



Any reply or subsequent reference to this communication should be addressed to the Contractor-General and the following reference quoted:-

No. :

TELEPHONE No.:876-929-8560/6466

FAX No. : 876-929-2476

E-mail: communications@ocg.gov.jm

OFFICE OF THE CONTRACTOR-GENERAL

PIOJ Building

16 Oxford Road

P.O. BOX 540

KINGSTON 5

JAMAICA, W.I

MEDIA RELEASE

STATEMENT OF THE OCG REGARDING MR. STEPHEN WEDDERBURN, THE GOVERNMENT OF JAMAICA'S LNG PROJECT COORDINATOR

Kingston; June 14, 2011 - The Office of the Contractor-General (OCG) has taken note of a "*Preliminary Statement*" which was issued to the Media last week by Mr. Stephen Wedderburn, the Government's LNG Project Coordinator who, the OCG has been advised, is currently on leave from the Petroleum Corporation of Jamaica (PCJ) pending the conduct of an internal Investigation.

Mr. Wedderburn's Statement, which was issued in response to the OCG's recent *Special Report of Investigation into the Allegations Regarding the Proposal for the Financing, Development, Ownership and Operation of a FSRU LNG Re-Gasification Terminal and Natural Gas Transportation System*, was published in its entirety in the June 12, 2011 edition of the Sunday Observer Newspaper.

The Statement was also the subject of an article which was carried in the Friday, June 10, 2011 edition of The Gleaner Newspaper under the caption "*Wedderburn trashes Christie's LNG report*".

Mr. Wedderburn, in his Statement, has essentially called into question the credibility and integrity of the OCG's 609-page Report of Investigation. He has, among other things, characterized the Report as being "*shoddy*" and "*fundamentally flawed*", biased in the information and evidence that it has presented against him, and devoid of credible evidence to substantiate some of its Findings and Referrals.

In response, the OCG first wishes to categorically and unequivocally state that it stands firmly and unconditionally behind the Findings, Conclusions, Recommendations and Referrals that are embodied in its Report of Investigation. The OCG is very confident about the integrity of its Report and is also satisfied that it is possessed with adequate documentary and **sworn written evidence** to fully support, substantiate and defend all of its stated positions.

Secondly, the OCG will show, in a comprehensive, point by point response to Mr. Wedderburn's Statement, which it will issue shortly to the relevant State Authorities, that the claims that have been made by him are entirely baseless, lacking in merit, and devoid of any credible or sustainable foundation. The OCG's response will be made available to the Media.

Mr. Wedderburn's charges have surreptitiously sought to take advantage of the public's general lack of knowledge of the extensive details of the painstakingly researched and sworn evidence that is embodied



in the OCG's 609-page Report of Investigation, a careful reading of which will disclose the false, disingenuous and obfuscatory nature of Mr. Wedderburn's claims.

Contrary to what Mr. Wedderburn would have an unsuspecting public believe, the OCG will also credibly show that he has (a) substantially misstated the facts of the matter, (b) contradicted the sworn and written evidence which has been formally entered upon the OCG's records of Investigation and, (c) significantly misguided himself on the applicable laws as they relate to Investigations that are conducted by the Commission of the Contractor General, which is a quasi-judicial authority that is encloded with the powers of a Judge of the Supreme Court of Jamaica.

It is also critical to highlight the fact that Mr. Wedderburn has challenged not just the credibility of the OCG's Report of Investigation, but he has also challenged the veracity of the sworn written testimonies that have been rendered, under statutory oath, to the OCG, by Mrs. Marcia Forbes, the former Permanent Secretary in the Energy Ministry, and Mr. Ahmad Zia Mian, the Director General of the Office of Utilities Regulation (OUR).

Mr. Wedderburn may not realize it, but his contentions regarding Mrs. Forbes and Mr. Zia Mian are, in essence, tantamount to having publicly accused them of the commission of the serious criminal offence of perjury, a posture which he must now successfully defend or face potential charges of libel.

