



Report of Investigation

Concerning Allegations of Conflict of Interest and Breaches of Government of Jamaica Staff Orders and/or germane policies at the Bureau of Standards Jamaica

INTEGRITY COMMISSION
January 2023



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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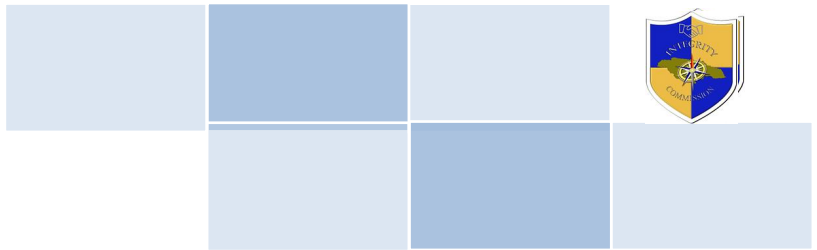


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Chapter 1 – Introduction

Executive Summary

- 1.1 This investigation report concerns an allegation of conflict of interest and breaches of Government of Jamaica (GoJ) Staff Orders for the Public Service at the Bureau of Standards Jamaica (BSJ).

- 1.2 The Report confirms that Mr. Greg Douglas, Manager, Technology Projects, BSJ maintained an undisclosed interest in four (4) private companies which operated and/or sought to operate within the local cannabis industry while employed at the BSJ, in breach of the entity's Conditions of Service. The investigation revealed that Mr. Douglas' undisclosed private interests and concurrent employment at the BSJ amounted to a potential conflict of interest. Recommendations were made to public servants, Heads of Entity and other Accountable Officers regarding the implementation and enforcement of policies regarding the identification, treatment and management of conflicts of interest within the public sector.



Chapter 2 – Background

2.1 This chapter sets out the background information concerning the investigation.

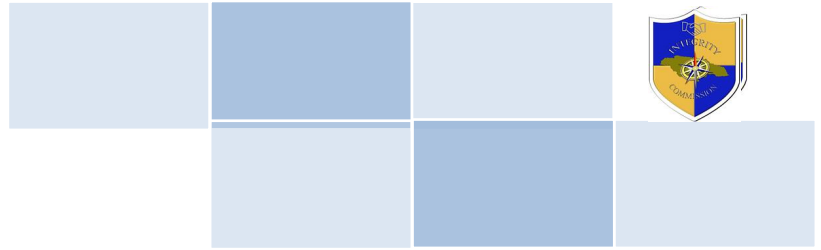
Jurisdiction

2.1.2 The investigation was conducted pursuant to Section 33(1)(a) and (b) of the Integrity Commission Act (ICA), which enabled the Director of Investigation (DI) to investigate the instant matter. The referenced provision is outlined in greater detail in **Appendix 1**, attached hereto.

Allegations

2.1.2 The following allegations were received by the DI under cover of letter dated June 2, 2022 and prompted the initiation of an investigation on June 10, 2022:

- a) That Mr. Greg Douglas, Manager of Technology Projects, Bureau of Standards (BSJ) is the principal of a private entity known as Wedione Limited, operating in the local cannabis industry;
- b) That Mr. Greg Douglas is also an Executive Member of the Cannabis Technical Committee at the Bureau of Standards Jamaica, which is responsible for collating, evaluating and implementing cannabis related standards with respect to testing, packaging, the seed bank etc.;



- c) That Mr. Greg Douglas has not made a declaration of his interest and affiliation in Wedione Limited to the Bureau of Standards Jamaica, as required under Clause 16 of his employment contract.

Individuals Pertinent to the Investigation

2.1.3 The following individuals were considered pertinent to the investigation:

- a) Dr. Velton Gooden, Executive Director, BSJ;
- b) Mrs. Shanile Taylor, Manager, Human Resource Management Development, BSJ; and
- c) Mr. Greg Douglas, Manager, Technology Projects BSJ.



Chapter 3 – Terms of Reference

- 3.1 This chapter outlines the scope of the investigation and the issues that were explored.
- 3.2 The objectives of the investigation were to determine, *inter alia*, as follows:
- (a) The nature and extent of Mr. Greg Douglas' affiliation, if any, with the the Bureau of Standards Jamaica and/or the Cannabis Technical Committee.
 - (b) The veracity of the allegation that Mr. Greg Douglas is the principal of a private entity known as Wedione Limited, and/or any other private entity operating within the local cannabis industry.
 - (c) Whether conflict of interest declarations were made by Mr. Greg Douglas to the Bureau of Standards Jamaica, regarding an interest in and/or affiliation with Wedione Limited or any other entity operating within the local cannabis industry.
 - (d) Whether Mr. Greg Douglas' alleged membership of the BSJ's Cannabis Technical Committee and concurrent alleged interest in the entity known as Wedione Limited, amounted to a breach of any relevant Government of Jamaica policies, regulations and/or legislation.



Chapter 4 – The Investigation

4.1 This chapter sets out the investigative actions that were undertaken throughout the course of the investigation. The following actions were taken pursuant to the investigation:

- a) Between June 2022 and July 2022, documentation concerning the nature of Mr. Greg Douglas' affiliation and/or interest in private entities operating within the local cannabis industry was reviewed.
- b) On July 8, 2022, two (2) Notices were served on individuals deemed to be pertinent to the investigation, for the provision of written statements.
- c) Between July 2022 and September 2022 documentation concerning the nature of Mr. Greg Douglas' professional affiliation with the Bureau of Standards Jamaica and the Cannabis Licensing Authority was reviewed.
- d) Between August 2022 and November 2022, a review of the Standards Act and associated Regulations and the Government of Jamaica Staff Orders for the Public Service was undertaken.
- e) On December 7, 2022, one (1) Witness Statement was obtained.



Chapter 5 – Law, Evidence and Discussion of Findings

5.1 The chapter sets out the relevant laws, inclusive of rules, regulations and other policy directives in respect of the investigation, the evidence gathered and the discussion of the findings.

