



OFFICE OF THE CONTRACTOR GENERAL

Special Report of Investigation

Conducted into the Circumstances Surrounding Allegations of Nepotism, Conflicts of Interest, Irregularity and/or Impropriety in the Award of Government Contracts at the Hanover Parish Council to Persons Affiliated with the then Mayor of the Hanover Parish Council

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INTRODUCTION

Special Report of Investigation

Conducted into the Circumstances Surrounding Allegations of Nepotism, Conflicts of Interest, Irregularity and/or Impropriety in the Award of Government Contracts at the Hanover Parish Council to Persons Affiliated with the then Mayor of the Hanover Parish Council

On March 25, 2014, the Office of the Contractor General (OCG), acting on behalf of the Contractor General and pursuant to Sections 15(1) and 16 of the Contractor General Act, initiated an Investigation into the alleged acts of nepotism, favouritism, irregularities, and/or conflicts of interest surrounding the award of contracts by the Hanover Parish Council to relatives and/or affiliated persons of Miss Shernet Haughton. Miss Shernet Haughton is the former Mayor, Chairman, Hanover Parish Council and she held this post for the period March 29, 2012 to August 28, 2014. She is the current Councillor of the Green Island Division in Hanover.

Section 15 (1) of the Contractor General Act provides the following:

“...a Contractor-General may, if he considers it necessary or desirable, conduct an investigation into any or all of the following matters -

- (a) the registration of contractors;*
- (b) tender procedures relating to contracts awarded by public bodies;*



- (c) *the award of any government contract;*
- (d) *the implementation of the terms of any government contract;*
- (e) *the circumstances of the grant, issue, use, suspension or revocation of any prescribed licence;*
- (f) *the practice and procedures relating to the grant, issue, suspension or revocation of prescribed licences.”*

Section 16 of the Act expressly provides that “*An investigation pursuant to section 15 may be undertaken by a Contractor-General on his own initiative or as a result of representations made to him, if in his opinion such investigation is warranted.*”

The decision to commence an Investigation into the stated matter was prompted by the following:

- (a) An online RJR News Article dated March 24, 2014, entitled “***Pressure mounts against Lucea Mayor to step down***”. The stated article alleged that Miss Shernet Haughton awarded \$15M worth of contracts to eleven (11) family members and seven (7) close friends. The referenced article indicated that a probe is to be carried out by the Ministry of Local Government into the issuing of government contracts by the Hanover Parish Council.
- (b) The receipt of two (2) sets of documents entitled “***FRIENDS LIST...***” and “***FAMILY LIST...***” from an anonymous source. The said lists detailed persons for whom the recommendations for contracts were allegedly made by Miss Shernet Haughton.

The OCG’s Investigation sought to determine, *inter alia*, (a) whether the former Mayor made recommendations for the award of contracts to any of her relatives, close friends, associates and



acquaintances during her tenure as Mayor and Chairman of the Hanover Parish Council and (b) whether such actions amounted to a conflict of interest, favouritism and/or nepotism.

The foregoing objectives formed the basis of the OCG's Terms of Reference for its Investigation and were primarily developed in accordance with the provisions which are contained in Section 4 (1) and Section 15(1) (a) to (d) of the Contractor General Act.

At the commencement of its Investigation, on March 25, 2014, the OCG wrote to Mrs. Judy McKenzie-Lawrence, Secretary Manager, Hanover Parish Council, to inform of the OCG's decision to launch an Investigation into the referenced matter. The OCG's letter was also copied to Mr. Noel Arscott, Minister of Local Government and Community Development and Mrs. Dionne Jennings, Acting Permanent Secretary, Ministry of Local Government and Community Development.

The Findings of the OCG's Investigation are premised primarily upon an analysis of the statements, documentary evidence and responses which were provided by the Respondents, who were requisitioned and summoned by the OCG, during the course of the Investigation.



METHODOLOGY

The OCG utilised the following methodology in the conduct of its Investigation:

1. Judicial Hearing pursuant to Section 18 (2) of the Contractor General Act. The Judicial Hearing was conducted during the period April 1, 2014 through to June 5, 2014.
2. A signed Witness Statement which was dated March 25, 2014, was collected from Mrs. Judy McKenzie-Lawrence, Secretary Manager of the Hanover Parish Council.
3. The issuance of Statutory Requisitions to persons considered to be of interest in the matter.