Mr. Wedderburn, in his attempts to paint the OCG as being biased towards him, and to project himself as someone who has acted entirely above board, and who is free from any culpability whatsoever in this matter, has disingenuously concealed from the public, the following incontrovertible and documented facts, amongst many others, which have adversely implicated him:

- (a) That in a formal communication, dated September 6, 2009, he disclosed that he had a pecuniary interest in the outcome of a business venture which was being undertaken in Columbia by Exmar Marine NV. Exmar is, of course, the lead entity in the consortium that was selected by the Government as the 'preferred bidder' for the implementation of Jamaica's FSRU LNG Project.
- (b) That on July 23, 2008, he succumbed to a written rebuke by Mr. Ian Moore, the then Chairman of the PCJ Board of Directors, who scolded him for his failure to conceal information from Dr. Ruth Potopsingh, the then PCJ Group Managing Director, about his, Mr. Wedderburn's, plans to attend a "*decision making meeting for lng vs coal*" which was scheduled for July 26, 2008.
- (c) That he is aware of the existence of two (2) Independent Legal Opinions, which were commissioned by the Government from one of Jamaica's most prestigious and oldest law firms. The Opinions in question, which bear the dates of March 24 and 29, 2011, have adversely implicated Mr. Wedderburn in the LNG tender process, a process which the Opinions have concluded was "*...flawed and could not withstand scrutiny under judicial review*".
- (d) That he, Mr. Wedderburn, is also acutely aware that the said Legal Opinions were formally and



independently reviewed by the Solicitor General of Jamaica who opined, in writing, on April 11, 2011, to the Government of Jamaica, that he was “... *in substantial agreement with the views posited by the Attorneys*” and;

- (e) That he, Mr. Wedderburn, is further aware that the Chris Zacca led LNG Steering Committee, that was appointed by the Prime Minister in December 2010, to oversee the Government’s LNG Project, has also, independently of the OCG, cited the questionable and irregular nature of his conduct as a contributory factor in its unequivocal recommendation, given to the Government on April 13, 2011, that the subject LNG tender process should be abandoned.

The Committee, it should be noted, is a multi-disciplinary and high-level committee which is composed of prominent figures drawn from Jamaica’s private sector, inclusive of CEOs Richard Byles and Peter Melhado, senior public officials and technocrats, and accomplished attorneys-at-law from both the private and public bars.

The OCG has noted that Mr. Wedderburn has requested an apology from Greg Christie, the Contractor General. Mr. Wedderburn, in his “*Preliminary Statement*”, has also inferred that future legal action in the matter, presumably against the OCG, is a likely possibility.

However, and with the greatest of respect to him, Mr. Wedderburn should understand that the OCG has absolutely nothing to apologize for and, consequently, will offer no apology of any kind to him. Additionally, the OCG wishes to publicly state that it is in no way intimidated, moved or concerned by Mr. Wedderburn’s veiled threat of the potential for “*future legal action*”.

To quote a prominent Jamaican Media columnist, “... *a favourite practice of those who hold defenceless positions is to engage in personal insults and obfuscatory commentary to disguise the bankruptcy of their arguments*”. To the informed and objective eye, and for those who, unlike Mr. Wedderburn, have taken the time to read the OCG’s Report of Investigation in this matter, it is clear that, he, Mr. Wedderburn has done himself grave and irreparable harm by subscribing to the indefensible positions that he has published in his so called “*Preliminary Statement*”.

As one of Jamaica’s Independent Anti-Corruption Commissions of Parliament, the OCG wishes to publicly reiterate that it is fully committed to the diligent and lawful discharge of those of its responsibilities and obligations that are mandated by the Contractor General Act.

The OCG has always discharged and will continue to discharge those responsibilities in accordance with the highest standards of probity, fairly and impartially, but forthrightly and fearlessly, in the interest of the people and taxpayers of Jamaica. The OCG will also leave no stone unturned to vigorously defend its Reports of Investigation and its integrity.

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Contact: The Communications Department, Office of the Contractor General of Jamaica
C/o Craig Beresford, Senior Director of Monitoring Operations, Corporate Communications and Special Projects
E-mail: communications@ocg.gov.jm. Tel: 876-929-8560; Direct: 876-926-0034; Mobile: 876-564-1806