The Background of the Bureau of Standards Jamaica (BSJ) and Technical Committees

2.1.1 The Bureau of Standards of Jamaica (BSJ) is a statutory body established by The Standards Act of 1969 to promote and encourage standardization in relation to commodities, processes and practices. The Bureau's main activities include; facilitating the development of standards and other requirements to which particular commodities, services, practices and processes must comply; conducting tests and calibrating instruments; certifying products and management systems; providing industrial training and promoting research and education in standardization.¹

2.1.2 The Bureau's portfolio also includes ensuring compliance with the Processed Food Act (1959) and the Weights and Measures Act (1876).²

2.1.3 In facilitating the development of standards, the Bureau convenes Technical Committees comprised of industry experts, government representatives, members of academia, manufacturers, regulators,

¹Retrieved from <https://www.bsj.org.jm/about/about-bsj>. Accessed on December 19, 2022.

² Ibid.



consumer groups and any other stakeholders who have an interest in the subject of the standard. Technical Committees are responsible for the development of standards and drive all aspects of the process, including deciding on new standards, revising outdated standards or defining the technical content of standards.³

2.1.4 Technical Committees are led by an Executive Team, chosen from among its members, comprising a Chairperson, Vice Chairperson and Technical Secretary.

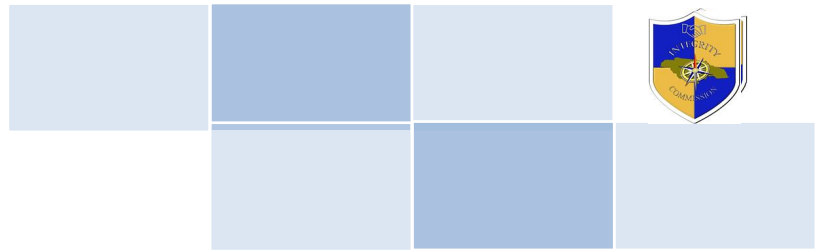
2.1.5 The Technical Committee for Medicinal Cannabis was established in November 2018, to address the need for quality standards to establish best practices within Jamaica's developing medical cannabis industry. The Committee has developed the code of practices for the cultivation, handling and processing of cannabis.⁴

2.1.6 The Cannabis Technical Committee Terms of Reference 2018/2019, dated October 2018 outlined the following among the Committee's scope and objectives:

- “a) Adopting/adapting relevant International standards as outlined in the workplan (section 6.3)*
- b) Development of relevant Jamaican standards as outlined in the workplan (section 6.3)*

³ Ibid.

⁴ Retrieved from <https://www.bsj.org.jm/articles/cannabis-technical-committee>. Accessed on December 20, 2022.



- c) *Serve as a technical advice team for related standardization activities and other related matters, (e.g. from regional or international sources) specific to the sector, that may arise during the tenure of the committee”⁵*

2.1.7 The Committee has since published and launched a total of seven standards for the industry and was named Technical Committee of the Year 2019/2020 by the BSJ.⁶

2.1.8 Dr. Velton Gooden, Executive Director, BSJ provided a list of the members of the Cannabis Technical Committee which included Mr. Greg Douglas, named therein as Technical Secretary. The referenced document indicated that Mr. Douglas represented the Bureau of Standards Jamaica and contained his government issued BSJ email address, among his contact details.⁷

⁵ Cannabis Technical Committee Terms of Reference 2018/2019, dated October 2018. Exhibit marked “VG3” attached to the Statement of Dr. Velton Gooden, Executive Director, BSJ, dated July 29, 2022.

⁶ Retrieved from <https://www.bsj.org.jm/articles/cannabis-technical-committee>. Accessed on December 20, 2022.

⁷ Exhibit marked “VG2” attached to the Statement of Dr. Velton Gooden, Executive Director, BSJ, dated July 29, 2022.



The Nature and Extent of the Relationship Between Mr. Greg Douglas and the Bureau of Standards Jamaica (BSJ)

2.2 In determining the veracity of the referenced allegations, the DI sought to examine the nature and extent of the relationship, if any, between Mr. Greg Douglas and the BSJ.

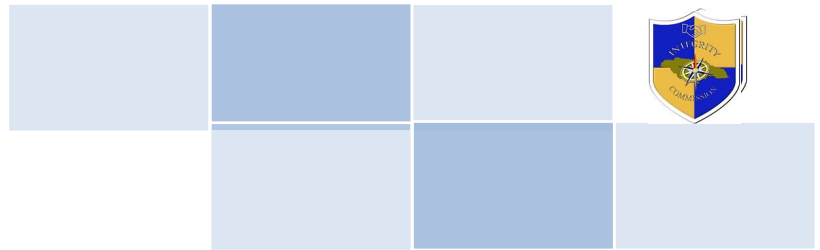
2.2.1 Mrs. Shanile Taylor, Manager, Human Resource Management and Development, BSJ confirmed that Mr. Greg Douglas has been employed to the BSJ since April 2015 when he joined the entity as a Manager, Management Information Systems. In April 2017, he was seconded to the Cannabis Licensing Authority in the capacity of Chief Executive Officer for eight (8) months. Since December 2017, he has occupied the role of Manager, Technology Projects in the BSJ's Executive Directorate Division.

2.2.2 It should be noted that Mr. Douglas confirmed the aforementioned details regarding his employment history at the BSJ, in a statement provided to the Integrity Commission.

2.2.3 The DI highlights an extract of Mr. Douglas' Job Description and Job Specification for the role of Manager, Technology Projects, which outlines the following, among his major duties and responsibilities:

“

- *Manage the development, implementation and evaluation of assigned projects by coordinating the activities of the individual project teams*



...

- **Serve as Technical Secretary – National Technical Committee for Medicinal Cannabis**
- **Vote on ASTM Medical Cannabis Standards...**⁸

2.2.4 The referenced extract indicates that Mr. Greg Douglas' membership of the BSJ's Technical Committee for Medicinal Cannabis was a responsibility vested in him, by virtue of his employment at the Bureau.

2.2.5 The DI notes however, the following representations made by Mr. Greg Douglas in relation to the origin of his affiliation with the referenced Technical Committee:

*"I have been a member of the committee since its inception, I believe that may have been in 2018 or 2019. When the Bureau decided to create standards for the cannabis industry, it was a general call to the public, inviting all interested parties to attend. We met in the lecture theater at the Quality Institute at the Bureau..."*⁹

2.2.6 Mr. Douglas indicated that he attended the referenced meeting as a member of the public, and not in his capacity as an employee of the BSJ, *"I do not represent the BSJ on the Cannabis Technical Committee. By this I*

⁸ Job Description and Job Specification, marked Exhibit "STA 2" attached to the statement of Mrs. Shanile Taylor, Manager, Human Resource Management and Development, BSJ, dated July 22, 2022.