The following persons were summoned to appear before the Contractor General in respect of the Judicial Hearing:

1. Miss Shernet Haughton, former Mayor, Hanover Parish Council;
2. Mr. Fredricious Miller, Deputy Mayor, Hanover Parish Council;
3. Mr. Lloyd Hill, Councillor, Hanover Parish Council;
4. Mr. Devon Brown, Councillor, Hanover Parish Council;
5. Mr. Anthony Walker, Councillor, Hanover Parish Council;
6. Mrs. Judy McKenzie-Lawrence, Secretary Manager, Hanover Parish Council;
7. Mr. Alexander Mann, Superintendent of Roads and Works, Hanover Parish Council;
8. Miss Lavern Morris, Deputy Superintendent of Roads and Works, Trelawny Parish Council and former Superintendent of Roads and Works, Hanover Parish Council;
9. Mr. Xavier Munroe, Acting Deputy Superintendent of Roads and Works, Hanover Parish Council;
10. Mr. Enoch Humphrey, Assistant Superintendent of Roads and Works, Hanover Parish Council;



11. Mr. Noel Murray, Assistant Superintendent of Roads and Works, Hanover Parish Council;
12. Mr. Leonardo Allen, Assistant Superintendent of Roads and Works, St. James Parish Council;
13. Mr. Owen Rose, Works Overseer, Hanover Parish Council;
14. Mrs. Shelly-Ann Spence, Director of Finance, Hanover Parish Council;
15. Mrs. Pauline Allen-Bedward, Accountant, Hanover Parish Council;
16. Mr. Scian McNish, Ledger Clerk, Hanover Parish Council
17. Mr. Neville Clare, Chairman, Infrastructure Committee and Deputy Chairman, Planning and Commercial Services, Hanover Parish Council;
18. Mr. Alfred Graham, former Secretary Manager, Hanover Parish Council;
19. Mr. Michael Grant, Miss Shernet Haughton's spouse ;
20. Miss Nicolette Grant, Miss Shernet Haughton's daughter;
21. Mrs. Donola Levarity, Miss Shernet Haughton's sister;
22. Mr. Devon Haughton, Miss Shernet Haughton's brother;
23. Miss Sherriola Johnson, Miss Shernet Haughton's niece;
24. Mr. Brenton Grant, Mr. Michael Grant's nephew;
25. Mr. Petan Grant, Mr. Michael Grant's brother; and
26. Mr. Robert Williams, Contractor employed to Miss Shernet Haughton.

Instructively, the OCG was unsuccessful in its attempts to summon Mr. Rayon Williams and Mrs. Carol Grant-Haughton to attend a Judicial Hearing during the course of its Investigation. In relation to our efforts to summon Mr. Rayon Williams, the OCG was advised that Mr. Williams was currently domiciled overseas. In this regard, the OCG, by way of a statutory Requisition dated July 3, 2014, posed the following question to Ms. Jennifer McDonald, Chief Executive Officer, Passport, Immigration and Citizenship Agency:



“Please state whether Mr. Rayon Ricardo Williams of Lucea, Hanover, is currently off the island? The OCG’s information reveals that the date of birth of Mr. Williams is January 3, 1989.”¹

In a letter dated July 10, 2014, Mr. Orlando Williams, Director of Immigration Services, Passport, Immigration & Citizenship Agency, informed the OCG of the following:

“Rayon Ricardo Williams – departed the island on May 1, 2014 for the United stated [sic]”

A detailed review of the sworn responses, statements and supporting documentation was undertaken.

¹ OCG Requisition dated July 3, 2014 that was sent to Ms. Jennifer McDonald. (Question 1).



JURISDICTION

Detailed below is the legal basis upon which the Contractor General has enquired into the subject matter. The OCG's decision to undertake an Investigation into this matter is predicated upon the gravity of the allegations mentioned herein and which highlights issues of irregularity and impropriety contrary to Section 4 of the Contractor General Act. The Jurisdiction of the Contractor General enables the Office to enquire into the circumstances surrounding the said award of contracts to persons affiliated with Miss Shernet Haughton in keeping with Sections 15 (1) and 16 of the Contractor General Act.

