



Report of Investigation

Concerning Allegations of Fraud in relation to the Registration and Issuance of a Notification of an “Approved Supplier of Goods and Services to the Government of Jamaica” Letter to Elegant Weddings, Event Planning and Catering Limited

**Integrity Commission
March 2022**



This Publication until tabled in Parliament shall be confidential.

Sections 55 (4) and (5) of the Integrity Commission Act states:

“(4) Anything said or information supplied or any document or thing produced by any person for the purpose or in the course of any investigation by or proceedings before the Commission under this Act, shall be absolutely privileged in the same manner as if the investigation or proceedings were proceedings in a court of law.

(5) For the purposes of the Defamation Act, any report made by the Commission under this Act and any fair and accurate comment thereon shall be deemed to be privileged.”

Section 56 of the Integrity Commission Act states:

“Subject to section 42(3)(b), every person having an official duty under this Act, or being employed or otherwise concerned in the administration of this Act (hereinafter called a concerned person) shall regard and deal with as secret and confidential, all information, statutory declarations, government contracts, prescribed licences and all other matters relating to any matter before the Commission, except that no disclosure made by the Commission or other concerned person in the proceedings for an offence under this Act or under the Perjury Act, by virtue of section 17(2) of that Act, shall be deemed inconsistent with any duty imposed by this subsection.

(2) The obligation as to secrecy and confidentiality imposed by this section, in relation to any documents, or information obtained under this Act continues to apply to a person despite the person having ceased to have an official duty, be employed or otherwise concerned in the administration of this Act.

(3) Every concerned person who is required under subsection (1) to deal with matters specified therein as secret and confidential who at any time communicates or attempts to communicate any such information, declaration, letter and other document or thing referred to in subsection (1) disclosed to him in the execution of any of the provisions of this Act to any person —

- (a) other than a person to whom he is authorized under this Act to communicate it; or
- (b) otherwise than for the purpose of this Act,

commits an offence and shall be liable on summary conviction in a Parish Court to a fine not exceeding one million dollars or to a term of imprisonment not exceeding one year.

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Summary of Investigation

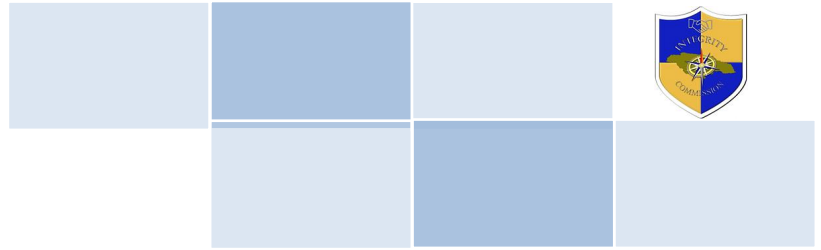
- 1.1 On July 6, 2018, the Director of Investigation (DI) pursuant to the provisions contained in Sections 33(1)(a) and (b) and 52(1)(a) of the Integrity Commission Act (ICA), initiated an Investigation concerning irregularities in the registration process utilized by the National Contracts Commission and the issuance of an 'Approved Supplier of Goods and Services to the Government of Jamaica' letter to the Elegant Weddings, Event Planning and Catering Limited.
- 1.2 The decision to undertake the Investigation was prompted by the DI's receipt of a letter of complaint dated May 28, 2018. In this regard, the complainant alleged, *inter alia*, that Elegant Weddings, Event Planning and Catering Limited *"is in possession of a letter of Approval for Registration as a Supplier of Goods and Services which appears to have not been properly authenticated by the NCC and which has been utilized by the Supplier to obtain a contract."*¹
- 1.3 Having regard to the aforementioned allegation, the DI sought to determine the authenticity of the registration of Elegant Weddings, Event Planning and Catering Limited, with the NCC, as an approved Goods and Services Supplier to the Government of Jamaica.

¹ Letter of Complaint dated May 28, 2018, addressed to The Hon. Mr. Justice (Ret'd) Karl Harrison, former Chairman, Integrity Commission, by Mr. Raymond McIntyre, former Chairman, National Contracts Commission.



1.4 Summary of Key Findings

- 1.4.1 On January 5, 2017, the NCC received an application from Elegant Weddings, Event Planning and Catering Limited, for registration as a Supplier of Goods and Services, in the categories of Catering and General Services (specializing in Event Planning).
- 1.4.2 Subsequent to the review of the mentioned application, it was determined to be incomplete due to certain documents being outstanding. An email dated January 13, 2017, was drafted in the foregoing regard but the email was not dispatched to Elegant Weddings, Event Planning and Catering Limited.
- 1.4.3 Notwithstanding the outstanding documents required for continued processing, the application submitted by Elegant Weddings, Event Planning and Catering Limited was approved on January 18, 2017, pending the receipt of outstanding documents.
- 1.4.4 In February 2017, Mrs. Sylvia Ross-Clunie, Managing Director, Elegant Weddings, Event Planning and Catering Limited collected a Letter of Approval for Registration as a Supplier of Goods and Services, from the NCC Secretariat.



1.4.5 The Letter of Approval which was purportedly issued to Elegant Weddings, Event Planning and Catering Limited was not in keeping with the National Contracts Commission Goods and General Services Procedures.

1.4.6 Elegant Weddings, Event Planning and Catering Limited was removed from the NCC's list of Approved Contractors, in 2018, as a result of the erroneous addition of the referenced Company to the list of Approved Contractors.



Chapter 1 – Background

2.0 This chapter outlines the background information concerning the investigation.

Initiation of Investigation

2.1 On July 6, 2018, the Director of Investigation (DI) pursuant to the provisions contained in 33(1)(a) and (b) and 52(1)(a) of the Integrity Commission Act (ICA), initiated an Investigation concerning irregularities in the registration process utilized by the National Contracts Commission and the issuance of an 'Approved Supplier of Goods and Services to the Government of Jamaica' letter to Elegant Weddings, Event Planning and Catering Limited.