⁹ Statement of Mr. Greg Douglas, Manager, Technology Projects, BSJ, dated December 7, 2022, p1.



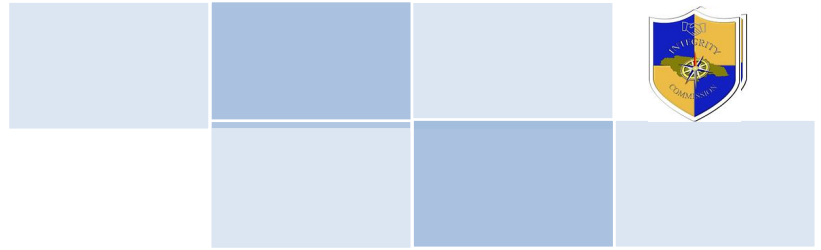
mean that this [meeting] was open to all members of the public including myself but I just happen to work at the Bureau of Standards.”¹⁰

2.2.7 Mr. Douglas further stated that he was nominated to the role of Technical Secretary of the Committee, only after Mrs. Watson-Brown, Manager, Standards Division, BSJ expressed that he could not occupy the role of Chairman or Vice-Chairman.

“I attended that meeting at the Bureau and I was nominated for the roles of Chairman and Vice Chairman and it was explained that because I worked at the Bureau I could not hold that position. This was explained by Ms. Watson-Brown, she was aware that I worked at the Bureau because we all work together. I was the MIS Manager when I started there in 2017, so she knew me from then. I just think they felt that since I work there, I can't be the Chairman. I am not aware of her rationale for making that decision. This was not something I previously discussed with Ms. Watson-Brown. I found that out in the meeting with everyone else.”¹¹

¹⁰ Ibid.

¹¹ Ibid.



The Nature and Extent of Mr. Greg Douglas' Affiliation with Private Companies within the local Cannabis Industry

2.3 In light of the foregoing representations which confirm the existence of a professional relationship between Mr. Greg Douglas and the BSJ and Mr. Douglas' membership of the Cannabis Technical Committee, the DI sought to determine the veracity of allegations which indicated that Mr. Douglas was associated with private companies operating within the local cannabis industry.

2.3.1 Documents obtained from the Companies Office of Jamaica confirmed that Mr. Greg Douglas was the sole director and shareholder of three private companies registered under the names Wedione Limited, Weditoo Limited and Weditree Limited, incorporated on December 7, 2018. The referenced documents indicate 'mixed cropping' as the core business activity of each entity.

2.3.2 The documents further indicate that Mr. Greg Douglas was one of five (5) directors and shareholders of a private company known as Mountaineer Growth Corp Limited, incorporated on October 31, 2018. The referenced documents indicated 'agricultural services' as the entity's core business activity.

2.3.3 Mr. Douglas confirmed his interest in all four entities and provided the following description of the entities and their respective business activities, *"I am a Director of Wedione, Weditoo, Weditree and Mountaineer, four*



companies that were seeking to become active in the local cannabis industry...

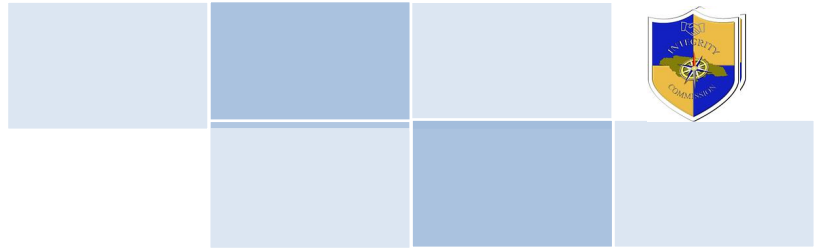
All four companies were incorporated in 2018. The main business activity of these entities concerned agriculture specific to the cannabis industry.”¹²

2.3.4 Mr. Douglas further stated that all four companies were inactive and that only Wedione Limited, had been granted a cultivation license by the Cannabis Licensing Authority. He maintained that the other three companies were granted conditional licences.

“How the process works is that when you're applying for any type of license in the cannabis space, the CLA does a fit and proper check of the directors and beneficial owners and checks to make sure that the company is registered properly, checks the space that is to be used for the operation of the license and checks that you have the permission of the owner if the company is not the owner or if a director or shareholder of the company is also not the owner. Once you satisfy that criteria, you're given a conditional license. Once you have that conditional license then you build out your infrastructure for the activity you're going to be carrying on. Then the CLA comes in and inspects the space and determines whether it will grant a full license. Only Wedione has a full license.”¹³

¹² Ibid.

¹³ Ibid.



2.3.5 With respect to the nature and extent of his role as a Director, Mr. Douglas indicated that, *"...I was there to guide the process, ensure that the applications were made etc. The entities never got going so I did not exercise any functions. Wedione started some cultivation but it was shut down because the plants were not propagating as they should."*¹⁴

¹⁴ Ibid.



The Conflict of Interest Implications of Mr. Greg Douglas' Membership of the National Technical Committee for Medicinal Cannabis and his Employment at the Bureau of Standards Jamaica (BSJ)

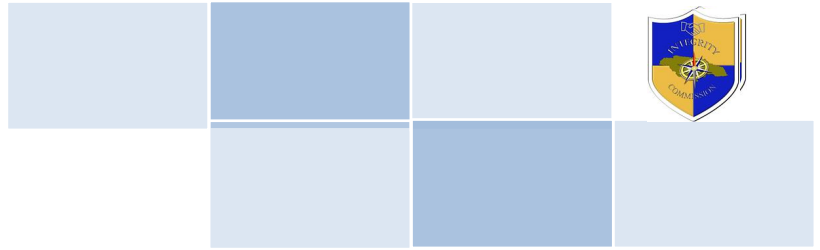
2.4 In assessing the conflict of interest implications, the following definition of a conflict of interest, as outlined in the Organization for Economic Cooperation and Development (OECD) toolkit, "*Managing Conflict of Interest in the Public Sector*" is highlighted:

*"A conflict of interest involves a conflict between the public duty and the private interest of a public official, in which the official's private-capacity interest could improperly influence the performance of their official duties and responsibilities."*¹⁵

2.4.1 Against this background, the DI notes an inconsistency in relation to the origin of Mr. Greg Douglas' membership of the Cannabis Technical Committee. Mr. Douglas maintained that he joined the Committee in his capacity as a member of the public and that he does not represent the BSJ on the committee.

