRMAN: Thank you very much indeed.

Now, Mrs. Davis, it has now become the policy of the Integrity Commission, that where an investigation has been concluded, and there are adverse findings against any official or individual, as long as those findings will not result in recommendations to the Director of Corruption Prosecution, then the officer will be

advised of our findings and be given an opportunity to respond, and they may make their response known in writing.

For the record, the proceedings are being recorded, so everything that is said will be in the transcript. Let me then move ahead. Are we okay to proceed?

MISS ROPER: Yes, we are.

CHAIRMAN: Okay. Any questions? No, right.

So, the investigation report has been drafted, and the title of the investigation is allegation of - There is the report of the investigation concerning **"Allegations of impropriety and conflict of interest in relation to the operations of the Carl Rattray Staff College within the Department of Correctional Services"**.

The investigation report outlines several irregularities in certain processes utilized by the Department of Correctional Services or the Carl Rattray Staff College, as well as, conflict of interest on the part of Ms. Christall Byfield, former Director of the Carl Rattray Staff College, in relation to the procurement of goods.

In light of the foregoing, the Director of Investigation made several recommendations to the Department of Correctional Services towards preventing the reoccurrence of the referenced irregularities and conflict of interest in relation to the operations of the Carl Rattray Staff College.

Now, as indicated in the letter to you, what is being communicated is strictly confidential. The Report needs to go before Parliament before anything public can be said about it.

And of course, this does not prevent information being shared with Counsel under attorney/client privilege which has its own system of treating with that sort of situation. The jurisdiction to conduct the investigation is really under Section 33 of the Integrity Commission Act, which empowers the Director of Investigation to investigate matters of this nature.

The Allegations

The investigation commenced on November 1, 2021 on the basis of an anonymous complaint which was received by the Director of Investigation on the 8th of October, 2021. The complaint referred to the following allegations: -

- (a) *In 2019, Ms. Christall Byfield, a former Director of the Carl Rattray Staff College,*

acquired the services of Mr. Juna Anderson of Juna Pest Control to fumigate the premises at the Staff College from flying and crawling insects.

(b) Ms. Byfield is said to have collected a percentage of the payment made to Mr. Anderson for the fumigation of the services.

(c) Last year Ms. Byfield acquired the services of Mr. Kelliman Lawes of Digi View Company to install a camera system. The system was said to be monitored by the Jamaica Eye, yet it is believed that the system is monitored by Mr. Lawes, Ms. Byfield's brother-in-law.

(d) In 2018, during the Easter Holidays, a Seventh-day Adventist Church rented the facilities to host an event, the payment in the amount of \$350,000 for

the hosting of the event was collected by Staff Officer Barbara Kelly-Paddyfoot and was taken to Ms. Christall Byfield's office. Ms. Byfield then retained the payment;

- (e) Ms. Christall Byfield hired her mother, Mrs. Debbie Morris, Principal of St. Ann's Bay Infant School, to ratify documents during a training and development project;*

It is also alleged that: -

- (f) Ms. Byfield hired her friends: Mr. Javon Anderson and Ms. Leonie Reid to participate in the same project;*
- (g) Ms. Christall Byfield is associated with a business known as Grove Choice located in Golden Grove St. Ann, which occasionally supplies Carl Rattray Staff*

College with goods and food supplies for training courses.

Those are the allegations. There were over twenty (22) persons pertinent to the investigations.

Terms of Reference

The objectives of the investigations were to determine, among other things, the following:

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(1) *The procurement processes, if any, which were undertaken, by the Carl Rattray Staff College/Department of Correctional Services (DCS), in the award of contracts to:*

(i) *Mr. Juna Anderson for the fumigation of the Carl Rattray Staff College in 2019;*

- (ii) *Mr. Kelliman Lawes for the installation of a surveillance system at the Carl Rattray Staff College; and*
 - (iii) *Grove Choice for the provision of food supplies;*
- (2) *The circumstances, if any, which led to the award of the referenced contracts, by the Carl Rattray Staff College/ Department of Correctional Services;*
- (3) *The veracity of the allegations that Ms. Christall Byfield, former Director of the Carl Rattray Staff College, retained a payment in the amount of J\$350,000 received from a Seventh-day Adventist Church, for an event hosted at the Staff College in 2018;*
- (4) *Whether there was/were any irregularity (ies) and/or impropriety(ies) in relation*

to the award and implementation of the following contract:

- (i) fumigation of the Carl Rattray Staff College in 2019, by Mr. Juna Anderson;*
 - (ii) Installation of a surveillance system at the Carl Rattray Staff College by Mr. Kelliman Lawes; and*
 - (iii) Supply of goods by Grove Choice.*
- (5) Whether the process utilized by the Curriculum Development and the Training Project for the selection of facilitators/trainers amounted to a conflict of interest on the part of Ms. Christall Byfield;*
- (6) The veracity of the allegation that Ms. Christall Byfield is associated with a business known as Grove Choice, which*

supplied Carl Rattray Staff College with goods and food supplies for training courses;

- (7) *Whether there was/were any breach(es) of the Government of Jamaica Public Sector Procurement Guidelines of 2014 (GPPH), Public Procurement Act (2015), the Public Procurement Regulations (2018), Staff Orders for the Public Service, the Integrity Commission Act, and any other applicable legislation with respect to the Carl Rattray Staff College; and*
- (8) *Whether recommendations ought to be made.*

Those are the Terms of Reference.

The Investigation

The following were executed pursuant to the investigation: -

- (a) *During the period November 1, 2021, to September 25, 2023, forty-three (43) notices were served on individuals to provide written statements;*
- (b) *During the period November 1, 2021, to September 12, 2023, fifty-six (56) witness statements were obtained;*
- (c) *During the period September 20, 2022, to April 13, 2023, five (5) judicial hearings were conducted;*
- (d) *A review of the Public Procurement Regulations, Public Procurement Act, the Integrity Commission Act, Government of Jamaica Handbook for Procurement Procedures, Staff Orders for the Public*

Service, and other relevant legislation and policies was undertaken.

- (e) *A review and cross-referencing of the statements and other supported documents was conducted in order to inform the Director of Investigation about the conclusions and recommendations.*

That is the methodology that was employed in conducting the investigation.

I will now take you to the conclusions in the Report, as they relate to the DCS in its administrative role and oversight of the Staff College.

In relation to the allegation regarding conflict of interest in the selection of individuals participating in the Curriculum Development and Training Project held at Carl Rattray Staff

College in 2020, the Director of Investigation concludes that:-

- *The Department of Correctional Services having paid Ms. Christall Byfield an honorarium for work or services, that is the Curriculum Development Project held during the period from January 2021 to August 2021, which fell within the scope of her duties as Director of the Carl Rattray Staff College, acted contrary to Section 6.7.4 of the Staff Orders for the Public Service.*

The DI further concludes that: -

- *The payments made to Ms. Byfield were irregular, and should not have been made; steps should therefore be taken to recover the amounts paid in the foregoing regard.*

Still on the point, but slightly separately, the Director of Investigation acknowledges that:

- *The work may well have been done by Ms. Byfield, and depending on the circumstances, additional compensation may have been necessary, notwithstanding "honorary" by definition was not the appropriate scheme under which the payment should have been made.*

So, those are the conclusions in relation to the payment of the honorarium.

Let me go back to the conclusions in relation to the rental of the Carl Rattray Staff College facilities to the Montego Bay Seventh-day Adventist Church for an Easter weekend camp in 2018.

The Director of Investigation concludes that: -

- *The Carl Rattray Staff College facilities were rented by the Montego Bay Seventh-day Adventist Church during the period March 29, 2018, to April 2, 2018 for an Easter weekend camp.*

The DI concludes that: -

- *There is no evidence to confirm that any form of payment was received by the Department of Correctional Services from the Carl Rattray Staff College in relation to the rental of the college's facilities by the Montego Bay Seventh-day Adventist Church over the period March 29, 2018, to April 2, 2018.*

Notwithstanding the above, the DI further concludes that: -

- *There is evidentiary material indicating that the Montego Bay Seventh-day Adventist*

Church made an initial deposit to the Carl Rattray Staff College in the amount of \$30,000 for the rental of the facilities.

- *The DI is unable to verify whether any subsequent payment was made and/or received in relation to the mentioned rental.*

The Director of Investigation concludes that: -

- *The Department of Correctional Services does not have any written policy to treat with the rental of the Carl Rattray Staff College facility.*
- *Notwithstanding, the process utilized for rental of the facility as outlined by Lieutenant Colonel (Ret'd) Gary Rowe, was not complied with by the College.*

The DI's conclusion is based on the following:

- (a) *Approval was to be sought from the head of entity or the Human Resource Management and Administration.*
- (b) *Notwithstanding, the approving officers were unaware of the event, and as such, no approval was granted.*
- (c) *The payment should have been made to the Imprest Holder, however, only the deposit was collected by the Imprest Holder and the DI is unable to determine the officer, if any, who collected the outstanding payment.*
- (d) *The payment should have been deposited to the account belonging to the Carl Rattray Staff College.*
- (e) *There is no evidence that any payments for the rental of the facilities were made to the account.*

The DI concludes that: -

- *There was a lack of due process and proper oversight of the Carl Rattray Staff College on the basis that the head of entity, Lieutenant Colonel Gary Rowe and/or the Senior Director Human Resource Management and Administration, Mrs. Althea Davis of the Department of Correctional Services, who had sole responsibility for the granting of approval for renting the college facilities were unable to account for the said rental;*
- *Allegations regarding conflict of interest in the purchase of goods from Grove Choice by the Carl Rattray Staff College.*

The DI concludes that: -

- *During the period February 10, 2021, to September 29, 2021, the Department of Correctional Services engaged Grove Choice to purchase goods in the sum of \$1,246,549.90.*

The Director of Investigation concludes that:

- *As it relates to the purchase of food supplies from Grove Choice by the Department of Correctional Services and the Carl Rattray Staff College, there is evidentiary material to indicate that this process was replete with irregularities.*

The DI's conclusion is premised on the following: -

- (a) *There was no formal procurement process utilized by the Department of Correctional Services;*
- (b) *The Procurement Unit was not involved in the procurement of goods and services for the Carl Rattray Staff College;*
- (c) *The nature and extent of the affiliation between Ms. Christall Byfield and Mr.*

Veron Bryan was not disclosed by Ms. Byfield as required.