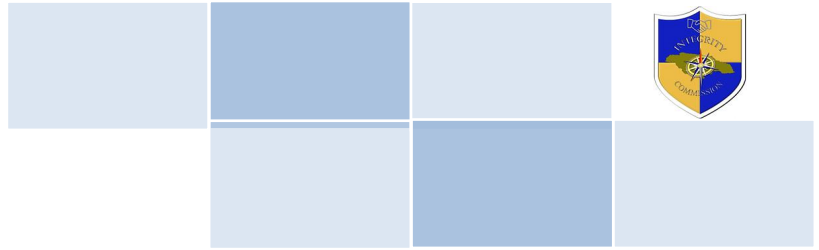
Jurisdiction

2.1.1 The investigation commenced under Sections 33(1)(a) and (b) and 52(1)(a) of the Integrity Commission Act (ICA), which enabled the Director of Investigation to investigate the referenced matter.²

The Investigation

2.2.1 During the course of the investigation, statements were obtained from the following public officers and individual:

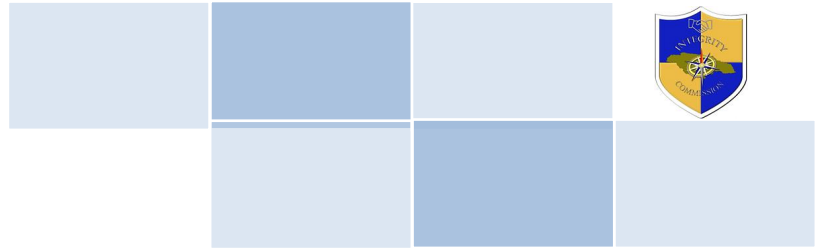
² Appendix 1 – Sections 33 (1)(a) and 52 (1)(a) of the Integrity Commission Act (ICA)
INTEGRITY COMMISSION Report of Investigation concerning Allegations of Fraud and the Registration and Issuance of a Notification of an "Approved Supplier of Goods and Services to the Government of Jamaica" Letter to Elegant Weddings, Event Planning and Catering Limited.



- (a) Ms. Fiona McLaren, former Director of Technical Services Division, the NCC Secretariat;
- (b) Mrs. Joeth Jones-Hall, former Manager – Goods and Services, Technical Services Division, the NCC Secretariat;
- (c) Mrs. Sylvia Ross-Clunie, Managing Director, Elegant Weddings, Event Planning and Catering Limited; and
- (d) Lieutenant Commander (Ret'd) Paul Wright, Executive Director, Public Procurement Commission.

Pursuant to Section 48(2) of the ICA, the following individuals were summoned to appear before the DI:

- (a) Ms. Fiona McLaren, former Director, Technical Services Division, the NCC Secretariat;
- (b) Mrs. Joeth Jones-Hall, former Manager - Goods and Services, Technical Services Division – the NCC Secretariat; and
- (c) Mr. Nicholas Gibson, former Supervisor - Goods and Services, Technical Services Division, the NCC Secretariat.



Individuals Pertinent to the Investigation

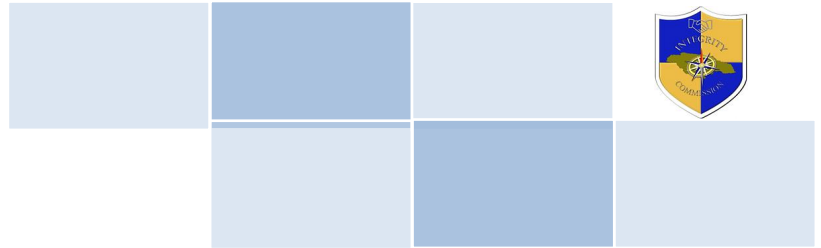
2.2.2 The following individuals were deemed pertinent to the investigation:

- (a) Ms. Fiona McLaren, former Director, Technical Services Division, the NCC Secretariat;
- (b) Mrs. Joeth Jones-Hall, former Manager - Goods and Services, Technical Services Division – the NCC Secretariat;
- (c) Mrs. Sylvia Ross-Clunie, Managing Director, Elegant Weddings, Event Planning and Catering Limited; and
- (d) Mr. Nicholas Gibson, former Supervisor - Goods and Services, Technical Services Division, the NCC Secretariat.



Chapter 2 – Terms of Reference

- 3.1 This chapter sets out the scope of the investigation and the issues that were explored.
- 3.2 In conducting this investigation, the Director of Investigation (DI) sought to establish the following:
- 3.2.1 To determine whether Elegant Weddings, Event Planning and Catering Limited submitted an application to the National Contracts Commission (NCC), and the particulars of same;
 - 3.2.2 To determine the authenticity of the alleged NCC Letter of Approval for Registration of Elegant Weddings, Event Planning and Catering Limited as a Supplier of Goods and Services dated January 18, 2017;
 - 3.2.3 To determine the processes utilized by the NCC in the registration and removal of Elegant Weddings, Event Planning and Catering Limited as a Supplier of Goods and Services;
 - 3.2.4 To determine whether the process(es), if any, utilized by the NCC in the registration and removal of Elegant Weddings, Event Planning and Catering Limited as a Supplier of Goods and Services, was transparent, fair and impartial;



- 3.2.5 To determine whether the Letter of Approval for Registration as a Supplier of Goods and Services dated January 18, 2017, was issued to Elegant Weddings, Event Planning and Catering Limited, by the NCC;
- 3.2.6 To determine the officer(s), if any, who were instrumental in the issuance of the alleged NCC Letter of Approval for Registration as a Supplier of Goods and Services dated January 18, 2017;
- 3.2.7 To determine whether there were any improprieties and/or irregularities in relation to the Contractor General Act, the Integrity Commission Act, the Public Procurement Act, and the Forgery Act; and
- 3.2.8 Whether the recommendations ought to be made in respect of anti-corruption initiatives.



Chapter 3 – Evidence, Findings and Discussion

4.0 This chapter sets out the discussion of the findings and the relevant legislation in respect of the investigation.

4.1.1 The Director of Investigation (DI) notes that the principal objects of the National Contracts Commission were: (i) to promote efficiency in the process of award and implementation of government contracts; (ii) and to ensure transparency and equity in the awarding of such contracts.³

4.1.2 Further, the DI highlights that the Public Procurement Commission (PPC) is the successor to the NCC and came into operation on April 1, 2019, by virtue of the Public Procurement Act (2015).⁴

Registration of Elegant Weddings, Event Planning and Catering Limited with the National Contracts Commission

4.2.1 Having regard to the captioned matter, the National Contracts Commission (NCC) initially received an application from Elegant Weddings, Event Planning and Catering Limited for the registration to supply goods and services on August 7, 2009.⁵

³ Section 23C of the Contractor General Act.

⁴ Response dated December 27, 2020, from Lieutenant Commander (Retired) Paul Wright, addressed to the Integrity Commission.

⁵ Statement dated September 30, 2021, from Lieutenant Commander (Ret'd) Paul Wright, Executive Director, Public Procurement Commission.