Instructively, Section 2 of the Contractor General Act provides the following interpretations:

- *“government contract includes any licence, permit or other concession or authority issued by a public body or agreement entered into by a public body for the carrying out of building or other works or for the supply of any goods or services;” ...*
- *“public body means –*
 - a. a Ministry, department or agency of government;*
 - b. a statutory body or authority;*
 - c. any company registered under the Companies Act, being a company in which the Government or an agency of Government, whether by the holding of shares or by other financial input, is in a position to influence the policy of the company.”*

The Hanover Parish Council is a Public Body as defined by the referenced Act. Consequently, the matter concerning the award of contracts by the Hanover Parish Council is within the purview of the Contractor General.



TERMS OF REFERENCE

The OCG, in its Investigation into the circumstances surrounding alleged acts of nepotism, favouritism, irregularities, and/or conflicts of interest surrounding the award of contracts by the Hanover Parish Council to relatives and/or affiliated persons of Miss Shernet Haughton, sought to ascertain, *inter alia*, the following:

1. The veracity of the allegations of nepotism and/or conflict(s) of interest in the recommendation for the award of government contracts to relatives and persons affiliated with Miss Shernet Haughton.
2. Whether there was impropriety and/or irregularity involved in the process which was undertaken by the Hanover Parish Council in the award of government contracts to persons related to and/or affiliated with Miss Shernet Haughton.

Specific Objectives

1. Whether Miss Shernet Haughton made recommendations for the award of contracts to her relatives and/or persons with whom she is affiliated in circumstances amounting to favouritism, nepotism, and conflict of interest.
2. Whether Miss Shernet Haughton benefitted in monetary or material terms from the recommendations made by her for the award of contracts to her relatives and/or persons with whom she is affiliated during her tenure as Mayor.
3. Whether members of the Hanover Parish Council were aware of the issues of favouritism, nepotism, and conflict of interest regarding the award of contracts to relatives and/or persons affiliated with Miss Shernet Haughton.



4. To ascertain the contract award process(es) that was/were undertaken by the Hanover Parish Council in relation to the recommendations for the awards of contracts made by Miss Haughton to relatives and/or persons with whom she is affiliated.
5. To ascertain the roles and responsibilities of certain officers within the Hanover Parish Council who are involved, directly or indirectly, in the contract award process.



FINDINGS OF FACT

1. Miss Shernet Haughton was elected as Mayor in the Hanover Parish Council on March 29, 2012. Miss Haughton served as Mayor for the period March 29, 2012 to August 28, 2014.
2. The Hanover Parish Council consists of seven (7) Councillors including the Mayor, and as elected officials, constitute the political directorate of the Parish Council.
3. The administrative arm of the Parish Council includes the Secretary Manager, the Superintendent of Road and Works, the Deputy Superintendent of Roads and Works, the Assistant Superintendent of Roads and Works, the Director of Finance, the Director of Administration and the Director of Planning.
4. The Secretary Manager, as the administrative head of the Council, is the primary accountable officer and is responsible for the overall administration, financial management and human resource management. More specific responsibilities include ensuring that the Council's programmes and policies are implemented, advising and informing Council on the operation of the Council, preparing the financial plan and establishing financial controls and performing any other duties assigned by Council.
5. Mr. Alfred Graham was the Secretary Manager during the period January 2012 to November 11, 2012 and was succeeded by Mrs. Judy McKenzie-Lawrence who assumed responsibilities on November 12, 2012 and is the current Secretary Manager.
6. The Hanover Parish Council is comprised of seven (7) divisions which span two (2) Constituencies, namely Hanover Eastern and Hanover Western. The divisions are as follows:



- a. Chester Castle Division;
- b. Cauldwell Division;
- c. Hopewell Division;
- d. Sandy Bay Division;
- e. Green Island Division;
- f. Riverside Division; and
- g. Lucea Division.

Miss Shernet Haughton is the current Councillor of the Green Island Division.