2.4.2 In contrast, the BSJ provided documentation which indicated that Mr. Douglas' membership of the Committee was explicitly included in his Job Description and Specification and that same was a duty imposed upon him by virtue of his employment at the BSJ.

¹⁵ Managing Conflict of Interest in the Public Sector A Toolkit, Organization for Economic Cooperation and Development, OECD 2005. p13



2.4.3 The matter is further compounded by Mr. Douglas' admissions regarding his interest in and affiliation with four private companies seeking to operating within the local cannabis industry.

2.4.4 In light of these implications, the DI made inquiries of the BSJ, in relation to their knowledge of the foregoing as well as details of any steps taken by the entity regarding same.

2.4.5 Dr. Velton Gooden, Executive Director, BSJ, made the following representations regarding his awareness of the matter, *"I am aware that an employee of the BSJ Greg Douglas, Manager, Technology Projects, who is also an Executive Member of the entity's Cannabis Technical Committee has an interest, association and/or affiliation with several private entities operating within the local cannabis industry, which to my knowledge was not disclosed to the BSJ prior to engagement."*¹⁶

2.4.6 Dr. Gooden stated that he became aware of Mr. Douglas' affiliation upon requesting a list of cannabis companies from the Cannabis Licensing Authority, to facilitate direct engagement between the BSJ and the referenced companies. Dr. Gooden added that, *"Notably listed as a Director of one of these companies was Mr. Greg Douglas"*¹⁷

¹⁶ Statement of Dr. Velton Gooden, Executive Director, BSJ, dated July 29, 2022. p2

¹⁷ Ibid.



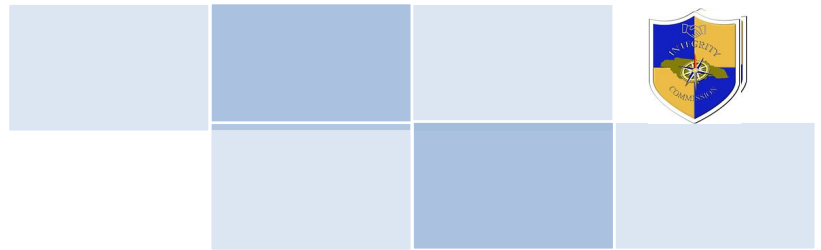
2.4.7 Upon becoming aware of the affiliation, Dr. Gooden advised that he took the following action, “ *I used this opportunity to inform Mr. Douglas of the information that had come to my knowledge in relation to his involvement as a Director of a cannabis company and in particular, that there was no record of him seeking formal permission to engage in private work. He was asked to provide a response.*”¹⁸

2.4.8 By way of an email dated November 23, 2021, Mr. Douglas provided a response to Dr. Gooden, indicating that he had verbally communicated his interest in several companies in the cannabis industry to Mr. Stephen Wedderburn, former Executive Director, BSJ. It should be noted that Mr. Douglas did not indicate the date of this exchange or whether this verbal statement was reduced into writing at any later stage.

2.4.9 Dr. Gooden advised that he then consulted Ms. Judith Campbell, former Manager, Human Resource Management and Development, BSJ in relation to whether any record of a request for or a grant of permission to engage in private activities in accordance with the BSJ's Conditions of Service existed on Mr. Douglas' employment file. He stated that, “*Her checks revealed that there [sic] were none.*”

2.4.10 Subsequently, Ms. Campbell issued a notice to all BSJ staff members by way of an email dated December 8, 2021, with a reminder that “*...involvement/engagement in private work must be permitted by the*

¹⁸ Ibid.



head of the organization, based on an assessment of potential for conflict of interest.”¹⁹

2.4.11 The email referred to the requirements outlined in Section 4.9 of the Bureau of Standards Jamaica, Conditions of Service 2015:

“

4.9 Engagement in Private Work

4.9.1 *Employees may engage in private work, only under specified conditions and with prior permission from the appropriate authority , based upon an assessment of potential for conflict of interest.*

4.9.2 *The employee shall inform the BSJ of other employment or relevant involvement that is undertaken outside of working hours, where a conflict may arise.*

4.9.3 *When any external employment or involvement results, or could result in a conflict of interest, the Bureau reserves the right to request that the employee discontinue such association.*

4.9.4 *In order to address the potential for conflict of interest, an employee should, in all instances, inform the appropriate authority of any such*

¹⁹ Ibid.



*undertaking, seek clarification and obtain permission in writing. Any such permission shall be subject to periodic review."*²⁰

2.4.12 The referenced correspondence required staff that were involved and/or engaged without the requisite permission to disclose same to the BSJ's Manager, Human Resource Management and Development by Friday, December 10, 2022.

2.4.13 In response to whether a disclosure was made by Mr. Douglas at this opportunity, Dr. Gooden responded accordingly, *"To the best of my information and knowledge no permission was subsequently submitted by Mr. Douglas within the stipulated timeline, following this notice."*²¹

2.4.14 By way of a follow up email dated December 21, 2021, Dr. Gooden and Ms. Campbell requested additional details from Mr. Douglas regarding his involvement and/or affiliation with the companies. The following documents were requested, *"... a copy of his letter of appointment to the respective Boards. Said letter or attachment to letter, normally indicates the period of appointment, roles and duties, Board fees/remuneration, meeting dates, voting rights etc. That information will inform the BSJ and help to determine whether there is any conflict of interest."*²²

²⁰ Section 4.9 of the Bureau of Standards Jamaica Conditions of Service, 2015. p23-24

²¹ Statement of Dr. Velton Gooden, Executive Director, BSJ, dated July 29, 2022. p2

²² Email correspondence dated December 21, 2022



2.4.15 Mrs. Shanile Taylor, Manager, Human Resource Management and Development, BSJ stated that, *“This response was not forthcoming by Mr. Douglas, as such further investigation was done through the Companies Office of Jamaica and a status letter obtained indicating that Mr. Douglas was a Director in WEDIONE LIMITED...”*²³