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4.2.2 The DI sought to ascertain from Lieutenant Commander (Ret'd) Paul Wright, Executive Director, Public Procurement Commission, the dates on which Elegant Weddings, Event Planning and Catering Limited submitted applications, to the National Contracts Commission (NCC)/ Public Procurement Commission (PPC) for the supply of Goods and Services, and the dates of approval by the NCC/PPC, during the period 2009 to present. In this regard, the table below represents the information which was provided by Lieutenant Commander (Ret'd) Paul Wright, in his statement dated September 30, 2021.

Table 1: Details Surrounding the Approval of Elegant Weddings, Event Planning and Catering Limited's Registration

Date on which Application received by the NCC	Date of Letter of Approval	Category(ies) of Approval
June 13, 2011	July 13, 2011	Catering and General Services (Specializing in rental of chairs and tables for events)
April 14, 2015	May 13, 2015	Catering and General Services (Specializing in event planning)
January 5, 2017	January 18, 2017 ⁶	Catering and General Services (Specializing in event planning)
June 6, 2018	August 29, 2018	No letter of Approval seen on Elegant Weddings, Event Planning and Catering Limited's file
July 17, 2020	July 31, 2020	Catering and Canteen Concessionaire ⁷

⁶ Unsigned Letter of Approval dated January 18, 2017.

⁷ Statement of Lieutenant Commander (Ret'd) Paul Wright, Executive Director, Public Procurement Commission dated September 30, 2021.

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4.2.3 The DI observed that an application form, 'For Registration as an Approved Supplier' dated October 10, 2016, under the signature of Mrs. Sylvia Ross-Clunie, Managing Director of the named Company, was submitted to the NCC for consideration.

4.2.4 The DI further noted that, during the period October 10, 2016 to November 21, 2016, there were several correspondence between the NCC and Elegant Weddings, Event Planning and Catering Limited, concerning the requirement of additional documents in support of the referenced application.⁸

4.2.5 An acknowledgement letter dated January 5, 2017, addressed to Elegant Weddings, Event Planning and Catering Limited, from the NCC, indicated, *inter alia*, that the application was received for inclusion on the National Contracts Commission Register of Suppliers of Goods and Services. The letter indicated a processing and assessment period of up to eight (8) weeks.⁹

⁸ Response dated July 10, 2018, from Ms. Fiona McLaren, former Director, Technical Services Division, the NCC Secretariat, the OCG. Item #1 – List of Additional Documents Required with the National Contracts Commission.

⁹Acknowledgement Letter dated January 5, 2017, for the supply of goods and services application from the Elegant Weddings, Event Planning and Catering Limited, which was submitted to the National Contracts Commission.



The Registration Process Utilized by the National Contracts Commission (NCC) in the Registration of Contractors

4.3.1 The following procedures were utilized by the NCC in the registration of Contractors, as a Supplier of Goods and Services:

- i. The application is received by the NCC;
- ii. The application is reviewed by a Technical or other assigned Officer;
- iii. If the required permits and documents are not submitted, the applicant *“is to be advised clearly”* of the required documents to complete the application, using a Returned Application Checklist. The application is returned to the applicant;
- iv. If the application has met all the requirements, a letter of acknowledgement is produced in duplicate. One is given to the Client and the other appended to the application received;
- v. Pre-assessment of the application must be completed by the Records Officer or Supervisor – Goods & Service or any other officer assigned by the TSD Manager/Director;
- vi. Subsequently, a detailed Assessment must be completed by the TSD Manager or Supervisor – Goods & Service;
- vii. If weaknesses¹⁰ are identified a draft email completed by the Pre-Assessment Officer should be reviewed, updated (if required) and

¹⁰ Weaknesses refer to the deficiencies in the application which could have resulted in an applicant not qualifying for registration. Transcript of Judicial Hearing involving Ms. Fiona McLaren dated July 6, 2018, page 16.



- completed for submission to the applicant. The email should be sent, printed and added to the file. The application should be placed on hold pending the submission of the required documents.
- viii. Conversely, if no weakness is identified or has been resolved through receipt of required documents, then an Evaluation Report “*should be*” prepared and the application submitted to the Commission at the next available NCC Meeting;
 - ix. The NCC reviews the application and makes a decision as to whether an approval of the recommendation should be granted;
 - x. Once approval is granted, it is entered on an internal spread sheet by the Goods and Services Manager as well as on the Contract Management System (CMS) by the Goods and Services Records Officer;
 - xi. Two (2) copies of the Letter of Approval for Registration as a Supplier of Goods and Services are generated by the CMS and the NCC stamp is affixed to the bottom right of the referenced Letters;
 - xii. The Letters of Approval are then signed by the Goods and Services Manager and the Director of Technical Services Division;
 - xiii. The Records Officer then affixes a seal to the referenced Letter which will be dispatched to the applicant; and
 - xiv. Finally, the Records Officer notifies the applicant, by way of an email and SMS message through the CMS, of the approval and that



the Letter of Approval for Registration as a Supplier of Goods and Services may be collected.¹¹

The Process Utilized by the National Contracts Commission in the Registration of Elegant Weddings, Event Planning and Catering Limited's Application

4.3.2 Following the review of the application which was submitted by Elegant Weddings, Event Planning and Catering Limited and received by the NCC on January 5, 2017, an email dated January 13, 2017, from Ms. Monique Phipps, Acting Records Officer was addressed to Mrs. Joeth Jones-Hall, specifying the outstanding documents required for the continued processing of the referenced application.

4.3.3 Having regard to the foregoing, by way of a Judicial Hearing convened on July 6, 2018, involving Ms. Fiona McLaren, Director, Technical Services Division, NCC Secretariat, the DI sought to ascertain whether the abovementioned email was in fact sent to Elegant Weddings, Event Planning and Catering Limited. In this regard, Ms. McLaren indicated, *inter alia*, that “*It was not dispatched to Mrs. Ross Clunie...*”¹²

4.3.4 Additionally, by way of statement dated December 1, 2020, Mrs. Joeth Jones-Hall also indicated, *inter alia*, that if an application was “*largely*

¹¹ National Contracts Commission Goods and General Services Procedures used in October 2016, documented in July 2018.