- (d) *Recommendation to the Commissioner Department of Correctional Services; and...*

This of course affects administration.

The Director of Investigation recommends that: -

- *The Department of Correctional Services implements critical internal policies to treat with the procurement of goods and services and rental of facilities in relation to the Carl Rattray Staff College in an effort to provide guidance to the employees on the proper manner in which these activities are to be handled.*

The Director of Investigation recommends that:-

- *The Department of Correctional Services implements controls to mitigate the chances of acts of corruption from occurring.*

The DI's recommendation is on the basis that:-

- *As a result of the absence of controls and monitoring of same, the Carl Rattray Staff College's facilities have been rented occasionally, without knowledge of the Head Office in some instances, as well as, without payment being accounted for by the Head Office in other instances.*

The Director of Investigation recommends that: -

- o *The Department of Correctional Services becomes familiar with the Public Bodies Management and Accountability Act 2001, particularly Section 17(2), which addresses the issue of conflict of interest management.*

This recommendation could guard against instances of breaches of conflict of interest of the policies identified.

Those are the conclusions and recommendations from the Report particularly, as they may affect you, Mrs. Davis.

Do you have anything to say?

MRS. DAVIS: You mentioned at the beginning that I could put in writing my response?

CHAIRMAN: Yes.

MRS. DAVIS: I will do that.

CHAIRMAN: Thank you very much indeed. All right, this Report is to go to Parliament maybe by the middle of the month. So, please have your response in by the 11th of June.

MISS ROPER: The response that you referred to - Because she has nothing, and I know you cannot give anything - It is difficult; it is going to be a very blanket response. It may not be even useful.

CHAIRMAN: What I would suggest is, if Mrs. Davis has difficulty remembering what was read to her I would - Well, maybe in the future I can indicate that if you take notes while I go through - What you could do is to make contact with Mr. Wellington, who can read back the recommendations and the conclusions to you, and you can make your notes there and then.

MISS ROPER: Notes are made, but I mean...

CHAIRMAN: Short of sharing the evidence with you which we cannot do, you know what transpired or not. So, I can't really dictate what the response is to be given.

MISS ROPER: I think the ultimate question is whether a response will affect what is submitted and sent out.

CHAIRMAN: Oh! Well - Okay, fine. Yes, that's a fair question. The response if given, or when given upon assessment, if it would affect the course of our investigation, we would have to make the necessary checks to see.

So, let us say our findings are totally wrong based on the evidence that you bring or your response, then we have to look to see whether changes need to be made. If not, if all you are saying is, you are disputing how we have written our conclusions, then all we will do is

to attach your response to the Report going to the Parliament. So, yes, it will be a part of the document one way or the other.

MRS. DAVIS: So, when it goes to Parliament what happens?

CHAIRMAN: When it goes to Parliament it will of course, become a public document; Parliament will ask the Commission to appear before it just after the Report is tabled, because the Oversight Committee has to give a report to Parliament on the reports tabled I think within thirty (30) days of the Report being tabled. So, they will probably ask us to come, and may ask us questions about it, and they give you a report. So, the important thing is really the recommendations - The recommendations are to the DCS, so they may take the necessary actions to resolve it.

MR. WELLINGTON: So, if I may as well? Mrs. Davis, all reports go to Parliament. So, it's not just this report.

CHAIRMAN: All right, any other questions? Thank you very much indeed for attending and do have a good rest of the day. I look forward to hearing from you guys by the 11th of June. Before we go, just a second. I have to officially adjourn. So, it's 10.36 a.m. the proceeding is at an end. Thank you.

ADJOURNMENT TAKEN AT 10:36 A.M.

**VERBATIM NOTES OF HEARING/MEETING
INTO ALLEGATIONS OF IMPROPRIETY
AND CONFLICT OF INTEREST IN
RELATION TO THE OPERATIONS OF THE
CARL RATTRAY STAFF COLLEGE
REGARDING MRS. DEBBIE PARSONS-MORRIS**

**Held in the Meeting Room
Sagikor SIGMA Building 3rd Floor,
63-67 Knutsford Boulevard
Kingston
On June 4, 2024**

Present were:

The Panel

Mr. Kevon Stephenson	-	Chairman
Mr. Adrian Wellington	-	Member
Miss Vanessa Ballentine	-	Member
Miss Jodi-Ann Hamilton	-	Member
Mr. Sanjay Harrisingh		

Person giving evidence

Mrs. Debbie Parsons-Morris



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The following information is provided for your reference:
 The first part of the document is a general overview of the project.
 The second part of the document is a detailed description of the methodology used.
 The third part of the document is a list of the results obtained from the study.
 The fourth part of the document is a discussion of the implications of the findings.
 The fifth part of the document is a conclusion and a list of references.

Integrity Commission

Hearing/Meeting

June 4, 2024

Commenced at 1:07 p.m.

(Mrs. Debbie Parsons-Morris appears before the Panel)

CHAIRMAN: Well, good afternoon again. The time is now
1:07 p.m.

My name is Kevon Stephenson, Director of
Investigation.

To my right is Mr. Adrian Wellington, Manager
for Contract, Procurement and Corruption
Investigation.

To my left is Miss Vanessa Ballentine,
Investigating Officer, Contract Procurement and
Corruption Investigation.

To her left is Miss Jodi-Ann Hamilton,
Investigating Officer, Contract Procurement and
Corruption Investigation; and

To her left, Mr. Sanjay Harrisingh, Investigating
Officer, Contract Procurement and Corruption

Investigation.

And so, we are here with Mrs. Debbie Parsons-Morris.

Welcome to the Integrity Commission Mrs. Parsons-Morris, it is now the policy of the Commission at the end of its investigation, to invite those against whom adverse findings have been made, provided that there is no recommendation to the Director of Corruption, Prosecution, and to indicate what the findings are in draft. And if that person has, or those persons, have anything to say in respect of the findings, then you will indicate for the record. You are also invited to make a written submission, if that is your wish.

So, I am going to take you through some of the findings germane to yourself.

I have before me the draft report of investigation concerning **“Allegations of Improprieties and**

Regularities, Conflict of Interest in relation to the operations at the Carl Rattray Staff College within the Department of Correctional Services". The investigation report outlines several irregularities in certain processes utilized by the Department of Corrections or the Carl Rattray Staff College, as well as conflict of interest on the part of Ms. Christal Byfield, former Director at the Carl Rattray Staff College in relation to the procurement of goods.

In light of the foregoing, the Director of Investigation made several recommendations to the Department of Correctional Services towards preventing a reoccurrence of the referenced irregularities, and of course, conflict of interest in relation to the operations at the Carl Rattray Staff College.

Our authority to conduct this investigation is situated within the Integrity Commission Act,

particularly Section 33, which empowers the Director of Investigation to investigate matters such as these.

The Commission received allegations in relation to this matter and that is what caused us to conduct an investigation. This referral was made to the Director of Investigation on the 1st of November 2021 - Sorry, the complaint came to the Commission on the 8th of October 2021, and the matter was referred to the Director of Investigation on the 1st of November 2021. Please listen to the allegations.

The Allegations

1. In 2019, Ms. Christall Byfield, a former director of the Carl Rattray Staff College acquired the services of Mr. Juna Anderson of Juna Pest Control Services to fumigate the premises at the Staff College from flying and crawling insects. Ms. Byfield is said to have

collected a percentage of the payment made to Mr. Anderson for the fumigation services.

2. Last year, Ms. Christall Byfield acquired the services of Mr. Kelliman Lawes, of DigiView Company to install a camera system. The system was said to be monitored by the Jamaica Eye, yet it is believed that the system is monitored by Mr. Lawes, Ms. Byfield's brother-in-law.

3. In 2018, during the Easter Holidays, the Seventh Day Adventist Church...

MRS. MORRIS: I must just listen?

CHAIRMAN: You may respond if you want. So, these are the allegations that I am reading to you, not the findings.

MRS MORRIS: Okay.

CHAIRMAN: So, this is what a person may have complained of.

MRS MORRIS: Oh, okay.

CHAIRMAN:

So, back to the third allegation.

3. In 2018, during the Easter Holidays, the Seventh Day Adventist Church rented the facilities to host an event. The payment in the amount of \$350,000 for the hosting of the event was collected by Staff Officer, Barbara Kelly-Paddyfoot, and taken to Ms. Christall Byfield's office. Ms. Byfield then retained the payment.

4. Ms. Christall Byfield hired her mother, Mrs. Debbie Parsons-Morris, Principal of the St. Ann's Bay Infant School to ratify documents during a Training and Development Project. It is also alleged that Ms. Byfield hired her friends, Mr. Javoun Anderson and Miss Leonie Reid to participate in the same project.

And finally;

5. Ms. Christall Byfield is affiliated with the business known as "Grove Choice", located in

Golden Grove, St Ann, which occasionally supplies Carl Rattray Staff College with goods and food supply for training courses.

Those are the allegations.