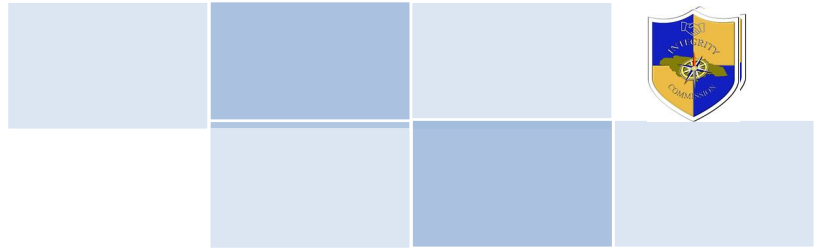
2.4.16 Consequently, Dr. Gooden convened a consultation meeting on January 25, 2022, *“...to discuss the matter with a view of determining whether there was potential for a conflict of interest and the necessary action that should be taken.”* The meeting was attended by Ms. Sharian Hanson, Legal Officer, Mrs. Shanile Taylor, Manager, Human Resource Management and Development, Mrs. Julia Douett, Director, Standards Division and Dr. Dwight Ramdon, Director, Science and Technology Division.

2.4.17 By way of letter dated February 17, 2022, Mr. Douglas was informed of the findings regarding his undisclosed interest in Wedione Limited, in breach of the BSJ's Conditions of Service. The referenced letter stated that:

*“Regrettably, there is no evidence in our records confirming that you sought written permission, or that you formally advised the BSJ at the time that you commenced employment that you are or are seeking to engage in private work and that same was granted to you following an assessment for potential conflict of interest.”*²⁴

²³ Statement of Mrs. Shanile Taylor, Manager, Human Resource Management and Development, BSJ, dated July 22, 2022, p3

²⁴ Letter dated February 17, 2022, marked Exhibit “VG 7” attached to the statement of Dr. Velton Gooden, Executive Director, BSJ, dated July 29, 2022.



2.4.18 Mr. Douglas was instructed to make a formal request for written permission to engage in private work, in accordance with section 4.9.4 of the BSJ's Conditions of Service and to desist from any continued engagement until the aforementioned request was made and the case determined.

2.4.19 Mr. Douglas made this request by way of letter dated March 14, 2022 and declared his interest as a Director in four (4) companies involved in the cannabis industry and one (1) company involved in the packaging industry. He added the following remarks:

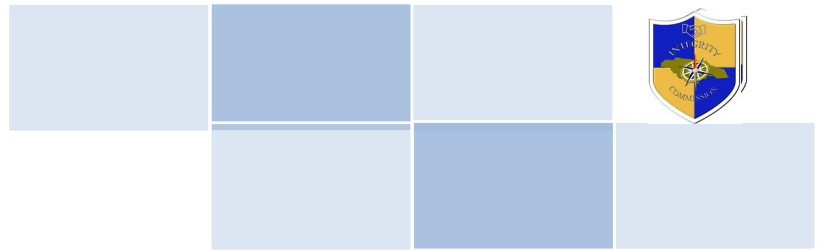
"The companies are not commercially active at this time. Their activities are not in conflict with the activities of the Bureau for the following reasons:

- 1. The BSJ does not perform regulatory functions*
- 2. The BSJ does not grow, process or retail cannabis*
- 3. The BSJ does not manufacture*

*While I am a Director of Wedione Limited I am not engaged in its day to day operation and only as a Director correspond on behalf of the company with its regulator."*²⁵

2.4.20 The DI pauses at here to assess the reasons posited by Mr. Douglas in support of his position that the activities of the referenced private entities

²⁵ Letter dated March 14, 2022, marked Exhibit "VG 8" attached to the statement of Dr. Velton Gooden, Executive Director, BSJ, dated July 29, 2022.



with which he is associated, do not conflict with the Bureau's activities or functions.

2.4.21 The DI highlights the role of the BSJ as a statutory body, vested with the authority to promote and encourage standardization for commodities, processes and practices across various industries. In the process of doing so, the BSJ's functions also extend to ensuring compliance with various statutes including The Standards Act (1968), The Processed Food Act (1959), the Weights and Measures Act (1976). Other aspects of the entity's mandate are also implemented under The Trade Act (1955), The Customs Act (1941), The Petroleum (Quality Control) Regulations (1990) and The CARICOM Regional Organization for Standards and Quality Act (2005).²⁶

2.4.22 In light of the BSJ's expansive statutory remit and compliance functions, Mr. Douglas's assertion that the BSJ does not perform regulatory functions is inaccurate at best.

2.4.23 It is accepted that the BSJ does not grow, process or retail cannabis and does not manufacture products. However, the BSJ's role in promulgating standards for the cannabis industry and Mr. Douglas's undisclosed interest in companies operating within the local cannabis industry, while being employed to the BSJ raise conflict of interest concerns.

²⁶Retrieved from <https://www.bsj.org.jm/about/about-bsj>. Accessed on April 14, 2023.



2.4.24 Upon receipt of Mr. Douglas's correspondence dated March 14, 2022, Dr. Gooden convened another consultation meeting, attended by the aforementioned officers, to assess the conflict of interest implications raised by Mr. Douglas' disclosure. Following that assessment, Mr. Douglas' application to engage in private work was rejected, on the premise that his role as a Director of the referenced companies and the nature of these businesses constituted a potential conflict of interest in accordance with Section 4.10 of the BSJ's Conditions of Service.

2.4.25 The DI highlights Section 4.10 of the BSJ Conditions of Service, the entity's internal policy regarding the identification, treatment and management of conflicts of interest involving employees and their activities, association and/or affiliation with private entities:

- "1) *A conflict of interest may be deemed to exist under any of the following circumstances:*
- 1) *Engagement in private activity similar to official functions;*
 - 2) *Using information and/or any material gained from official position for private gain;*
 - 3) *Exploiting the status and privilege of one's position for private gain;*
 - ...
 - 7) *Ownership of investment or shares in any company or undertaking.*
 - 8) *Acting as auditors or directors of companies or societies.*



9) *In order to address the potential for conflict of interest, officers should in all circumstances inform the appropriate authority of any such undertaking, seek clarification and get permission.*"²⁷

2.4.26 By way of letter addressed to Mr. Douglas dated March 25, 2022, Dr. Gooden outlined the following rationale for the decision:

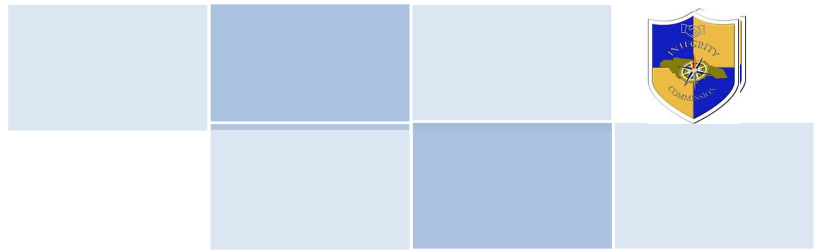
"Following an assessment of potential for conflict of interest, I am concerned that based on the nature of business which you are involved in and wish to continue doing, I am not satisfied that a conflict of interest does not exist. As you are aware the BSJ is involved in the promulgation of standards to include those for the cannabis industry, additionally we also provide testing and assessment services for cannabis and packaging labels respectively.