¹² Transcript of the Judicial Hearing convened on July 6, 2018, involving Ms. Fiona McLaren, Director, Technical Services Division, the NCC Secretariat of the Office of the Contractor General, page 95.



satisfactory", the Manager would submit the application to the NCC Meeting for the Commission's approval.¹³

4.3.5 By way of Minutes of the Meeting of the NCC dated January 18, 2017, the DI noted that the Commission approved the registration of Elegant Weddings, Event Planning and Catering Limited as a Supplier of Goods and Services, in the categories of Catering and General Services (specializing in event planning).¹⁴

4.3.6 Further, by way of response dated December 27, 2020, Lieutenant Commander (Retired) Paul Wright, Executive Director, Public Procurement Commission, submitted the NCC's Evaluation Summary Sheet dated January 18, 2017, for Elegant Weddings, Event Planning and Catering Limited. The Evaluation Summary detailed, *inter alia*, that "*Elegant Weddings, Event Planning and Catering Limited is an established company that has been registering with the NCC since 2011. The owner/manager has experience in event planning. Approval is being sought pending the receipt of copies of qualification documents. All other required documents were submitted.*"¹⁵

¹³ Statement dated December 1, 2020, from Mrs. Joeth Jones-Hall, former Manager – Goods and Services, Technical Services Division, the NCC Secretariat of the Office of the Contractor General.

¹⁴ Minutes of Meeting of the NCC dated January 18, 2017.

¹⁵ Evaluation Summary Sheet, dated January 18, 2017, for the Elegant Weddings, Event Planning and Catering Limited.



4.3.7 In conjunction with the referenced Evaluation Summary Sheet, by way of statement dated December 14, 2020, Ms. Fiona McLaren, former Director of Technical Services Division, the NCC Secretariat, stated, *inter alia*, that “...NCC approved the application for the *Elegant Weddings, Event Planning and Catering Limited* pending the receipt of academic certificates for the category of *General Services, specializing in event planning...*”¹⁶

4.3.8 Further, Mr. Raymond McIntyre, Chairman, Public Procurement Commission, by way of his statement dated October 11, 2021, confirmed, *inter alia*, that “*The Board of Commissioners approved Elegant Weddings, Event Planning and Catering Limited's referenced application...*” on January 18, 2017, in the categories of Catering and General Services (specializing in event planning), however, Mr. McIntyre indicated that he was advised by the NCC Secretariat that the referenced approval letter was not dispatched to the referenced Company pending the receipt of outstanding documentation.¹⁷

4.3.9 Notwithstanding the foregoing, Mr. McIntyre also indicated, “*The Board of Commissioners did not grant a conditional approval to Elegant Weddings, Event Planning and Catering Limited...The process of granting a*

¹⁶ Statement dated December 14, 2020, from Ms. Fiona McLaren, former Director, Technical Services Department, the NCC Secretariat.

¹⁷ Statement of Mr. Raymond McIntyre, Chairman, Public Procurement Commission, dated October 11, 2021.



conditional approval was not frequently utilized by the Board of Commissioners during the period 2009-2021.”¹⁸

4.3.10 The DI is in possession of a document entitled ‘National Contracts Commission Register of Public Sector Contractors, Supplier of Goods and Services, Recommendation for Registration, January 18, 2017’, which confirmed the approval of Elegant Weddings, Event Planning and Catering Limited. In this regard, Mrs. Joeth Jones-Hall indicated that, *“When I come back from the meeting, using the summary sheet, I would update the spreadsheet and indicate what was approved or not approved. The summary sheet reflected that Elegant Weddings, Event Planning and Catering Limited was approved, however it was not a requirement for any remarks concerning the conditional approval to be documented on the sheet.”¹⁹*

4.3.11 The DI also sought to ascertain the name of the officer who approved Elegant Weddings, Event Planning and Catering Limited on the NCC’s Contract Management System. In this regard, the DI was advised by way of response dated October 30, 2018, from Mr. Nicholas Gibson, former Supervisor - Goods and Services, Technical Services Division, the NCC Secretariat, that, *inter alia*, *“The application was approved on the CMS by Monique Phipps...”*

¹⁸ Statement of Mr. Raymond McIntyre, Chairman, Public Procurement Commission, dated October 11, 2021.

¹⁹ Statement dated December 1, 2020 from Mrs. Joeth Jones-Hall, former Manager – Goods and Services, Technical Services Division, the NCC Secretariat of the OCG.



4.3.12 In support of the assertion made by Mr. Gibson, a copy of the Contract Management System Transactional Sheet was reviewed which detailed that the system was updated to reflect that Elegant Weddings, Event Planning and Catering Limited was an Approved Supplier. The system record further indicated that this action was completed by Ms. Monique Phipps, former Acting Records Officer, the NCC Secretariat on January 18, 2017.

4.3.13 By way of a Judicial Hearing convened on July 6, 2018, Mrs. Joeth Jones-Hall indicated that subsequent to the approval granted to Elegant Weddings, Event Planning and Catering Limited, the approval letters were prepared in duplicate. Mrs. Jones-Hall further advised in the mentioned Judicial Hearing proceedings that the referenced approval letters were generated by Ms. Monique Phipps.²⁰

4.3.14 Consequently, the CMS detailed that an email was sent on January 24, 2017, to Elegant Weddings, Event Planning and Catering Limited, advising of the approved application and that the Letter of Approval for Registration as a Supplier of Goods and Services may be collected. The CMS indicated that this action was also completed by Ms. Phipps.

4.3.15 Of note, Lieutenant Commander (Ret'd) Paul Wright , Executive Director, Public Procurement Commission (PPC) in his statement dated December 27, 2020, advised, *inter alia*, that the referenced Commission continues to

²⁰ Transcript of Judicial Hearing convened on July 6, 2018, involving Mrs. Joeth Jones-Hall, former Manager – Goods and Services, Technical Services Division, the NCC Secretariat, page 189.
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utilize the Procedural Manual which was employed by the NCC but have made several approved amendments.²¹

The Role of the National Contracts Commission in relation to 'Conditional Approval' and its impact on the Registration Process of Elegant Weddings, Event Planning and Catering Limited

4.3.16 The DI reiterates that the application for Elegant Weddings, Event Planning and Catering Limited was approved on January 18, 2017, pending the receipt of copies of certain qualification documents, as was indicated on the Evaluation Summary Sheet, which was reviewed by the NCC.²²

4.3.17 With regard to the foregoing, by way of a Judicial Hearing convened on July 6, 2018, involving Ms. Fiona McLaren, former Director of Technical Services Division, the NCC Secretariat, Ms. McLaren indicated that in addition to the approval or non-approval status of an application, the NCC also approved applications pending the submission of documents²³; hereinafter referred to as 'Conditional Approval'.

4.3.18 Ms. McLaren further advised that as it relates to 'Conditional Approvals', the process which obtained was that the Letters of Approval for

²¹ Statement of Lieutenant Commander (Ret'd) Paul Wright, Executive Director, Public Procurement Commission dated December 27, 2020.

²² Evaluation Summary Sheet dated January 18, 2017, concerning Elegant Weddings, Event Planning and Catering Limited.

