



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

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MEDIA RELEASE

STATEMENT OF THE OFFICE OF THE CONTRACTOR-GENERAL REGARDING THE HON. PATRICK ROUSSEAU, OJ, FORMER CHAIRMAN OF CTL

Kingston; March 4, 2009 - The Office of the Contractor-General (OCG) has taken note of two letters, dated February 19 and 26, 2009 respectively, which were written by the former Members of the Board of Directors of Caymanas Track Limited (CTL), and the former Chairman of the Board of CTL, the Hon. Mr. Patrick Rousseau. Mr. Rousseau's letter has been evidently released to certain sections of the Media.

Both letters, neither of which to date has been sent to the OCG by its authors, were written in response to the OCG's recent *Report of Investigation Conducted into the Allegations of Irregularity Surrounding an Alleged Proposal by SportsMax Limited to Supply Satellite Services for Simulcast Racing from South Africa and the United Kingdom to Caymanas Track Limited*. Through the good offices of the Minister without Portfolio in the Ministry of Finance and the Public Service, Senator the Hon. Don Wehby, the OCG was availed with courtesy copies of the letters on February 26 and March 3, 2009 respectively.

Statements in both letters have questioned the credibility of the OCG's 187-page Report of Investigation while others have sought to challenge the OCG's understanding of the relevant facts of the matter.



Most significantly, however, is the fact that the Hon. Patrick Rousseau, in his letter, has erroneously asserted that the Contractor General has “*abused or exceeded his jurisdiction in several respects*” and that he is therefore “*not a fit and proper person to hold the office of the Contractor-General*”.

Additionally, Mr. Rousseau has gone beyond the pale to impute improper and malicious motives to the OCG by falsely alleging that the Contractor General “*has made un-supported charges against the members of the Board of Directors and myself as Chairman, all in a quest to damage our reputations*”.

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

Secondly, the OCG will show, in a comprehensive response which it will issue shortly, that the charges that have been made by the former Members of the CTL Board and Mr. Rousseau are (a) entirely baseless, (b) lacking in merit, and (c) devoid of any credible or sustainable foundation. These charges have also disingenuously sought to take advantage of the public’s general lack of knowledge of the extensive details that are embodied in the OCG’s 187-page Report of Investigation.



Thirdly, the OCG will credibly show that Mr. Rousseau has (a) substantially misstated the facts and Findings 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 Government contracts and the Investigations that are conducted by a Contractor General.

Finally, the OCG wishes to state that it is unmoved by the unsubstantiated and flawed assertions of jurisdictional excess and abuse of power that Mr. Rousseau has directed at it in what is evidently a desperate attempt to absolve himself and the former CTL Board of Directors from responsibility for the flagrant breaches of the Government's Procurement Procedures, the Contractor General Act, the Companies Act, the Financial Administration and Audit Act, the Public Bodies Management and Accountability Act, and the Corruption Prevention Act, which the evidence has unearthed in this matter.

As an independent, anti-corruption Commission of Parliament, the OCG is fully committed to the diligent and lawful discharge of those of its responsibilities and obligations which 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, and fairly and impartially, but forthrightly and fearlessly, in the interest of the people and taxpayers of Jamaica. And the OCG will leave no stone unturned to vigorously defend its Reports of Investigation and its integrity.

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