There were at least twenty-two (22) persons pertinent to the investigation. I won't go through all of them. You, being one (1) of them, Mrs. Debbie Parsons-Morris.

Terms of Reference

The objectives of the investigation were to determine, among other things, the following:

(i) The procurement processes, if any, which were undertaken, by the Carl Rattray Staff College or the Department of Correctional Services (DCS), in the award of contracts to:

1. Mr. Juna Anderson for the fumigation of the Carl Rattray College in 2019;
- II. Mr. Kelliman Lawes for the installation of

the surveillance system at the Carl Rattray Staff College; and

III. Grove Choice for its supply of food supplies to the Staff College.

(ii) The circumstances, if any, which led to the award of the referenced contracts by the Carl Rattray Staff College or Department of Correctional Services.

(iii) The veracity of the allegations that Ms. Christall Byfield, former Director of the Carl Rattray Staff College, retained a payment in the amount of \$350,000 received from the Seventh Day Adventist Church for an event hosted at the Staff College in 2018;

(iv) Whether there was/were any irregularity(ies) or irregularities and/or impropriety(ies) in relation to the award and the implementation of the following contracts:

- (i) Fumigation of the Carl Rattray Staff College in 2019 by Mr. Juna Anderson.
- (ii) Installation of a surveillance system at the Carl Rattray College by Mr. Kelliman Lawes; and
- (iii) Supply of goods by Grove Choice.
- (v) Whether the process utilized in the Curriculum Development and Training Project for the selection of facilitators or trainers amounted to a conflict of interest on the part of Ms. Christall Byfield.
- (vi) The veracity of the allegation that Ms. Christall Byfield is affiliated with a business known as Grove Choice, which supplies Carl Rattray Staff College with goods and food supplies for training courses.
- (vii) Whether there was/were any breach(es) of

the Government of Jamaica Public Sector Procurement Guidelines of 2014 (GPPH), Public Procurement Act (2015), the Public Procurement Regulations (2018), Staff Orders for the Public Service, Integrity Commission Act, and any other applicable legislation in relation to the operations of the Carl Rattray Staff College and whether any recommendations ought to be made.

The Investigation

The following actions were executed as part of the investigation:

- a. During the period November 1, 2022, to September 25, 2023, forty-three (43) notices were served on individuals to provide written statements.
- b. During the period November 1, 2021, to September 12, 2023, fifty-six (56) witness statements were obtained.

- c. During the period September 20, 2022, to April 13th, 2023, five (5) judicial hearings were conducted; and
- d. A review of the Public Procurement Regulations and other attendant laws and policies were reviewed.
- e. A review cross-referencing of the statements and other supporting documents was also conducted in order to form the Director of Investigation's conclusions and recommendations.

And those are the preliminary components of the investigation.

Mrs. Parsons-Morris, I am going to take you through some of the conclusions and findings.

MRS. MORRIS: Can I record anything? Can I write?

CHAIRMAN: You can write of course. Sorry, if I didn't say it before, you can, because you may respond at the

end. So, I will leave you to - will take you through some of the findings in respect of the rental of the Carl Rattray Staff College by the St. Ann's Bay Infant School.

Findings

- During the course of the investigation, the DI observed documents which indicated that Mrs. Debbie Parsons-Morris on behalf of the St. Ann's Bay Infant School, rented the Carl Rattray Staff College to facilitate a teachers' day event on December 19, 2019.
- The DI sought to determine whether the process in relation to the rental of the Carl Rattray Staff College outlined by the Lt. Colonel Rowe, was observed in this instance.

In the foregoing, by way of statement dated March 3, 2022, Lt. Colonel Rowe submitted documents pertaining to the rental of the Carl Rattray Staff College facilities to the St. Ann's Bay Infant

School.

By way of letter dated December 10, 2019, addressed to Miss Althea Davis, Senior Director, HR&A, Acting, from Mrs. Debbie Parsons-Morris, Principal of St. Ann's Bay Infant School requested the use of the facility.

Subsequently, approval was granted to Mrs. Debbie Parsons-Morris.

By way of letter dated December 17, 2019, under the signature of Mrs. Althea Davis, Senior Director, Human Resource Management and Administration (Acting), regarding the use of the Carl Rattray Staff College by the St. Ann's Bay Infant School.

In addition;

- The DI observed an invoice dated December 12, 2019, from the Department of Correctional Services addressed to Mrs. Debbie

Parsons-Morris in the amount of \$60,000 requiring payment to be made to the account belonging to the Department of Correctional Services.

Having regard to the foregoing;

- The DI sought to determine whether payment was made to the DCS for the reference rental. In this regard Lt. Colonel Rowe indicated in his statement dated March 3rd, 2022, that evidence of the payment has not been identified in the bank records of the Carl Rattray Staff College nor the Department of Correctional Services accounts.
- The DI observed a cheque dated the 17th of December 2019 in the amount of \$60,000, which was made to Mr. John Wain, former Imprest Holder, Carl Rattray Staff College by the St. Ann's Bay Infant School for the referenced rental. Confirmation was received

from the duly authorized officer at the National Commercial Bank that the reference cheque was encashed by Mr. John Wain on January 2, 2020.

- The DI sought to ascertain the reason for which the payment was made to Mr. John Wain instead of the DCS, as indicated on the aforementioned invoice. In this regard, Mrs. Debbie Parsons-Morris indicated to the DI during a judicial hearing held on February 15, 2020, that “The secretary sent me an e-mail outlining what the amount of money that was to be paid. When I called her and I asked her who the money was to be paid to, I was told that the cheque was to be made payable to Mr. John Wain, who is the Imprest holder, because that's how Carl Rattray operates. The Imprest holder is the person who collects money, not the secretary, not anybody else. The Imprest holder is the person who deals with money.”

Question was asked: "And who told you that the cheque was to be payable to John Wain?" And you answered, "The lady in the office and my daughter said to me - Because at first, she was saying to me, 'Mommy, make sure you pay who the money is to go to'".

As stated above, there is no evidence to suggest that the \$60,000 paid to Mr. John Wain was handed over to the DCS. Efforts to contact Mr. John Wain to obtain an explanation in the foregoing regards was unsuccessful.

That is the first finding in relation to you, Mrs. Morris to indicate that the money paid over was not paid to the payee, as indicated in the invoice, but to someone else and at the end of the day the money was never paid over to the DCS.

MRS MORRIS:

It's unfortunate though. It is unfortunate that I was told from there who you should pay it to but next time - It has made me note things, because the

truth is, if something was on the paper I didn't observe it, but it had given the exact way it was - Not the person, but there was account – So, I will have to take the blame for that, but at least, I know, I used the facility, and I paid over.

CHAIRMAN:

Okay, all right. “**Conclusion**”, I will read the first conclusion that pertains to you.

Conclusion

In relation to allegation regarding conflict of interest in the selection of individuals to participate in the Curriculum Development and Training Project held at the Carl Rattray Staff College in 2020, the DI concludes that:

- A conflict of interest arose as a consequence of the relationship between Ms. Christall Byfield and her mother, Mrs. Debbie Parsons-Morris, who was recommended by Ms. Byfield to participate in the Curriculum Development and Training Project held at the Carl Rattray Staff

College in 2020.

The DI further concludes that:-

- This conflict-of-interest concern is actually due to the failure on the part of Ms. Byfield and other officers of the College, who were aware of the existing relationship and who failed to adhere to the established policies particularly, Section 10 of the Department of Correctional Services Code of Discipline and Section 4.2.9 of the Staff Orders of the Public Service. Both policies described the manner in which conflicts of interest ought to be managed, and the responsibility on the part of those concerned, to, among other things, make the necessary disclosure/declaration.

The next conclusion in relation to you Mrs. Parsons-Morris is in relation to allegation regarding conflict of interest in the purchase of goods from Grove Choice by the Carl Rattray Staff

College.

The DI concludes that:-

- During the period February 10, 2021, to September 29, 2021, the Department of Correctional Services engaged Grove Choice to purchase goods in the sum of \$1,246,549.90.

The DI concludes that:-

- As it relates to the purchase of food supplies from Grove Choice by the DCS and the Carl Rattray Staff College, there is evidentiary material to indicate that this process was replete with irregularities.

The DI's conclusion is premised on the following:

- a. There was no formal procurement process utilized by the Department of Correctional Services.
- b. The Procurement Unit was not

involved in the procurement of goods and services for the Carl Rattray Staff College.

- c. The nature and extent of the affiliation between Ms. Christall Byfield and Mr. Veron Bryan was not disclosed by Miss Byfield as required.

Further, the DI concludes that:-

- d. Ms. Christall Byfield conduct in the foregoing, breached the Department of Correctional Services Code of Discipline, as well as the Staff Orders for the Public Service which treats with conflict of interest.

The DI's conclusion is on the basis that a conflict of interest existed between Ms. Christall Byfield, then Director of the Carl Rattray Staff College and Mr. Veron Bryan, owner of Grove Choice, which could

reasonably be inferred to have influenced the engagement of Grove Choice.

- f. Further, it is clear that Miss Byfield and Mr. Bryan have an affiliation which transcends what was indicated to the DI by Mr. Bryan.
- g. The DI's conclusion is based on the following, and I will just go to the one that mentions you.

Mr. Bryan had only two Government of Jamaica customers: That is, Carl Rattray Staff College and the St. Ann's Bay Infant School. To reiterate, the principal of the St Ann's Bay Infant School is Mrs. Debbie Parsons-Morris, mother of Ms. Christall Byfield.

I think that encapsulates the recommendations in relation to you Mrs. Parsons. I am going to invite you now if you have anything to say to say it and if you would prefer to respond in writing, to ensure

that your response is with the Commission by the 11th of June 2024.