²³ Transcript of the Judicial Hearing convened on July 6, 2018 involving Ms. Fiona McLaren, Director, Technical Services Division, the NCC Secretariat, pages 54-55.



Registration as a Supplier of Goods and Services were generated, but remained unsigned until the outstanding documents were acquired by the NCC.²⁴

4.3.19 Ms. McLaren, in her statement dated December 14, 2020, advised that she did not sign the letters of approval for Elegant Weddings, Event Planning and Catering Limited as there were outstanding documents.²⁵

4.3.20 With regard to the outstanding documents required for submission by Elegant Weddings, Event Planning and Catering Limited, prior to the issuance of the abovementioned letter, by way of statement dated December 1, 2020, Mrs. Joeth Jones-Hall, former Manager – Goods and Services, Technical Services Division, the NCC Secretariat, indicated that there was no written communication provided to the referenced Company. Mrs. Jones-Hall further advised, *inter alia*, that she contacted Mrs. Ross-Clunie via telephone to advise her of the outstanding documents.²⁶

4.3.21 Notwithstanding the foregoing assertion made by Mrs. Joeth Jones-Hall regarding a telephone conversation, Mrs. Sylvia Ross-Clunie, by way of a further Statement dated January 5, 2022, advised, *inter alia*, that “...upon submission of my application to the National Contracts Commission (NCC)

²⁴ Ibid. Page 55.

²⁵ Statement dated December 14, 2020 from Ms. Fiona McLaren, Technical Services Division, the NCC Secretariat.

²⁶ Statement dated December 1, 2020 from Mrs. Joeth Jones-Hall, former Manager – Goods and Services, Technical Services Division, the NCC Secretariat.



in 2016, I did not receive any calls concerning outstanding documents for the completion of the application. The only call that I recall receiving after the submission of my application was a call in January 2017...indicating that my letter of approval was ready for pick-up.”²⁷

4.3.22 Additionally, Mrs. Jones-Hall stated, *inter alia*, that as a result of the non-submission of the outstanding documents by Elegant Weddings, Event Planning and Catering Limited, she placed the two (2) copies of the Letters of Approval for Registration as a Supplier of Goods and Services, in the Applicant's file, which was located in a cabinet, in her office, in an attempt to avoid the “*letter being mixed up.*”²⁸

4.3.23 Notwithstanding the foregoing, by way of statement dated December 1, 2020, Mrs. Joeth Jones-Hall indicated, *inter alia*, “...I noticed that one of the letters of approval was missing from the file in my cabinet.”²⁹

4.3.24 The DI sought to ascertain from Mrs. Joeth Jones-Hall, whether any other officer(s) had access to the cabinet and the name(s) of the said officer(s). In this regard, and by way of her statement dated December 1, 2020, Mrs. Joeth Jones-Hall indicated, *inter alia*, that “...everyone in the department had access to the cabinet. The Team was aware that documents were

²⁷ Statement dated January 5, 2022, from Mrs. Sylvia Ross-Clunie, Managing Director, Elegant Weddings, Event Planning and Catering Limited.

²⁸ Ibid.

²⁹ Statement dated December 1, 2020 from Mrs. Joeth Jones-Hall, former Manager – Goods and Services, Technical Services, the NCC Secretariat.



outstanding from Elegant Weddings Event Planning and Catering Limited and they would have known where the letter would be.”³⁰

The Circumstances Surrounding the Alleged Issuance and Legitimacy of a Letter of Approval for Registration as a Supplier of Goods and Services to Elegant Weddings, Event Planning and Catering Limited

4.4 Having regard to the captioned matter, the DI reviewed the content of the Minutes of a National Contracts Commission (NCC) Meeting, dated February 21, 2018, in which it was recorded that the NCC considered the South East Regional Health Authority's (SERHA) use of Emergency Contracting procurement methodology in the award of contract to Elegant Weddings, Event Planning and Catering Limited for the provision of Dietary Services for the Kingston Public Hospital.³¹

4.4.1 The referenced Minutes also indicated, *inter alia*, that the Letter of Approval for Registration as a Supplier of Goods and Services provided by Elegant Weddings, Event Planning and Catering Limited to SERHA, was not appropriately authenticated.³²

4.4.2 Having regard to the Transactional Sheet prepared by the Contract Management System, referred to earlier in this report, and the observation of the NCC that the letter submitted to SERHA by Elegant Weddings, Event

³⁰ Ibid.

³¹ Minutes of the National Contracts Commission Meeting dated February 21, 2018.

³² Ibid.



Planning and Catering Limited was not appropriately authenticated, the DI sought to ascertain whether a Letter of Approval for Registration as a Supplier of Goods and Services was issued in 2017, by the NCC, to Elegant Weddings, Event Planning and Catering Limited.

4.4.3 With regard to the issuance of a Letter of Approval for Registration as a Supplier of Goods and Services, Mrs. Joeth Jones-Hall, former Manager – Goods and Services, Technical Services Division, the NCC Secretariat, indicated, *inter alia*, that “*the person did pick up a letter of approval...by person, I mean, Mrs. Clunie...*”³³

4.4.4 Mrs. Sylvia Ross-Clunie, Managing Director, Elegant Weddings, Event Planning and Catering Limited, corroborated by way of statement dated January 18, 2021, *inter alia*, that in January 2017, she received a call from the office of the NCC advising that the Letter of Approval for Registration as a Supplier of Goods and Services was “*ready for pick-up.*”

4.4.5 Mrs. Ross-Clunie further advised, *inter alia*, that upon collection of the Letter of Approval, she “*signed a book for the letter.*”³⁴

4.4.6 In support of the foregoing assertions made by Mrs. Ross-Clunie, Lieutenant Commander (Ret'd) Paul Wright, by way of Exhibit marked 'PW18', indicated that “*...a letter was written [up] in the book on January*

³³ Statement dated December 1, 2020, from Mrs. Joeth Jones-Hall, former Manager – Goods and Services, Technical Services, the NCC Secretariat.

³⁴ Statement dated January 18, 2021 from Mrs. Sylvia Ross-Clunie, Managing Director, Elegant Weddings, Event Planning and Catering Limited.