Based on your role as a director in the subject companies and your official functions at the BSJ, following my assessment a conflict of interest may be deemed to exist and poses the risk that you could use information and/or any material gained from your official position for gain in your private engagements. ²⁸

2.4.27 The referenced correspondence also stated that Mr. Douglas' membership of the Cannabis Technical Committee was suspended with

²⁷ Section 4.10 of the Bureau of Standards Jamaica Conditions of Service, 2015. p24

²⁸ Letter dated March 25, 2022 marked Exhibit "VG 9" attached to the statement of Dr. Velton Gooden, Executive Director, BSJ, dated July 29, 2022.



immediate effect, pending an investigation into his engagement in private activities.

2.4.28 Mr. Douglas responded by way of letter dated March 30, 2022, in which he expressed disagreement with the assessment, *"...no company of which I am a Director engages in the following activities for the Cannabis Industry similar to those of the Bureau of Standards you mentioned in your letter.... Promulgation of Standards... Testing... Assessment..."*

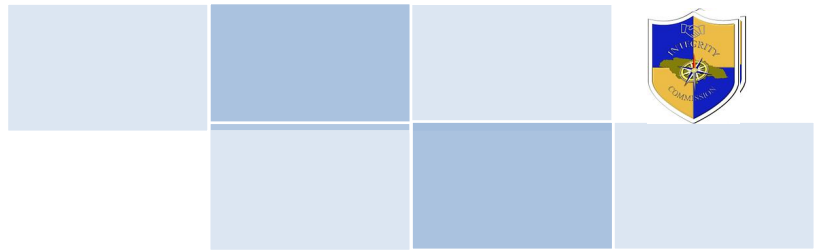
*Furthermore I do not have and have never had access or sought access to any information for any company that has used the above mentioned services of the Bureau of Standards."*²⁹

2.4.29 Mr. Douglas also refuted the BSJ's authority to suspend his membership of the Cannabis Technical Committee, *"As it relates to the Technical Committee I was not appointed to the Executive of that Committee by the Bureau of Standards but by the support of the Technical Committee members themselves."*³⁰

2.4.30 It should be noted that Dr. Gooden advised the DI that the Cannabis Technical Committee's Terms of Reference did not prohibit an Executive Member of a Technical Committee from being associated with a private entity. He reiterated that the Committee was comprised of various

²⁹ Letter dated March 30, 2022 marked Exhibit "VG 10" attached to the statement of Dr. Velton Gooden, Executive Director, BSJ, dated July 29, 2022.

³⁰ Ibid.



representatives, experts and stakeholders, including private cannabis entities.

2.4.31 Dr. Gooden's representations regarding the composition of Technical Committees and the likelihood of stakeholders having private interests in the subject industry, are noted. However, in the present instance, the conflict of interest involving Mr. Greg Douglas arises because of his professional relationship with the BSJ, his membership of the Cannabis Technical Committee, which emanates from that relationship and his interest in several private entities which are seeking and/or sought to operate within the cannabis industry.

2.4.32 The conflict is further compounded by Mr. Douglas' failure to disclose his interest in the private entities, in breach of Section 4.9.4 of the BSJ's Conditions of Service.

2.4.33 The DI also highlights here, the stipulations outlined in Sections 4.2.8 and 4.2.9 of the Government of Jamaica Staff Orders for the Public Service, which mirror the terms outlined in the BSJ's Conditions of Service.

“

Officers may engage in private work, only under specified conditions and with prior permission from the appropriate authority/Service Commissions, based upon an assessment of potential for conflict of interest...

...



...In order to address the potential for conflict of interest, officers should in all instances inform the appropriate authority of any such undertaking, seek clarification and get permission....”³¹

2.4.34 The documentation provided by Mrs. Taylor, Manager, Human Resource Management and Development, BSJ indicates that Mr. Douglas' employment at the BSJ began on April 27, 2015. The documents provided by the Companies Office of Jamaica indicate that Mr. Douglas is the sole director and shareholder of three (3) companies incorporated on December 7, 2018. Mr. Douglas is one of five directors and shareholders of a fourth company also incorporated in December 2018.

2.4.35 Despite maintaining an interest in four private commercial entities which were incorporated during his employment at the BSJ, Mr. Douglas failed to provide record of a disclosure of interest or a request for permission to engage in private work until March 2022.

2.4.36 The DI notes also, the timeline regarding the establishment of the Cannabis Technical Committee in November 2018 and Mr. Douglas' incorporation of four (4) companies which sought to operate within the local cannabis industry in December 2018. The synchronicity of these events further give rise to the implication of a potential conflict of interest.

³¹ Sections 4.2.8 and 4.2.9 of the Government of Jamaica Staff Orders for the Public Service, 2004. p.25

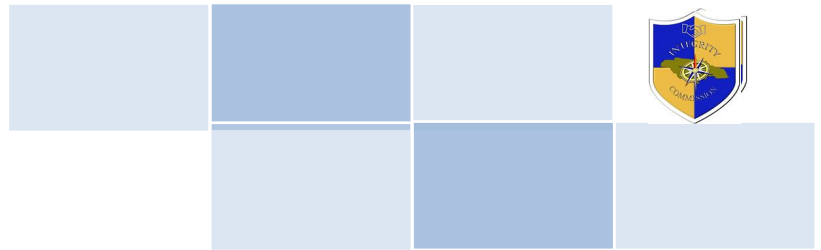


2.4.37 Further, it is noted that prior to his disclosure in March 2022, Mr. Douglas was afforded several opportunities to voluntarily disclose his interest and elected not to do so. In November 2021 when Dr. Gooden informed him of the BSJ's awareness of his private interest in one of the four entities, no specific disclosure was made regarding any of the companies. In December 2021 when Ms. Judith Campbell invited staff members who were engaged in private work without the requisite permission to request same in accordance with the Conditions of Service, no disclosure was made by Mr. Douglas within the December 10, 2021 timeline provided.