MRS MORRIS: Okay, I don't think I have anything to say.

CHAIRMAN: One second there. I am sorry to cut you, the recommendation was not made.

MRS MORRIS: Oh.

CHAIRMAN: So, let me...

Recommendation

As it relates to the questionable conduct of Miss Christall Byfield previously delineated, the DI recommends that:-

- The Department of Correctional Services applied such sanctions as it deems appropriate and necessary, having regard to the seriousness of the referenced conduct and to demonstrate that such conduct is inconsistent with the standards of behaviour expected from holders

of public office.

The DI's recommendation is premised on Miss Byfield's failure to appropriately treat with the conflict-of-interest situation which arose by virtue of her connection with the proprietor of Grove Choice, a supplier of goods to the Carl Rattray Staff College, and several other individuals, including her mother, who participated in the ratification project for the College.

I think that is the end of what we have to say. Go ahead, I am sorry to have cut you.

MRS MORRIS: I am just concerned about the whole curriculum thing. Is it because I am her mother why it becomes an issue? Why is it an issue?

CHAIRMAN: I really and truly don't want to comment in that way because of how the process is supposed to unfold, except to say that in what I read to you earlier, I would have outlined that there are appropriate ways of dealing with conflict of

interest. And you may find the guidance in terms of how you deal with conflict of interest in the Carl Rattray's Policy, Code of Discipline, as well as in the Staff Orders for the Public Service, which requires that when there is a conflict of interest that this is disclosed in a particular way. So, it has to be either in the course of a meeting that is minuted or there is a written submission that this person is known to me, and this is how I came to know the person, and then that is treated with.

MRS MORRIS:

Who would that be sent to?

CHAIRMAN:

It would have to be an officer who is superior to the person who has the conflict or to another person who is identified in the policy.

MRS MORRIS:

It's just kind of strange to me, because before that project actually started, I was pulled in to be trained because they didn't have the skillset in DCS to meet it, right. So, I was actually pulled in. So, the Director, Miss Davis and I were in the same

class because we did the training together so that the programme could actually start. Her deputy is my batchmate. I have been at Carl Rattray, everybody knows me. So, are you saying that it's a matter of formality that a letter should - Because everybody knows me. All of them know me. Is not that they didn't know me, and they didn't know that I was Christall's mother. Because I was a person who brought Christall to DCS. My husband, he has been there almost forty (40) years. I was the person who actually brought her there, and it was by default that I ended up doing a week there too.

As I said earlier to you, I was invited to just come for a day or two, but Dr. Martin could not come for the week and by default they asked me to do it. I did it free. It was not a charge, I did it free. I got a plaque at the end to say thank you, and down the road I was told that, "based on the magnitude of work that you have done, we are going to pay

you”.

So, it is kind of strange how the whole thing – I am not quarrelling about it, but it is kind of strange. I think it was just bait and maybe mi bit the bait, because these are persons that - Before the thing even started they actually asked us - I used to travel from Ochi go Kingston with the Senior HR Manager in the same class to do the course, because they would not have had the skillset after to help with the ratification and the validation of the course. It is so strange.

CHAIRMAN:

May I ask you one question? How did you become apart of the training cohort in the first place? How were you pulled in?

MRS MORRIS:

All right Christall, her mandate was to get the officers trained to be certified by HEART. That was the mandate that she got when she got the job. So, I was the person in HEART first, because I have been in HEART from in the 2000’s, about

2001 coming up. So, I was the person who would know all the people in HEART and know about the different courses that they offer.

So, when they said that they wanted somebody to get the officers certified at DCS, I was the person who ran with it. I told my daughter I can help you, take the job because I can help you. When they came to the curriculum part of it, it was myself who went to HEART to find out, and then I gave my daughter the information. She pulled in the HR Manager, she pulled in the person from Carl Rattray, she pulled all of those persons, and she pulled me in there. Why she had to put an outside person is because it would have been difficult for them to be in there and to do all the inside work, HEART needs outside persons who can help, because they are already - These are not officers, so they can't do it. I am not an officer, I can't do it either, but they needed other persons with the skillset. Before this, I did exams for HEART, so I

would have had a part of the training already, so it makes it easier, or I am qualified so that when they have any other programme, I can easily hop on to it.

So, my daughter was the person who actually said to Miss Davis, I am pulling her in the team, and because my mother has the expertise, I am going to ask her to be a part of it. So, we went, and we did the course together, all of them know me, the ladies were my batchmates, me and she go to college three (3) years together. But I agree, you said that there has to be - Where the policy states that there needs to be a declaration or something like that, fortunately.

And then I am wondering, for all the voluntary services that I did there, there were no declaration, and nothing went wrong. And I am wondering too, other persons were paid late like myself, and I have listened to the report, and I don't hear

anything.

CHAIRMAN: You haven't heard the full report.

MRS MORRIS: Okay.

CHAIRMAN: You have heard the aspects that are made in relation to you; the extent to which you have heard all the information is because it would be absurd to really read it for it to make sense.

MRS MORRIS: Okay. I think I understand what you are saying, and I don't think - Where do we go from here? Where do I go from here? What happens with this whole thing after today?

CHAIRMAN: Well, what I will say...

MRS MORRIS: Because I am not going to write anything.

CHAIRMAN: Okay, so you don't wish to submit anything other than what you have already said?

MRS MORRIS: No, because if you pointed out the one where I paid the money, that it was on the paper where it could

be paid, so I have to accept my wrong for that; right? So, that don't need no discussion. And if you are saying that the curriculum thing there was the need for a declaration and it was not made, then I don't get to really - Because it would have been a breach right there. So, I don't think I need to really respond to anything.

CHAIRMAN:

Okay. Well, whatever you have said is on the record and the transcript will come. So, we will attach the transcript to Parliament when the report is being submitted. So, the next stage is for the report to be sent to the Houses of Parliament for it to be tabled and thereafter it will become public, after having met with other persons who are similarly situated to you in respect of the investigation. But that said, I thank you very much indeed for attending upon the Commission and I apologize for the late start.

MRS MORRIS:

When do I get the Ministry of Education's

cashbook?

CHAIRMAN: Oh, yes. If there are exhibits taken from the St. Ann's Bay - Once the report is tabled, we can return those documents.

MRS MORRIS: Okay.

CHAIRMAN: And remember in my letter to you, we indicated that the discussion has to be treated as strictly confidential, because under the law nothing public can be said on a matter until and unless the report is tabled in Parliament. So, this is just to give you an opportunity to respond to anything adverse that when the report is tabled, you are not surprised by the findings of the report. Of course, this does not mean that you can't discuss it with an attorney, because that communication will be privileged.

MRS MORRIS: Okay, I think my daughter will deal with the curriculum, I can't really bother fight that issue. If it is said that it should be declared then, I don't know why it should be declared to people when

they already know you.

CHAIRMAN: You do realize that in the Report, we indicated that the declaration was neither made by Ms. Byfield, nor any of the other persons who knew about the affiliation. So, that's the point that was made.

MRS MORRIS: Yeah.

CHAIRMAN: It's now 1:39. This is the end of our proceedings.
Thank you very much indeed.

MRS MORRIS: Okay.

ADJOURNMENT TAKEN AT 1:39 P.M.

**ALLEGATIONS OF IMPROPRIETY
AND CONFLICT OF INTEREST IN
RELATION TO THE OPERATIONS OF THE
CARL RATTRAY STAFF COLLEGE**

**Held in the Meeting Room
Sagicor SIGMA Building 3rd Floor,
63-67 Knutsford Boulevard
Kingston**

THE COMMISSION

Mr. Kevon Stephenson

Mr. Adrian Wellington

Miss Vanessa Ballentine

Mr. Sanjay Harrisingh

***Commissioner of Corrections, Radgh Mason
Department of Correctional Services***

***Retired Commissioner of Corrections, Gary Rowe
Department of Correctional Services***

Tuesday, June 11, 2024

CHAIRMAN: Afternoon, Commissioner. The time is now 1:45 p.m. Today is Tuesday June 11, 2024.

Commissioner Mason, thank you for joining us here at the Integrity Commission. Let me first introduce the team.

My name is Adrian Wellington, I am the Manager of the Contract Procurement and Corruption Investigation Unit.

To my right I have with me Ms. Shania Parks, she is the Senior Investigating Officer for the same Unit.

To my left, I have Ms. Vanessa Ballentine, she is an Investigating Officer, same Unit; and

To her left, we have Mr. Sanjay Harrisingh, he is also an Investigating Officer in the Contract Procurement and Corruption Investigation Unit.

And if you could, just for the record, Commissioner Mason, state your full name.

COMM. MASON: It is Radgh R-A-D-G-H, Neville

N-E-V-I-L-L-E, Mason M-A-S-O-N.

CHAIRMAN: Okay. Mr. Mason, what is your title?

COMM. MASON: Commissioner of Corrections.

CHAIRMAN: Madam Steno, if you could just also for the record.

STENO WRITER: Arlene Archer, Steno Writer, Office of the Services Commissions.

CHAIRMAN: All right, thank you.

Now Commissioner Mason, it has become the Commission's policy to, whenever it is that we are about to publish a report, or have a report tabled in Parliament, if there are any adverse findings that are not criminal, but probably administrative, we invite those individuals in to give them an opportunity to respond to any of the findings in our investigation report. So, that will be the basis of our sit down here today, our sit-down interview. If at the end you have any questions, any concerns, regarding any of our findings, our conclusions, our recommendations, you have an

opportunity at the end to - Well, we will probably give you a few days to send in a formal response given that you were not the Commissioner at the time however, of this investigation report: It was just to invite you in, so you are not surprised.

COMM. MASON: Okay.

CHAIRMAN: All right. Do you have any questions at this time?