24, 2017 and collected by Sylvia Clunie on February 10, 2017", with what appears to be the signature of Mrs. Ross-Clunie.³⁵

4.4.7 Additionally, the DI sought to ascertain the name of the officer who had responsibility for the issuance of the Letters of Approval on behalf of the NCC. By way of statement dated December 1, 2020, Mrs. Joeth Jones-Hall indicated, *inter alia*, that the Records Officer was responsible for logging the Letters of Approval for Registration as a Supplier of Goods and Services into the Contractor's Log Book and making the Letters of Approval available for the Suppliers.³⁶

4.4.8 In relation to the foregoing, Ms. Fiona McLaren, by way of a Judicial Hearing convened on July 6, 2018, indicated, *inter alia*, that at the material time, there was only one (1) Records Officer post in the Goods and Services department and Ms. Monique Phipps was acting in the post, as the appointed Records Officer went on leave in December.³⁷

4.4.9 Additionally, by way of a Judicial Hearing convened on July 6, 2018, Mrs. Jones-Hall indicated, *inter alia*, that Ms. Monique Phipps, former Acting Records Officer, the NCC Secretariat of the OCG, was within the first month of her employment in the mentioned post.³⁸

³⁵ Statement dated September 30, 2021, from Lieutenant Commander (Ret'd) Paul Wright, Executive Director, Public Procurement Commission.

³⁶ Statement dated December 1, 2020, from Mrs. Joeth Jones-Hall, former Manager – Goods and Services, Technical Services, the NCC Secretariat.

³⁷ Transcript of the Judicial Hearing convened on July 6, 2018 involving Ms. Fiona McLaren, Director, Technical Services Division, the NCC Secretariat, page 41.

³⁸ Judicial Hearing convened on July 6, 2018, involving Mrs. Joeth Jones-Hall, former Manager – Goods and Services, Technical Services, the NCC Secretariat, page 204.



4.4.10 Notwithstanding the fact that the referenced Letter was collected by Mrs. Ross-Clunie, by way of statement dated December 1, 2020, Mrs. Jones-Hall indicated, *inter alia*, that she was uncertain of the circumstances which resulted in the dispatch of the Letter of Approval for Registration as a Supplier of Goods and Services to the Elegant Weddings, Event Planning and Catering Limited.³⁹

4.4.11 Mrs. Jones-Hall further indicated, *inter alia*, that subsequent to the NCC Meeting, concerning the review of the submission made by South East Regional Health Authority (SERHA), she reviewed the referenced Letter which was enclosed in SERHA's submission and observed that the Letter was not properly endorsed. Mrs. Jones-Hall further advised that only one unsigned copy of the referenced Letter for Elegant Weddings, Event Planning and Catering Limited was on the file, which was located in her Cabinet.⁴⁰

4.4.12 Having regard to the foregoing, it is instructive to note that the Letter of Approval for Registration as Supplier of Goods and Services, dispatched by the National Contracts Commission (NCC), contained several authentication characteristics. These characteristics included: (a) the NCC stamp including the date of the NCC Meeting in which the application was approved; (b) the signatures of the authorized officers; and (c) the embossed seal.

³⁹ Ibid.

⁴⁰ Ibid.



4.4.13 With regard to the authorized signatories for the referenced Letters of Approval issued by the NCC, Ms. Fiona McLaren, by way of statement dated December 14, 2020, indicated that the Goods and Services Manager signed within the NCC stamp which is affixed to the bottom right of the Letter of Approval for Registration as a Supplier of Goods and Services. In the Manager's absence, the Goods and Services Supervisor may also sign. Upon obtaining the Manager's signature, the Director of Technical Services Division then signs on the left side of the Letter, on behalf of the NCC, and in the absence of the Director, the Technical Services Manager - Works, may also sign.⁴¹

4.4.14 Further, Ms. Fiona McLaren indicated that no other individual outside of the aforementioned officers, were authorized to sign the Letter of Approval.⁴²

4.4.15 As it relates to determining the legitimacy of the referenced Letter, attempts were made by the DI, without success, to obtain the original Letter from Mrs. Sylvia Ross-Clunie.

4.4.16 Of note, the DI is in possession of a letter dated April 13, 2018, which was addressed to the Chairman of the NCC from Mrs. Ross-Clunie, in which,

⁴¹Statement dated December 14, 2020, and Transcript of Judicial Hearing convened on July 6, 2018, involving Mrs. Fiona McLaren, Director, Technical Services Division, the NCC Secretariat, pages 22-23.

⁴² Transcript of the Judicial Hearing convened on July 6, 2018 involving Ms. Fiona McLaren, Director, Technical Services Division, the NCC Secretariat, page 24.



she indicated that the original Letter of Approval was submitted to the NCC under cover letter dated April 13, 2018.⁴³

4.4.17 In relation to Mrs. Ross-Clunie's representation that the original Letter of Approval was submitted to the NCC, Mrs. Joeth Jones-Hall contended that the letter which was received by the NCC from Mrs. Ross-Clunie was a Letter of Approval dated May 13, 2015, with an expiration date of November 12, 2016, and not that of January 18, 2017, which is material to this investigation.⁴⁴

4.4.18 Additionally, during a Judicial Hearing convened on July 6, 2018, Ms. Fiona McLaren confirmed the abovementioned representation made by Mrs. Joeth Jones-Hall regarding the May 13, 2015 letter which was received by the NCC from Mrs. Ross-Clunie.⁴⁵

4.4.19 Instructively, the only copy of the Letter that is in the possession of the DI is that which was received from the NCC and which has formed a part of the submission from the South Eastern Regional Health Authority (SERHA).

4.4.20 The DI sought to ascertain from Mrs. Sylvia Ross-Clunie whether the Letter in the DI's possession, was a copy of the Letter she received from the

⁴³Letter dated April 13, 2018, addressed to the Chairman of the NCC from Mrs. Ross-Clunie.

⁴⁴ Report dated April 13, 2018 which was prepared by Mrs. Joeth Jones-Hall, former Manager – Goods and Services, Technical Services Division.

⁴⁵ Transcript of the Judicial Hearing convened on July 6, 2018 involving Ms. Fiona McLaren, Director, Technical Services Division, the NCC Secretariat, pages 134-135.



4.4.21 NCC in 2017. A copy of the Letter was shown to Mrs. Clunie and she confirmed, by way of a Statement dated January 18, 2021, that it was the Letter of Approval for Registration as a Supplier of Goods and Services which she received from the NCC.

4.4.22 The Letter shown to Mrs. Ross-Clunie bore evidence of the NCC stamp on the bottom right corner inclusive of the date of January 18, 2017 and a signature affixed on behalf of the National Contracts Commission. It is instructive to note that the Letter bore no other signature nor evidence of the embossed seal.