2.4.38 Mr. Douglas disclosed his interest after the BSJ consulted the Companies Office of Jamaica and independently verified the concerns regarding his private interests.

2.4.39 The DI highlights the following excerpt of the OECD toolkit "*Managing Conflict of Interest in the Public Sector*", regarding the impact of potential conflicts of interest:

"A "conflict of interest" therefore involves a conflict between officials' personal interests (what they could gain, not necessarily financially) and their duty as a civil servant and is to be avoided as far as is reasonably possible. In general, the appearance of a conflict of interest is also to be avoided, to minimize the risk to the organization's reputation (and officials' personal reputation) for integrity. As perceived conflicts of



interest could be similarly harmful to the trust in public decision making..."³²

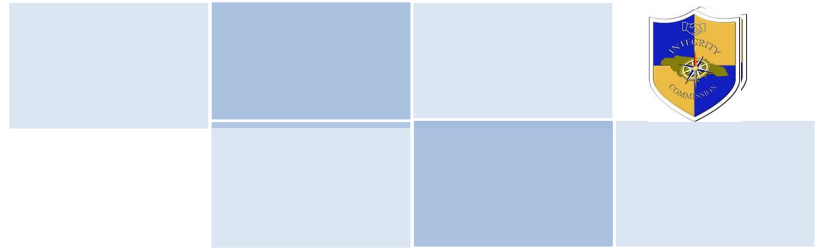
2.4.40 It is noted that Technical Committees represent a new form of public-private partnership, the conflict of interest implications of which may present new challenges to public servants and policy makers. However, this difficulty does not negate the personal responsibility of each public servant to identify actual or potential conflicts of interest and to make disclosures at the soonest possible opportunity, in accordance with existing policy frameworks and compliance standards.

2.4.41 Consequently, it is the responsibility of the State, through public entities to ensure that a clear and effective policy framework for the identification, treatment and management of conflicts of interest is robustly enforced.

2.4.42 The existence of a conflict of interest may not necessarily amount to corruption, however, a conflict of interest between private interests and the public duties of a public servant bears inherent potential for corrupt conduct, if not correctly identified, appropriately managed and effectively resolved.³³

³² Managing Conflict of Interest in the Public Sector A Toolkit, Organization for Economic Cooperation and Development, OECD 2005. p8

³³ Ibid.



2.4.43 In the present case, the BSJ applied the internal conflict of interest policy embedded within its Conditions of Service, which notably mirror the requirements outlined in the Staff Orders for the Public Service. The application of the referenced policy required an assessment of the implications raised by Mr. Douglas' interests in the private companies and his public functions as an officer of the BSJ. Based on that assessment, a determination was made.



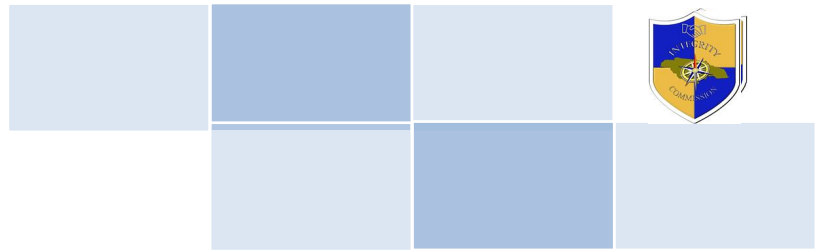
Chapter 6 – Conclusions

- 6.1 This chapter sets out the conclusions drawn from the investigation.
- 6.2 The DI concludes that Mr. Greg Douglas has been employed to the Bureau of Standards Jamaica since April 2015 and currently operates in the capacity of Manager, Technology Projects.
- 6.3 The DI concludes that Mr. Greg Douglas is the sole director and shareholder of three (3) private companies incorporated on December 7, 2018, known as Wedione Limited, Weditoo Limited and Weditree Limited, which are operating and/or sought to operate within the local cannabis industry.

The DI further concludes that Mr. Greg Douglas is one of five directors and shareholders of a private company incorporated on October 31, 2018, known as Mountaineer Growth Corp Limited which is operating and/or sought to operate within the local cannabis industry.

- 6.4 The DI concludes that prior to March 14, 2022, Mr. Greg Douglas failed to declare his interest in four (4) private companies which operated and/or sought to operate within the local cannabis industry, to the Bureau of Standards Jamaica.

Mr. Douglas' assertion that he made a verbal disclosure to a former Executive Director of the entity is noted. However, the DI further concludes



that a verbal declaration of interest, without more, does not satisfy the disclosure requirement as a conflict of interest disclosure must be documented in writing and should constitute a full disclosure of all particulars relevant to a determination of the specific nature and extent of the actual and/or potential conflict in each circumstance.

- 6.5 The DI further concludes that Mr. Greg Douglas' failure to declare his private interests to the Bureau of Standards Jamaica at the time of their conception in December 2018, and subsequent resistance to declare same, which subsisted up to March 2022, demonstrated a willful and deliberate effort to conceal his private interests from his employers.

The DI further concludes that Mr. Douglas' omission is worthy of rebuke, a strong signal must therefore be sent to him that this conduct can and will not be tolerated from any officer within the employ of public service. Concomitantly, Mr. Douglas' conduct may have compromised the operations of the BSJ and exposed the entity to the risk of reputational damage.

- 6.6 The DI further concludes that Mr. Greg Douglas' failure to disclose his interest in the referenced companies amounted to a breach of Section 4.9 of the BSJ's Conditions of Service and contravened Sections 4.2.8 and 4.2.9 of the Government of Jamaica Staff Orders for the Public Service.



6.7 The DI concludes that Mr. Greg Douglas' undisclosed interest in four (4) private entities which operated and/or sought to operate within the local cannabis industry and concurrent membership of the Bureau of Standards' Cannabis Technical Committee, which he maintained as a function of his employment at the Bureau of Standards Jamaica resulted in a potential conflict of interest.