COMM. MASON: No.

CHAIRMAN: All right. So, the report is "**Report of Investigation Concerning Allegations of Irregularities and Conflict of Interest in relation to the operations of the Carl Rattray Staff College, Department of Correctional Services**". Now, the investigation report, it outlined several irregularities in certain processes utilized by the Department of Correctional Services, that is the Carl Rattray Staff College specifically, as well as, conflict of interest on the

part of Ms. Christall Byfield, the former Director of the Carl Rattray Staff College in relation to procurement of goods, and in light of the foregoing, the Director of Investigation, would have made some recommendations to the DCS to advise them towards preventing the reoccurrence of any irregularities and conflict of interest in relation to the operations of the Carl Rattray Staff College.

Now, the Commissions' investigation was conducted pursuant to Section 33 (1)(a) and (b) of the Integrity Commission Act, which empowers the Director of Investigation to investigate the matter. Now, I will go through the allegations that came from the complaint that we received and that we investigated, but before that, just to let you know that we commenced our investigation on November 1, 2021, and this emanated from a complaint which

was received by the DI on October 8, 2021. Now, these are the allegations.

Allegations

(1) In 2019, Ms. Christall Byfield, a former Director at Carl Rattray Staff College acquired the services of Mr. Juna Anderson of Juna Pest Control Service to fumigate the premises at the Staff College from flying and crawling insects. Ms. Byfield is said to have collected a percentage of the payment made to Mr. Anderson for the fumigation services.

(2) Last year, which would have been 2020, Ms. Christall Byfield acquired the services of Mr. Kelliman Lawes, Digi View Company, to install a camera system. The system was said to be monitored by Jamaica Eye, yet it is believed that the system is monitored by Mr. Lawes, Ms. Byfield's brother-in-law.

- (3) In 2018 during the Easter Holidays, a Seventh Day Adventist Church rented the facilities to host an event. The payment, in the amount of Three Hundred and Fifty Thousand Dollars (\$350,000.00) for the hosting of the event was collected by Staff Officer, Barbara Kelly-Paddyfoot and taken to Ms. Christall Byfield's Office, Ms. Byfield, then retained the payment.
- (4) Ms. Christall Byfield hired her mother, Mrs. Debbie Morris, Principal St. Ann's Bay Infant School, to ratify documents during a Training and Development Project. It is also alleged that Ms. Byfield hired her friends, Mr. Javoun Anderson and Ms. Leonie Reid to participate in the same project; and finally
- (5) Ms. Christall Byfield is affiliated with a business known as Grove

Choice located in Golden Grove, St. Ann, which occasionally supplied Carl Rattray Staff College with goods and food supplies for training courses.

Twenty-five (25) individuals were deemed pertinent to the investigation.

Now, the objectives of our investigation were to determine, *inter alia*, the following:-

- The procurement processes, if any, which were undertaken, by the Carl Rattray Staff College/Department of Correctional Services, specifically (DCS), in the award of contracts to:
 - (i) Mr. Juna Anderson for the fumigation of the Carl Rattray Staff College in 2019;
 - (ii) Mr. Kelliman Lawes for the installation of surveillance system at the Carl Rattray Staff College/Department of Correctional Services; and

(iii) The procurement processes, if any, that were used in the award of contracts to Grove Choice for the provision of food supplies.

- Also, the circumstances, if any, which led to the award of the referenced contracts, by Carl Rattray Staff College/Department of Correctional Services;
- The veracity of the allegation concerning Ms. Byfield retaining payment in the amount of Three Hundred and Fifty Thousand Dollars (\$350,000.00) from a Seventh Day Adventist Church, for an event hosted at the Staff College.
- Also, we looked at whether there was/were any irregularity(ies) or impropriety(ies) in relation to the award and implementation of the following contracts:
 - (i) Fumigation of the Carl Rattray Staff College in 2019 by

Mr. Juna Anderson;

(ii) Installation of a surveillance system at the Carl Rattray Staff College by Mr. Kelliman Lawes; and

(iii) Supply of goods by Grove Choice.

We also looked at;

- Whether the process utilized in the Curriculum Development and Training Project for the selection of facilitators/ trainers, amounted to a conflict of interest on the part of Ms. Christall Byfield.

We looked at;

- The veracity of the allegation that Ms. Christall Byfield is affiliated with a business known as Grove Choice, which supplied Carl Rattray Staff College with goods and food supplies for training courses; and

Also, we looked at;

- Whether there was/were any breach(es) of the Government of

Jamaica Public Sector Procurement Guidelines 2014 (GPPH), Public Procurement Act (2015), the Public Procurement Regulations (2018), Staff Orders for the Public Service, Integrity Commission Act, and any other applicable legislation to the Carl Rattray Staff College.

So, during our investigation:-

- We issued forty-three (43) notices
- We took fifty-six (56) witness statements
- We had five (5) judicial hearings; and
- We reviewed the requisite legislations and policies.

Now, to our conclusion, as it relates to the award of contracts to Juna Pest Control for the fumigation of the premises of the Carl Rattray Staff College in 2019, these are the DI's conclusions.

The DI concludes that:-

- On January 3, 2020, an agreement was

entered into between the Department of Correctional Services and Juna Pest Control Services Limited in the amount of Two Hundred and Twenty Thousand Dollars (\$220,000.00) for fumigation services.

The DI concludes that:-

- There is/are no evidence of irregularity(ies) or impropriety(ies) in the procurement process utilized by the Department of Correctional Services in the referenced award of contracts to Juna Pest Control Services.

The DI also concludes that:-

- There is no evidence to support the allegation that Mr. Juna Anderson provided a portion of the contract sum to Ms. Christall Byfield, former Director of the Carl Rattray Staff College.

The DI's conclusion is based on the fact that the money provided by way of envelopes to selected officers of the

Carl Rattray Staff College by Mr. Juna Anderson was done some time after the contract was executed and this gift seemed to be permissible under Section 4.3 (1) of the Staff Orders for Public Service.

All right, as it relates to the award of contracts to Digi View Security Limited for the installation of a surveillance system at the Carl Rattray Staff College, the DI concludes that:-

- On March 23, 2020, a contract was entered into between the Ministry of National Security and Digi View Security Limited for the supply and installation of CCTV cameras at the Department of Correctional Services, Carl Rattray Training Institute, in the amount of Four Million Seven Hundred and Forty Four Thousand, Five Hundred and Twenty One Dollars and Six Cents.

The DI concludes that there is/are no evidence of irregularity (ies) or

impropriety (ies) in the procurement process utilized by the Ministry of National Security in the reference award of contracts to Digi View Security Limited. Importantly, the procurement was not handled by the Department of Correctional Services, but rather by the Ministry of National Security on their behalf.

The conclusion is grounded on the basis that the procurement methodology utilized by the Ministry of National Security in the referenced award of contracts, was limited tender and that the rationale for the selection of Digi View Security Limited as a successful bidder was due to the fact that Digi View Security Limited offered the more competitive cost of the two respondents and two, Digi View Security Limited executed a similar project previously for the Ministry of National Security.

Now, the next allegation as it relates

to the rental of the Carl Rattray Staff College Facilities to the Montego Bay Seventh Day Adventist Church for Easter Weekend Camp in 2018, the DI concludes the following:-

- The DI concludes that the Carl Rattray Staff College Facilities were rented by the Montego Bay Seventh Day Adventist Church during the period March 29, 2018, to April 2, 2018 for an Easter weekend camp.

The DI concludes that:-

- There is no evidence to confirm that any form of payment was received by the Department of Correctional Services from Carl Rattray Staff College in relation to the rental of the college facilities by the Montego Bay Seventh Day Adventist Church over the period March 29, 2018, to April 2, 2018.

Notwithstanding the above-mentioned, the DI concludes that:-

- There is evidentiary material

indicating that the Montego Bay Seventh Day Adventist Church made an initial deposit to the Carl Rattray Staff College in the amount of Thirty Thousand Dollars (\$30,000.00) for the rental of the college facilities.

- The DI is unable to verify whether any subsequent payment was made and/or received in relation to the mentioned rental.
- The DI concludes that the Department of Correctional Services does not have any written policy to treat with the rental of the Carl Rattray Staff College Facility. Notwithstanding, the process utilized for rental of the facility as outlined by Lieutenant Colonel (Ret'd) Gary Rowe was not complied with by the College.

The DI's conclusion is based on the following:-

- a) Approval was to be sought from

the Head of Entity, Human Resource Management and Administration, notwithstanding the approving officers were unaware of the event and as such no approval was granted. The payment should have been made to the Imprest holder, however, only the deposit was collected by the Imprest holder; and

- b) the DI is unable to determine the officer, if any, who collected the outstanding payment.

Finally,

- (c) The payment should have been deposited to the account belonging to the Carl Rattray Staff College. There is no evidence that any payment for the rental of the facilities were made to the account.

The DI concludes that:-

- There was a lack of due process and

proper oversight of the Carl Rattray Staff College on the basis that the Head of Entity, Lieutenant Colonel Gary Rowe, and/or the Senior Director, Human Resource Management and Administration, Mrs. Althea Davis from the Department of Correctional Services, who had sole responsibility for the granting of the approval for renting of the College's facilities were unable to account for the said rental.

Now, allegation regarding conflict of interest in the selection of individuals to participate in the Curriculum Development and Training Project held at the Carl Rattray Staff College in 2020, these are the DI's conclusion.

Now, the DI concludes that:-

- A conflict of interest arose as a consequence of the relationship between Ms. Christall Byfield and her mother, Mrs. Debbie

Parsons-Morris, who was recommended by Ms. Byfield to participate in the Curriculum Development and Training Project held at the Carl Rattray Staff College in 2020.