4.4.23 Based upon the statements provided by Mrs. Joeth Jones-Hall and Ms. Fiona McLaren, and the transcript of the Judicial Hearing convened on October 23, 2018 involving Mr. Nicholas Gibson, the signature affixed to the abovementioned Letter was unfamiliar and bore no resemblance to the signature of any of the officers who were authorized to sign the Letters of Approval for Registration as Suppliers of Goods and Services.⁴⁶

4.4.24 Further, a signature specimen was requested by the DI from the officers who were authorized to sign Letters of Approval for Registration as a Supplier of Goods and Services. Upon review, it was the DI's observation that the signature affixed to the Letter of Approval dated January 18,

⁴⁶ Statements of Mrs. Joeth Jones-Hall, former Manager – Goods and Services, Technical Services Division and Ms. Fiona McLaren, former Director, Technical Services Division, the NCC Secretariat, dated December 1, 2020 and December 14, 2020 respectively. Transcript of Judicial Hearing convened on October 23, 2018 involving Mr. Nicholas Gibson, former Supervisor – Goods and Services, Technical Services Division, NCC Secretariat, pages 8-9.



2017, did not resemble any of the signatures of the then authorized officers.

The Circumstances Surrounding the Alleged Removal of Elegant Weddings, Event Planning and Catering Limited on NCC's List of Registered Contractors

4.5 Having regard to the matter at caption, the DI reviewed a letter from Mrs. Sylvia Ross-Clunie, which was addressed to the National Contracts Commission (NCC) and which alleged, *inter alia*, that Elegant Weddings, Event Planning and Catering Limited was removed from the list of Approved Contractors in 2018.⁴⁷

4.5.1 In the foregoing regard, Ms. Fiona McLaren, former Director of Technical Services Division, the NCC Secretariat, by way of her statement dated December 14, 2020, advised, *inter alia*, that Elegant Weddings, Event Planning and Catering Limited was removed from the list of registered Contractors as they were added to the list in error.⁴⁸

4.5.2 Ms. McLaren also advised, by way of her referenced Statement, *inter alia*, that Mrs. Joeth Jones-Hall and Mr. Nicholas Gibson were the officers responsible for adding and removing Contractors from the list of registered Contractors. Further and importantly, "...Mrs. Jones-Hall was

⁴⁷ Letter dated April 13, 2018 from Mrs. Sylvia Ross-Clunie and addressed to the National Contracts Commission.

⁴⁸ Statement of Ms. Fiona McLaren, former Director of Technical Services Division, the NCC Secretariat dated December 1, 2020.



advised by the NCC to remove [Elegant Weddings, Event Planning and Catering Limited] from the list of registered contractors.”⁴⁹

4.5.3 Mrs. Joeth Jones-Hall, by way of a Judicial Hearing convened on July 6, 2018, advised the DI, *inter alia*, that she was instructed by the NCC to remove Elegant Weddings, Event Planning and Catering Limited from the NCC’s list of registered Contractors.⁵⁰

4.5.4 In relation to whether the NCC advised Elegant Weddings, Event Planning and Catering Limited of the NCC’s decision and subsequent removal of the referenced Company from the list of registered Contractors, Mrs. Jones-Hall indicated that no communication was provided to the Company. Mrs. Jones-Hall further indicated, *inter alia*, that the Company “...should not have been there in the first place. So, taking her off it would be considered correcting an error.”⁵¹

⁴⁹ Ibid.

⁵⁰ Transcript from the Judicial Hearing convened on July 6, 2018 involving Mrs. Joeth Jones-Hall, former Manager – Goods and Services, Technical Services Division, the NCC Secretariat, pages 221-222.

⁵¹ Transcript from the Judicial Hearing convened on July 6, 2018 involving Mrs. Joeth Jones-Hall, former Manager – Goods and Services, Technical Services Division, the NCC Secretariat, page 222.



Chapter 4 – Conclusion

- 5.0 This chapter outlines the conclusions reached by the Director of Investigation.
- 5.1 Based upon a review of the documents and responses that were acquired from inter alia the National Contracts Commission (NCC), Elegant Weddings, Event Planning and Catering Limited as well as the Public Procurement Commission (PPC), the DI has arrived at the following Conclusions:
- 5.1.1 The DI concludes that the NCC received an application on January 5, 2017, from Elegant Weddings, Event Planning and Catering Limited, for Registration as a Supplier of Goods and Services in the categories of Catering and General Services (specializing in Event Planning).
- 5.1.2 Notwithstanding Mr. Raymond McIntyre's assertions, that the Board of Commissioners of the NCC did not grant a 'conditional approval' to Elegant Weddings, Event Planning and Catering Limited, the DI concludes that the Board of Commissioners approved the referenced Company as a Supplier of Goods and Services in the categories of Catering and General Services (specializing in Event Planning) on January 18, 2017, pending the receipt of the outstanding documents.



- 5.1.3 Based upon the Statements of Ms. Fiona McLaren and Mrs. Joeth Jones-Hall, the DI concludes that a Letter of Approval was not properly issued to Elegant Weddings, Event Planning and Catering Limited for the period of January 18, 2017 to July 17, 2018. The DI further concludes that though the letter was dispatched, there is no evidence to indicate that the signature observed on the copy of the Letter of Approval was that of any of the authorized signatories. Notwithstanding, the DI is unable to determine the author and origin of the signature affixed to the referenced letter.
- 5.1.4 In relation to the officers who were instrumental in the issuance of the Letter of Approval to Elegant Weddings, Event Planning and Catering Limited, the evidence revealed that a Letter of Approval was dispatched by the Records Officer to Elegant Weddings, Event Planning and Catering Limited on February 10, 2017. Notwithstanding, the DI concludes that the 'conditional approval' granted by the Board of Commissioners of the NCC and the failure of the NCC to develop and/or enforce procedures to govern the treatment of applications and assessed documents which have been 'conditionally approved', led to the erroneous or irregular dispatch of the referenced letter.
- 5.1.5 The DI concludes that the NCC failed to comply, in several instances, with its own internal procedures contained in the Goods and General Services Procedures (July 2018). In particular:



- i. The DI has seen no evidence that an email was sent to the applicant outlining the weakness identified in the application, in keeping with provision 6(vi) of the procedural guidelines;
- ii. There is no evidence that the application and/or file was placed on hold, in keeping with provision 6(viii) of the referenced guidelines;
- iii. The application/file was submitted to the NCC Board for consideration notwithstanding the fact that the application was incomplete and documents remained outstanding, in breach of provision 6(ix) of the referenced guidelines; and
- iv. The introduction of a 'conditional approval' contrary to provision 9 (vii) of the mentioned procedural guidelines.