The DI's conclusion is founded on the premise that Mr. Douglas' undisclosed affiliation to private companies which operated and/or sought to operate within the local cannabis industry amounted to private activity which was similar to his official function, by virtue of his employment at the Bureau of Standards Jamaica. It is further noted that his employment at the Bureau and membership of the Cannabis Technical Committee afforded him an official position from which information and/or any material obtained may be used for private gain, within the meaning of Section 4.2.9 of the Government of Jamaica Staff Orders for the Public Service.

6.8 The DI concludes that the BSJ's treatment of the matter, details of which were obtained by way of statements provided by Dr Velton Gooden, Executive Director and Mrs. Shanile Taylor, Manager, Human Resource Management and Development, was appropriate, proportionate and worthy of approbation.



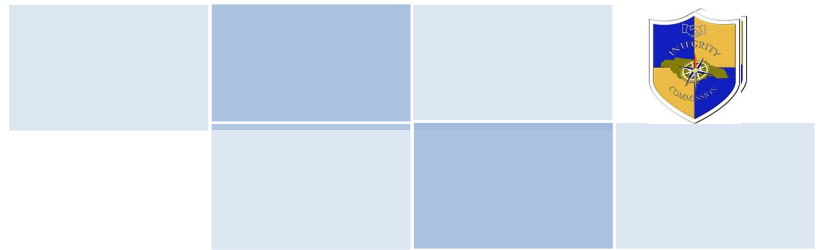
Chapter 7 – Recommendations

- 7 This chapter outlines initiatives directed at minimizing the existence and perception of conflicts of interest, and breaches of Government of Jamaica (GoJ) Staff Orders for the Public Service and related policies at the Bureau of Standards Jamaica (BSJ).

Recommendations to the Bureau of Standards Jamaica

- 7.1 For the reasons stated at paragraph 6.3 above, it is recommended that Mr. Greg Douglas be permanently removed from the BSJ's Technical Committee for Medicinal Cannabis.
- 7.2 Having regard to the breaches identified at paragraph 6.7 above, the DI recommends that disciplinary proceedings be instituted against Mr. Douglas. The DI further recommends that in the event that he is allowed to continue in his employment at the BSJ, strict measures should be implemented to guard against Mr. Douglas gaining an unfair advantage within the industry by virtue of his employment. This occurrence would almost certainly be damaging to BSJ's reputation thereby reducing public confidence in the entity.

It is further recommended that the BSJ's decision regarding Mr. Douglas' removal from the referenced Technical Committee and the circumstances of same, should be made public.



Recommendations to Public Servants/Officials

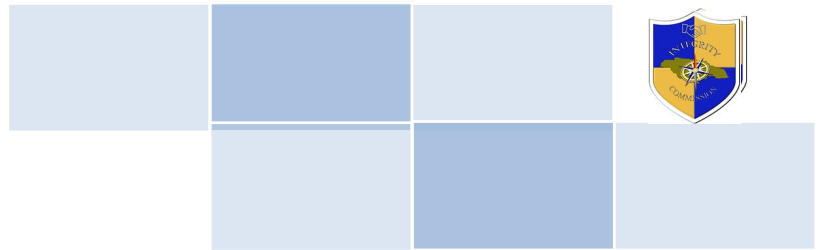
7.3 It is recommended that public servants take all necessary steps to avoid the creation of actual or potential conflicts involving their duties and functions as public officers and their private interests and affiliations. Where the possibility exists that a conflict may arise, it is recommended that public servants disclose and document the full nature and extent of such conflicts, in accordance with the relevant public entity's internal conflict of interest policy and/or the Government of Jamaica Staff Orders for the Public Service.

Recommendations to Heads of Entities and Accountable Officers

7.4 It is recommended that Heads of Entities and other Accountable Officers of public bodies ensure that policies regarding the identification, management and resolution of conflicts of interest are implemented and robustly enforced, along with other transparency and accountability mechanisms. It is the responsibility of an Accountable Officer to contribute to the maintenance of public trust in the activities and operations of public bodies.

Recommendation to the Office of the Prime Minister and the Ministry of Justice

7.5 It is recommended that the body of local anti-corruption legislation be expanded to include the criminalization of acts and/or omissions which constitute the willful and/or negligent non-disclosure of a conflict of interest. It is further recommended that this legislation be applicable to public servants



operating at all levels of government, as well as elected and appointed public officials.

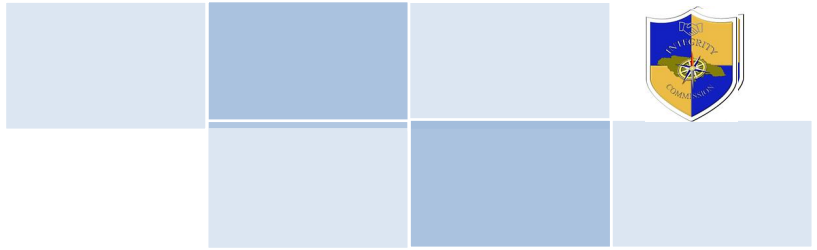
This recommendation is made against the background of the significant adverse impact of conflicts of interest, which has the capacity to undermine legitimate decision-making, compromise the development and application of policy, distort the rule of law and affect the allocation of public resources, thereby encouraging corruption.

The DI notes the inclusion of similar provisions in now repealed Regulations 36 and 40 of the Contractor General Act Public Sector Procurement Regulations, 2008.

Regulation 36, Public Sector Procurement Regulations, 2008

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

- (a) declare to the head of his entity or chairman of the entity's procurement committee any potential conflict of interest in relation to a proposed Government contract;*
- (b) declare to the head or chairman, any relationship with a bidder, supplier, contractor or consultant and refrain from taking part in*



either the decision making process or the implementation of any prospective Government contract where such a relationship exists.

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

Regulation 40, Public Sector Procurement Regulations, 2008

"40. A person who—

(a) contravenes these Regulations; or

(b) aids, abets or otherwise knowingly facilitates or is an accessory to the contravention of these Regulations, commit an offence and is liable, on summary conviction in a Resident Magistrate's Court..."

Kevon A. Stephenson, J.P
Director of Investigation

January 27, 2023
Date



Appendices

Appendix 1

Section 33(1) of the Integrity Commission Act

“33—(1) 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 license, 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...”