The DI further concludes that:-

- This conflict-of-interest concern was actually due to the failure on the part of Ms. Byfield and other officers of the college who were aware of the existing relationship and who failed to adhere to established policies particularly, Section 10 of the Department of Correctional Services Code of Discipline and Section 4.2.9 of the Staff Orders for the Public Service. Both policies prescribe the manner in which conflicts of interest ought to be managed and the responsibility on the part of those concerned to, *inter alia*, make the necessary disclosure or declaration.

The DI concludes that:-

- The Department of Correctional Services having paid Ms. Christall Byfield an honorarium for work or services, Curriculum Development Projects held during the period January 2021 to August 2021 which fell within the scope of her duties as Director of Carl Rattray Staff College, acted contrary to Section 6.7.4 of the Staff Orders for the Public Service.

The DI further concludes that:-

- The payments made to Ms. Byfield were irregular and should not have been made. Steps should therefore be taken to recover the amounts paid in the foregoing regard.

The DI, however, acknowledges that:-

- The work may well have been done by Ms. Byfield, and depending on the circumstances, additional compensation may have been necessary, notwithstanding "honorarium" by definition, was not

the appropriate scheme under which such a payment should have been made to her.

The final allegation is regarding conflict of interest in the purchase of goods from Grove Choice by the Carl Rattray Staff College.

The DI's conclusions are as follows:-

- The DI concludes that during the period February 10, 2021, to September 29, 2021, the Department of Correctional Services engaged Grove Choice to purchase goods in the sum of One Million, Two Hundred and Forty Six Thousand, Five Hundred and Forty Nine Dollars and Ninety Cents.
- The DI concludes that as it relates to the purchase of food supplies from Grove Choice by the DCS and the Carl Rattray Staff College, there is evidentiary material to indicate that this process was replete with irregularities.

The DI's conclusion is premise on the

following:-

- (1) There was no formal procurement process utilized by the Department of Correctional Services.
- (2) The Procurement Unit was not involved in the procurement of goods and services for Carl Rattray Staff College in this instance.
- (3) The nature and extent of the affiliation between Ms. Christall Byfield and Mr. Veron Bryan was not disclosed by Ms. Byfield, as required.

Further, the DI concludes that:-

- Ms. Christall Byfield's conduct in the foregoing regard breached the Department of Correctional Services' Code of Discipline, as well as, the Staff Orders for Public Service which treats with conflict of interest.

The DI's conclusion is on the basis that a conflict of interest existed between Ms. Crystal Byfield, then

Director, Carl Rattray Staff College and Mr. Veron Bryan, the owner of Grove Choice, which could reasonably be inferred to have influenced the engagement of Grove Choice.

Further, it is clear that Ms. Byfield and Mr. Bryan have an affiliation which transcends what was indicated to the DI by Mr. Bryan.

The DI's conclusion is based on the following:-

- Ms. Byfield was given autonomy by her Supervisor, Mrs. Althea Davis, Senior Director, Human Resource Management and Administration, to select a supplier to provide the goods and as a result, Ms. Byfield selected Grove Choice.
- Mr. Bryan had only two Government of Jamaica customers: That is, Carl Rattray Staff College and St. Ann's Bay Infant School.

To reiterate, the Principal of St. Ann's Bay Infant School is Mrs. Debbie

Parsons-Morris, mother of Christall Byfield; and

Finally, the e-mail correspondence between Ms. Christall Byfield and a representative from Pricesmart confirms that Ms. Byfield held the position of Purchasing Manager of Grove Choice at the material time.

I will now read the recommendations.

Now, recommendations to the Commission, Department of Correctional Services.

Recommendations

The DI recommends that:-

- The Department of Correctional Services implements critical internal policies to treat with procurement of goods and services and the rental of facilities in relation to the Carl Rattray Staff College in an effort to provide guidance to the employees and the proper manner in which these activities are to be handled.

Secondly;

- The DI recommends that the Department of Correctional Services implements controls to mitigate the chances of acts of corruption from occurring.

The DI's recommendation is on the basis that as a result of the absence of control and monitoring of same, the Carl Rattray Staff College's facilities had been rented occasionally, without the knowledge of the Head Office in some instances, as well as, without payment being accounted for by the Head Office in other instances.

Thirdly;

- The DI recommends that the Department of Correctional Services becomes familiar with the Public Bodies Management and Accountability Act of 2001, particularly Section 17 (2) which addresses the issue of Conflict-of-Interest Management.

This recommendation could guard against instances of breaches of Conflict-of-Interest Policies identified.

Finally;

- As it relates to the questionable conduct of Ms. Christall Byfield previously delineated;

The DI recommends that:-

- The Department of Correctional Services apply such sanctions as it deems appropriate and necessary, having regard to the seriousness of the referenced conduct, and to demonstrate that such conduct is inconsistent with the standard of behaviour expected from holders of public office.

The DI's recommendation is premise on Ms. Christall Byfield's failure to appropriately treat with the conflict-of-interest situation, which arose by virtue of her connection with the proprietor of Grove Choice as supplier

of goods to Carl Rattray Staff College and several other individuals including her mother, who participated in the ratification projects for the college.

All right, any questions? Any comment? Any concerns?

COMM. MASON: It is clear to me. Just one clarification on the recommendation for sanctions.

CHAIRMAN: Yes.

COMM. MASON: How far does the Commission go in terms of its advice on appropriate sanction? Or you don't go there?

CHAIRMAN: Yes. So, the Commission does not at this time...

COMM. MASON: Okay. Just leave it at that.

CHAIRMAN: Yes, we make the recommendation. It is up to the various institutions to implement whatever sanctions they deem fit, and I guess would be whatever is appropriate based on their policies and procedures.

COMM. MASON: Okay, understood. Yes, thanks a lot. It is clear.

CHAIRMAN: Yes, just to note as well, the Report would have had a recommendation for money to be recovered in one instance in terms of the honorarium.

COMM. MASON: Yes.

CHAIRMAN: Yes. Notwithstanding the fact that we said based on the rationale that Ms. Byfield would have done some amount of work, honorarium wouldn't have been the appropriate reimbursement mechanism for that based on the definition of an "honorarium".

COMM. MASON: Uh-huh.

CHAIRMAN: Just finally, and also for the record, Mr. Mason, is just to remind you that based on the fact that our report is not yet published, it should be confidential based on our legislation. So, whatever is discussed should be kept confidential unless it is that you have some clarification you can reach out to me, or Mr. Stephenson and we will see how best we can facilitate that discussion, all right?

COMM. MASON: So, just by way of process, whom else you will be seeing on this?

CHAIRMAN: All right, so that again is not something we could disclose, however, we are almost at our end in terms of the findings and having the sit down.

COMM. MASON: Sorry, I just wanted to, based on my own actions - Because clearly, I would through HR need to see her. So, I just want to be clear if she would have been privy and all that.

CHAIRMAN: Oh, well, to that extent, we say wait on the report, unless it is that you have something you want to clarify or something that you disagree with in the Report, you can make a written submission as it relates to that, but just to keep it confidential between us until the Report is tabled. We are finishing up, so it should be published in short order.

COMM. MASON: Okay. So, once it is tabled?

CHAIRMAN: Yes.

MS. PARKES: And also, to add that in waiting on the

Report to then be tabled, the findings which we did not discuss here will provide you with more information into what it is that would have occurred, because what we did was to give you a synopsis. So, you would want to base whatever action based on what happened. So, having seen the published Report, the evidence and the findings would be more informed and fruitful so that a decision can then be taken, and you will also see the persons who would have been in dialogue with us, or pertinent to the investigation, what they had to say during the course of the investigation, their accounts and so forth.

COMM. MASON: All right, understood.

CHAIRMAN: Yes, save and except, for the fact that you can speak to an attorney in this regard, because you know you have client/attorney privilege.

COMM. MASON: Uh-huh.

CHAIRMAN: Yes, so that is the exception.

COMM. MASON: Okay.

CHAIRMAN: Thank you. The time now 2:18 p.m. end of our session. Thank you.

COMM. MASON: All right, thanks. All the best.

CHAIRMAN: You are welcome.

(At this time, Commissioner Mason exited the room)

MR. ROWE APPEARS BEFORE THE PANEL

CHAIRMAN: Mr. Rowe, are you hearing me?

MR. ROWE: Oh, yes.

CHAIRMAN: Perfect. Good afternoon. The time is now 2:36 p.m.

MR. ROWE: Right.

CHAIRMAN: And we are going to start. So, let me introduce myself and the team and then I will have you just reintroduce yourself for the purposes of...

MR. ROWE: You look different, man. You look different.

CHAIRMAN: I look different?

MR. ROWE: The beard fits you.

CHAIRMAN: Not Mr. Stephenson though you know, this is Mr. Wellington.

MR. ROWE: I know, I know.

CHAIRMAN: All right.

MR. ROWE: You didn't have that beard when I was there.

CHAIRMAN: Probably not.

MR. ROWE: Anyway.

CHAIRMAN: Yes. All right, so let me introduce the team. My name is Adrian Wellington.

MR. ROWE: I am hearing you clearly.

CHAIRMAN: Yes. We are just testing the audio for the Stenotype Writer.

MR. ROWE: Okay.

CHAIRMAN: You can go now. Let me hear you again.

MR. ROWE: Testing, testing. Volume test.

CHAIRMAN: So, my name is Adrian Wellington, I am the Manager of the Contract, Procurement and Corruption Investigation Unit. With me;

To me right, Miss Shania Parkes, she is Senior Investigating Officer in the Contract Procurement and Corruption Unit.