5.1.6 The DI concludes that the circumstances surrounding the grant of 'conditional approval' of the application submitted by Elegant Weddings, Event Planning and Catering Limited was irregular, highly subjective and lacked transparency. The DI's conclusion is buttressed by the fact that the NCC's internal procedural guidelines neither recognized the process utilized in the grant of 'conditional approvals' nor were any records made as to how the 'conditional approval' was granted in this instance.

Further, the apparent introduction of this 'conditional approval' has the potential to undermine the integrity of the Contractor Registration process thus rendering it susceptible to the perception of bias, arbitrary decision making and corruption.



- 5.1.7 The DI concludes that the process which resulted in the dispatch of a Letter of Approval to Elegant Weddings, Event Planning and Catering Limited, lacked transparency given that the book used to record the collection of letters by Contractors provided no record of the name of the issuing officer or the particulars of the correspondence being dispatched.
- 5.1.8 The DI concludes that the process which resulted in the removal of Elegant Weddings, Event Planning and Catering Limited from the list of Registered Contractors, lacked transparency. Additionally, the removal of the referenced company was unfair and offensive to the principle of Natural Justice. The DI's conclusion is premised upon the rationale advanced by the NCC in the removal of Elegant Weddings, Event Planning and Catering Limited from its list of Approved Contractors. The NCC removed the referenced company in an effort to correct its own errors due to what appears to be a cavalier approach to the registration process. Further to the removal of the Elegant Weddings, Event Planning and Catering Limited from the list of Approved Contractors, no communication was made with the company advising of neither the error made in the addition of the said company to the list of Approved Contractors nor the removal of the Company from the referenced list.
- 5.1.9 The DI concludes that the Board of the NCC, in granting its 'conditional approval', failed to take reasonable care to ensure that the relevant requirements for the grant of approval were met, prior to the issuance of the Letter of Approval.



Chapter 5 – Recommendations

6.0 This chapter outlines the recommendations and anti-corruption initiatives identified by the Director of Investigation.

Recommendations to the Public Procurement Commission

6.1 The DI recommends that the Public Procurement Commission excise from its practices, if it has not already done so, the granting of 'conditional approval', in the absence of established guidelines detailing the circumstances that would warrant such a grant and the process governing same.

6.2 The DI recommends that the Public Procurement Commission amends the Letters of Approvals and/or Certificates that are issued to Contractors, to include security features to guard against the occurrence of fraud and corruption. Further, it is recommended that the PPC develops, implements and enforces enhanced security protocols regarding access to Letters of Approval, Certificates and other official documents prepared by the PPC. The DI's recommendation is buttressed by the erroneous, if irregular issuance of the Letter of Approval to the Elegant Weddings, Event Planning and Catering Limited pending the receipt of the outstanding documents.

6.3 The DI recommends that, upon the issuance of Letters of Approval and/or Certificates to Suppliers/Contractors, details of the correspondence



inclusive of certificate number and/or any other distinguishing notation be recorded, as well as the full name of the issuing officer. The DI's recommendation is based upon the fact that the book which was used by the NCC to record the collection of letters by Contractors, provided no information regarding neither the name of issuing officer nor the particulars of the correspondence being dispatched.

- 6.4 Having regard to the DI's finding concerning the PPC's continued use of the Goods and General Services Procedural Manual, it is recommended that a comprehensive review of the document be undertaken with a view to ensuring that the procedures are fit for purpose; once completed, it is recommended that strict compliance with the provisions be observed. Further, and in instances where there are deviations from the referenced manual, it is recommended that a record of same be kept inclusive of any justification for same. The DI's recommendation is premised upon the NCC's utilization of a 'conditional approval' process in the case of Elegant Weddings, Event Planning and Catering Limited, which was not a process documented in the Procedural Manual and which led to the issuance of the Letter of Approval to the referenced company.
- 6.5 The DI recommends that in circumstances where a Contractor is removed from the PPC's list of Approved Contractors, the necessary steps should be taken, to immediately notify the Contractor of the PPC's decision. The DI's recommendation is based upon the NCC's decision to remove Elegant Weddings, Event Planning and Catering Limited from its list of Approved Contractors, without advising the referenced company.



6.6 The DI further recommends that the PPC takes conciliatory actions in respect of the removal of Elegant Weddings, Event Planning and Catering Limited from its list of Approved Contractors in the manner it was done in 2018. The DI's recommendation is premised upon the following:

- i. Elegant Weddings, Event Planning and Catering Limited was issued a letter of approval, by the NCC, as a Registered Contractor in January 2017;
- ii. Elegant Weddings, Event Planning and Catering Limited was not advised, in accordance with the NCC's Internal Procedural Manual, of the outstanding documents necessary for the completion of the application;
- iii. Elegant Weddings, Event Planning and Catering Limited was not advised of its removal from the NCC's list of Approved Contractors; and
- iv. The error touching and concerning the addition of Elegant Weddings, Event Planning and Catering Limited, to the NCC's list of Approved Contractors, pending the submission of the outstanding documents, resulted from internal deficiencies and not any act/omission on the part of the referenced Company.

Kevon A. Stephenson, J.P
Director of Investigation

March 22, 2022.

INTEGRITY COMMISSION Report of Investigation concerning Allegations of Fraud and the Registration and Issuance of a Notification of an "Approved Supplier of Goods and Services to the Government of Jamaica" Letter to Elegant Weddings, Event Planning and Catering Limited.



Appendix

Section 33(1)(a) and (b) of the ICA states, *inter alia*, that:

“The Director of Investigation shall—

(a) without prejudice to the provisions of any other enactment, and subject to any general or specific direction of the Commission, investigate, in the manner specified by or under this Act, any allegation that involves or may involve an act of corruption or any allegation relating to non-compliance with the provisions of this Act, on the basis of any complaint, information or notification referred to him by the decision of the Commission or by the Director of Information and complaints;

(b) subject to section 52(2), monitor and where necessary, investigate, in the manner specified by or under this Act, the award, implementation or termination of any government contract, and the grant, issue, variation, suspension or revocation of any prescribed licence, with a view to ensuring that—

(i) in the case of a government contract, it is awarded impartially, on merit and in a financially prudent



manner and in circumstances which do not involve impropriety, breach of any applicable law relating to procurement or other irregularity, and that the implementation or termination of the contract conforms to the terms thereof, without prejudice to the functions of any public body in relation to the contract; and

...”

Further, Section 52 (1)(a) of the Integrity Commission Act expressively states as follows:

“...the Director of Investigation may recover in relation to government contracts and prescribed licences, conduct an investigation into any or all of the following matters –

(a) in relation to government contracts –

(i) the registration of contractors;

...”