To my left, I have Miss Vanessa Ballentine, she is an Investigating Officer in the same Unit; and to her left we have Mr. Sanjay Harrisingh,

also an Investigating Officer in the same unit. Could you just introduce yourself, Mr. Rowe, for the record.

MR. ROWE: All right. My name is Gary Rowe.

CHAIRMAN: What position did you hold at the DCS?

MR. ROWE: Okay. While at the Department of Correctional Services, I held the post of Commissioner of Corrections from April 2019 until May I believe, 2023.

CHAIRMAN: Okay, thank you. Madam Steno, just for the purposes of the record, could you also introduce yourself?

MS. ARCHER: Arlene Archer, Steno Writer, Office of the Services Commissions.

MR. ROWE: Very well, thank you, ma'am.

CHAIRMAN: So, Mr. Rowe, is it okay if I address you as Mr. Rowe?

MR. ROWE: Yes, man.

CHAIRMAN: You are perfect?

MR. ROWE: I am a civilian now, you know, that is fine. Even Gary.

(Laughter)

CHAIRMAN: All right. So, the Commission has engaged a new process where prior to

sending our reports to Parliament, we invite persons whose adverse findings, or institutions where we have adverse findings that are not criminal, but probably administrative, and we will read to you the findings, the conclusions and the recommendations and give you an opportunity to respond, prior to us tabling that report, all right. So, that is the purpose of this particular meeting.

All right, so I will ask Ms. Parkes to lead in just reading to you what are some key areas of the Report, and you can make notes, and if at the end you have any questions, any concerns or any comments, you can make those. We have also, Madam Stenotype Writer, Ms. Archer, who is also recording the process and the procedure. So, she will also have a transcript for us at the end, all right. Any questions before Ms. Parkes begin?

MR. ROWE: Right. Will the DCS get a copy of that

Report and those findings?

CHAIRMAN: Not prior to the tabling.

MR. ROWE: Okay, but at some point, they will get it?

CHAIRMAN: Yes, yes. It will be published. The Report will be published and will be in the public's domain, so you could download a copy.

MR. ROWE: All right.

CHAIRMAN: All right, so I will ask Ms. Parkes now to go ahead with taking you through the sensitive areas of the Report.

MS. PARKES: All right. Thank you, Mr. Wellington. Still hearing me clearly, sir?

MR. ROWE: Yes, clearly.

MS. PARKES: Great. So, the report of the investigation is concerning allegations of irregularities and conflict of interest in relation to the operations of the Carl Rattray Staff College, Department of Correctional Services. The investigation report concerns a - Well, it outlines several irregularities in certain processes

utilized by the Department of Correctional Services, Carl Rattray Staff College, as well as conflict of interest on the part Ms. Christall Byfield, former Director of Carl Rattray Staff College in relation to procurement of goods. In this regard, the Director of Investigation made several recommendations to the Department of Correctional Services towards preventing the reoccurrence of any irregularities and conflict of interest in relation to the operations of the college.

Now, the investigation was conducted pursuant to Section 33(1) (a) and (b) of the Integrity Commission Act which empowers the Director of Investigation to investigate the matter. The investigation commenced, or was launched rather, on November 1, 2021, further to the receipt of a complaint by the DI on October 8, 2021. Now, some of the allegations - Well, the

allegations in full.

So, the first one in 2019, Ms. Christall Byfield, a former Director at Carl Rattray Staff College acquired the services of Mr. Juna Anderson of Juna Pest Control Services to fumigate the premises at the Staff College from flying and crawling insects. Ms. Byfield is said to have collected a percentage of the payments made to Mr. Anderson for the fumigation services.

Second allegation, last year in this respect would have been 2020, Ms. Christall Byfield acquired the services of Mr. Kelliman Lawes, Digi View Company to install a camera system. The system was said to be monitored by *Jamaica Eye*, yet it is believed that the system is monitored by Mr. Lawes, being Ms. Byfield brother-in-law.

Thirdly, in 2018 during the Easter Holidays, a Seventh Day Adventist

Church rented the facilities to host an event. The payment in the amount of Three Hundred and Fifty Thousand Dollars (\$350,000.00) for the hosting of the event was collected by Staff Officer, Barbara Kelly-Paddyfoot and taken to Ms. Christall Byfield's Office. Ms. Byfield then retained the payment.

Next allegation, Ms. Christall Byfield hired her mother Mrs. Debbie Parsons-Morris, Principal, St. Ann's Bay Infant School to ratify documents during a Training and Development Project.

It is also alleged that Ms. Byfield hired her friends Mr. Jevoun Anderson and Mr. Leonie Reid to participate in the same project and lastly, Ms. Christall Byfield is affiliated with a business known as Grove Choice located in Golden Grove St. Ann, which occasionally supplies Carl Rattray Staff College with goods and food

supplies for training courses. During the course of the investigation twenty-five (25) individuals were deemed pertinent.

Now, the terms of reference for the investigation.

So, the objectives of the investigation were to determine the following:-

- The procurement processes, if any, which were undertaken by the Carl Rattray Staff College or the Department of Correctional Services in the award of contracts to one, Mr. Juna Anderson for the fumigation of the Carl Rattray Staff College in 2019.
- Mr. Kelliman Lawes for the installation of a surveillance system at the Carl Rattray Staff College and three, Grove Choice for the supply of food products.
- The circumstances, if any, which led to the award of the referenced contracts by the Carl Rattray Staff

College or the Department of Correctional Services.

- The veracity of the allegation that Ms. Christall Byfield, former Director of Carl Rattray Staff College retained a payment in the amount of Three Hundred and Fifty Thousand Dollars (\$350,000.000) received from a Seventh Day Adventist Church for an event hosted at the Staff College in 2018.
- Whether there was/were any irregularity (ies) and/or impropriety (ies) in relation to the award and implementation of the following contracts.

Again;

- (i) Fumigation of the Carl Rattray Staff College in 2019 by Mr. Juna Anderson.
- (ii) Installation of a surveillance system at the Carl Rattray Staff College by Mr. Kelliman Lawes;
and

- (iii) Supply of goods by Grove Choice.
- (iv) Whether the process utilized in the Curriculum Development and Training Project for the selection of facilitators or trainers amounted to a conflict of interest on the part of Ms. Christall Byfield.
- (v) The veracity of the allegation that Ms. Christall Byfield is affiliated with a business known as "Grove Choice", which supplies Carl Rattray Staff College with goods and food supplies for training courses.

Next or lastly;

- (iv) Whether there was/were any breach(es) of the Government of Jamaica Public Sector Procurement Guidelines of 2014, Public Procurement Act 2015, as well as the Regulations 2018, Staff Orders for Public Service, the

Integrity Commission Act and any other legislation which may have been applicable to the operations of Carl Rattray Staff College.

During the investigation the following actions were conducted:-

- o Forty-three (43) notices were served during the period November 1, 2021, to September 25, 2023, on individuals who were deemed as pertinent to provide written statements.
- o Fifty-six (56) witness statements were obtained during the period November 1, 2021, to September 12, 2023.
- o Five (5) judicial hearings were conducted during the period September 20, 2022, to April 13, 2023, and of course, a review of the relevant legislation and policies mentioned before were also undertaken, as well as

cross referencing of the statements collected.

Now, the findings will not be discussed in this setting, that will come when the report is published, but we will discuss the conclusions and recommendations. So, conclusions. In relation to the award of contracts to Juna Pest Control for the fumigation of the premises of the Carl Rattray Staff College in 2019, these are the conclusions:-

The DI concludes that:-

- o On January 3, 2020, an agreement was entered into between the Department of Correctional Services and the Juna Pest Control Services Limited in the amount of Two Hundred and Twenty Thousand Jamaica (\$220,000.000) for fumigation services.

Next;

The DI concludes that:-

- o There is/are no evidence of irregularity(ies) or impropriety(ies) in the procurement processes utilized by the Department of Correctional Services in the reference award of contract to Juna Pest Control Services.

Next;

The DI concludes that:-

- o There is no evidence to support the allegation that Mr. Juna Anderson provided a portion of the contract sum to Ms. Christall Byfield, former Director, Carl Rattray Staff College.

The DI's conclusion is based on the fact that the money provided by way of envelopes to selected officers of the Carl Rattray Staff College by Mr. Anderson was done some time after the contract was executed and this gift seem to be

permissible under Section 4.3 (i) of the Staff Orders for Public Service.

In relation to the award of contract to Digi View Security Limited for the installation of a surveillance system at the Carl Rattray Staff College, these are the conclusions:-

The DI concludes that:-

- o On March 23, 2020, a contract was entered into between the Ministry of National Security and Digi View Security Limited for the supply and installation of CCTV Cameras at the Department of Correctional Services, Carl Rattray Training Institute in the amount of Four Million Seven Hundred and Forty-Four Thousand Five Hundred and Twenty One Dollars and Six Cents.

Next, the DI concludes that:-

o There is no evidence of irregularities or impropriety in the procurement processes utilized by the Ministry of National Security in the reference award of contract to Digi View Security Limited.

Importantly, the procurement was not handled by the Department of Correctional Services, but rather by the Ministry of National Security on their behalf.

This conclusion is grounded on the basis that the procurement methodology utilized by the Ministry of National Security in the reference award of contract was limited tender and that the rationale for the selection of Digi View Security Limited as the successful bidder was due to the fact that, one, Digi View Security Limited offered the more competitive cost of the two (2)

respondents and two, Digi View Security Limited executed a similar project previously for the Ministry of National Security.

In relation to the rental of the Carl Rattray Staff College Facilities to the Montego Bay Seventh Day Adventist Church for an Easter Weekend Camp in 2018, these are the conclusions:-

The DI concludes that:-

- o The Carl Rattray Staff College Facilities were rented by the Montego Bay Seventh Day Adventist Church during the period March 29, 2018, through to April 2, 2018, for an Easter Weekend Camp.

Next, the DI concludes that:-

- o There is no evidence to confirm that any form of payment was received by the Department of Correctional Services from Carl Rattray Staff College in

relation to the rental of the college facilities by the Montego Bay Seventh Day Adventist Church over the referenced period.

Notwithstanding, the above-mentioned, the DI further concludes that:-

- o There is evidentiary material indicating that the Montego Bay Seventh Day Adventist Church made an initial deposit to the Carl Rattray Staff College in the amount of Thirty Thousand Dollars (\$30,000.00) for the rental of the college's facilities.
- o The DI is unable to verify whether any subsequent payment was made and/or received in relation to the mentioned rental.

Next, the DI concludes that:-

- o The Department of Correctional

Services does not have any written policy to treat with the rental of the Carl Rattray Staff College Facility. Notwithstanding, the process utilized for rental of the facility as outlined by then Commission, Gary Rowe, was not complied with by the College.

The DI's conclusion is based on the following:

- (a) approval was to be sought from the Head of Entity or Human Resource Management and Administration. Notwithstanding, the approving officers were unaware of the event and as such no approval was granted.

Next;

- (b) The payment should have been made to the imprest holder, however, only the deposit was collected by

the imprest holder and the DI is unable to determine the officer, if any, who collected the outstanding payment.

And thirdly;

(c) The payment should have been deposited to the account belonging to the Carl Rattray Staff College.

There is no evidence that any payments for the rental of the facilities were made to the account.

Next one, the DI concludes that:-

- o There was a lack of due process and proper oversight of the Carl Rattray Staff College on the basis that the Head of Entity, then Commissioner Gary Rowe, and/or the Senior Director, Human Resource Management and Administration, Mrs. Althea

Davis of the Department of Correctional Services who had sole responsibility for the granting of approval for renting of the college's facilities were unable to account for the said rental.

Then next allegation regarding conflict of interest in the selection of individuals to participate in the Curriculum Development and Training Project held at the Carl Rattray Staff College in 2020, these are the conclusions:-

Firstly, the DI concludes that:-

- A conflict of interest arose as a consequence of the relationship between Ms. Christall Byfield and her mother, Mrs. Debbie Parsons-Morris, who was recommended by Ms. Byfield to participate in the

Curriculum Development and Training Project held at the Carl Rattray Staff College in 2020. The DI further concludes that this conflict-of-interest concern is actually due to the failure on the part of Ms. Byfield and other officers of the college who were aware of the existing relationship and who failed to adhere to established policies particularly. Section 10 of the Department of Correctional Services Code of Discipline and Section 4.2.9 of the Staff Orders for Public Service, both policies prescribe the manner in which conflicts of interest ought to be managed and the responsibility on the part

of those concerned to, *inter alia*, make the necessary disclosure or declaration.

Next the DI concludes that:-

- The Department of Correctional Services having paid Ms. Christall Byfield an honorarium for work or services, that would be the Curriculum Development Projects held during the period January 2021 to August 2021 which fell within the scope of her duties as Director of Carl Rattray Staff College, acted contrary to Section 6.7.4 of the Staff Orders for Public Service.

Now, the DI further concludes that:-

- The payments made to Ms. Byfield were irregular

and should not have been made. Steps should, therefore, be taken to recover the amounts paid in the foregoing regard. The DI acknowledges that the work may well have been done by Ms. Byfield, and depending on the circumstances, additional compensation may have been necessary, notwithstanding honorarium by definition was not the appropriate scheme under which such a payment should have been made to her.

As it relates to the allegation regarding conflict of interest in the purchase of goods from Grove Choice by the Carl Rattray Staff College, these are the conclusions. This would have been the last allegation here.

The DI concludes that:-

- o During the period February 10, 2021, to September 29, 2021, the Department of Correctional Services engaged Grove Choice to purchase goods in the sum of One Million, Two Hundred and Forty-Six Thousand, Five Hundred and Forty-Nine Dollars and Ninety Cents.

Next, the DI concludes that:-

- o As it relates to the purchase of food supplies from Grove Choice by the DCS and the Carl Rattray Staff College, there is evidentiary material to indicate that this process was replete with irregularities.

The DI's conclusion is premised on the following:-

First, there was no formal procurement process utilized by the Department of Correctional Services. Next the Procurement

Unit was not involved in the procurement of goods and services for the Carl Rattray Staff College in this instance and third, the nature and extent of the affiliation between Ms. Christall Byfield and Mr. Veron Bryan was not disclosed by Ms. Byfield as required.

Next conclusion;

The DI concludes that:-

- o Ms. Christall Byfield's conduct in the foregoing regard breached the Department of Correctional Services Code of Discipline, as well as the Staff Orders for Public Service, which treats with conflicts of interest.

The DI's conclusion is on the basis that a conflict of interest existed between Ms. Byfield, then Director of the Staff College, and Mr. Veron Bryan, owner of Grove Choice which could reasonable be

inferred to have influenced the engagement of Grove Choice. Further, it is clear that Ms. Byfield and Mr. Bryan have an affiliation which transcends what was indicated to the DI by Mr. Bryan.

The DI's conclusion is based on the following:-

- o Firstly, Ms. Byfield was given autonomy by her supervisor, Mrs. Althea Davis, Senior Director, Human Resource Management and Administration to select a supplier to provide the goods, and as a result, Ms. Byfield selected Grove Choice.
- o Secondly, Mr. Bryan, Veron Bryan, had only two Government of Jamaica customers, that is Carl Rattray Staff College and the St. Ann's Bay Infant School. To reiterate, the Principal of

St. Ann's Bay Infant School is Mrs. Debbie Parsons-Morris, mother of Ms. Christall Byfield; and

- o Thirdly, the e-mail correspondence between Ms. Christall Byfield and a representative from Pricemart confirms that Ms. Byfield held the position of Purchasing Manager at Grove Choice at the material time.

So, these are the conclusions. The DI also made recommendations based on the findings and conclusions. The recommendation is being made to the Commission of the Department of Correctional Services.

First the recommendation. The DI recommends that:-

- o The Department of Correctional Services implements, critical internal policies to treat with

procurement of goods and services and rental of facilities in relation to the Carl Rattray Staff College in an effort to provide guidance to the employees on the proper manner in which these activities are to be handled.

Next recommendation. The DI recommends that:-

- o The Department of Correctional Services implements controls to mitigate the chances of acts of corruption from occurring.

The DI's recommendation is on the basis that as a result of the absence of controls and monitoring of same, the Carl Rattray Staff College's facilities have been rented occasionally without the knowledge of the Head Office in some instances, as well as without payment being accounted for by the Head Office in other instances.

The third recommendation. The DI recommends that:-

- o The Department of Correctional Services become familiar with the Public Bodies Management and Accountability Act of 2001, particularly Section 17 (2) which addresses the issue of Conflict of Interest Management. This recommendation could guard against instances of breaches of conflict of interest policies identified.

Last recommendation as it relates to:-

- o The questionable conduct of Ms. Christall Byfield, previously delineated, the DI recommends that the Department of Correctional Services apply such sanctions as it deems appropriate and necessary, having regard to the seriousness

of the reference conduct and to demonstrate that such conduct is inconsistent with the standard of behaviour expected from holders of public office.

The DI's recommendation is premised on Ms. Christall Byfield's failure to appropriately treat with the conflict of interest situation which arose by virtue of her connection with the proprietor of Grove Choice as supplier of goods to Carl Rattray Staff College and several other individuals, including her mother, who participated in the Ratification Projects for the college.

CHAIRMAN: All right. Thanks, Miss Parkes. So, those are the key points of the Report. Mr. Rowe, do you have any questions at this time?

MR. ROWE: Well, let me just first say that Madam Parkes, your elocution is flawless.

MS. PARKES: Thank you.

MR. ROWE: But no. I thank the Commission for its

service, and as Commissioner it was quite clear that one is not able to see every nook and cranny and a lot of the times, and only when something goes wrong it gets to your attention.

So, I can see the details coming out, information coming out that I wasn't aware of, and certainly DCS has to, in introspect, look at and continue to look at the policies and procedures where a lot of them exist, not enforced, where exist, they are outdated and need to be modernized. So, it is an ongoing process for sure. So, no questions from me. I thank the Commission for its service, and I do hope that the Brigadier who now has the reigns can build on what I tried to implement, strengthen some of the systems, strengthen the accountability, and move the DCS forward step by step.

CHAIRMAN: Thank you for that, Mr. Rowe. Just a few things to advise: One is in

relation to the information presented here today being confidential. As you know, our report goes to Parliament before it is made public and as such, we ask that you keep the information private and confidential at this time, as was indicated in our letter.

MR. ROWE: Right.

CHAIRMAN: If you would like to respond formally, you have that opportunity, however, just to know that the Stenotype Writer is recording the information and that will be a part of the documents that are sent to the Parliament.

MR. ROWE: I understand.

CHAIRMAN: So, that is it. Thank you again, Mr. Rowe. The time is now 3:09 p.m. That is the end of our meeting.

MR. ROWE: Thank you. Is it likely I will be needed going forward on this anymore?

CHAIRMAN: No. Not to my knowledge.

MR. ROWE: Okay.

CHAIRMAN: Not to my knowledge, and all the best.

MR. ROWE: You caught me just in time today. I was

to be on a mission come Thursday, so today was the perfect time.

CHAIRMAN: All right, no problem. Thank you again, sir, enjoy the rest of your day.

MR. ROWE: And stay safe.

MS. PARKES: All right. Thanks.

ADJOURNMENT TAKEN