- 7. The role of Councillors in the Hanover Parish Council includes the representation of the policies and decisions of the Local Authority in performing its functions, participating in the activities of the Council in accordance with the Parish Council Act, the KSAC Act, and the Municipalities Act, and participating in the allocation of the Council's resources for the benefit of the development of the Parish.
- 8. In addition to the duties assigned as a Councillor, the Mayor is expected to provide, *inter alia*, leadership and direction to the Council, preside at Council meetings, receive and submit motions presented by members, ensure transparency in the daily operations of the Council and perform any other duties or functions as assigned by the Council.
- 9. Allocations are provided by the Ministry of Local Government and Community Development in the form of disbursements to the Hanover Parish Council on a needs basis. Other allocations such as the Parochial Revenue Fund Road Programme are provided for on a monthly basis.

The Ministry of Local Government and Community Development provides periodic funding to the Hanover Parish Council for community development, special grants for



drain cleaning, including allocations for seasonal employment to include the Christmas work programme.

10. Councillors are required to prepare work programmes through which recommendations are made for the execution of works within the Divisions. The said work programmes detail the names of the recommended persons, the location of the works, and the approximate value of the works as well as contact information for the recommended individual.
11. The work programmes are submitted to the Secretary Manager for approval and thereafter to the Accounts and Roads and Works Departments for approval and implementation respectively.
12. The Secretary Manager, invariably, approves the recommendations made by Councillors, in relation to work programmes. Prior the execution of the works, the Director of Finance must ensure that the Parish Council has sufficient funds to implement stated work programmes.
13. The Superintendent of Roads and Works upon receipt of the work programme, is responsible for the implementation of the works through the Assistant Superintendent of Roads and Works and the Works Overseer.
14. The following allocations and/or disbursements were available to Miss Shernet Haughton during her tenure as Mayor and Chairman of the Hanover Parish Council:
 - Mayor's Township Allocation;
 - Mayor's Discretion; and
 - Green Island Division Allocation.



15. An approximate total of \$29,684,000.00 was available to Miss Shernet Haughton in her capacity as Mayor, Chairman, Hanover Parish Council and Councillor for the Green Island Division.
16. A document entitled, “***FAMILY LIST Shernett Haughton, Mayor/Councillor-Green Island Division Work Distribution/ Hanover Parish Council/ Extract from H.P.C Roads and Works Dept. Ledger***” was submitted to the OCG by an anonymous source. The above stated List portrayed a list of persons to whom Miss Shernet Haughton is purported to be related, and for whom she allegedly made recommendations for the award of contracts. **The said document is not an official or authentic Hanover Parish Council document.**
17. A document entitled, “***FRIEND LIST Shernett Haughton, Mayor/Councillor-Green Island Division Work Distribution/ Hanover Parish Council/ Extract from H.P.C Roads and Works Dept. Ledger***”, was submitted to the OCG by an anonymous source. The above stated List portrayed a list of persons with whom Miss Shernet Haughton is purported to be affiliated, and for whom she allegedly made recommendations for the award of contracts. **The said document is not an official or authentic Hanover Parish Council document.**
18. The methodology utilised by the Hanover Parish Council for awarding contracts below \$500,000.00, for works including the clearing of blocked roadways, bushing and drain cleaning, is the ‘direct method of procurement’.
19. Miss Shernet Haughton made recommendations for the award of contract(s) to eleven (11) persons affiliated and/or related to her as follows:
 - a. Mr. Michael Grant (spouse);
 - b. Miss Nicolette Grant (daughter);



- c. Mr. Rayon Williams (son);
- d. Mrs. Donola Levarity (sister);
- e. Mr. Devon Haughton (brother);
- f. Miss Sherriola Johnson (niece);
- g. Mrs. Carol Grant-Haughton (sister-in-law);
- h. Mr. Headley Vassell (brother-in-law);
- i. Mr. Petan Grant (brother-in-law);
- j. Mr. Brenton Grant (spouse's nephew); and
- 1. Mr. Robert Williams (Contractor employed to Miss Shernet Haughton).

20. At least one (1) of the contractors who benefitted from the recommendation for the award of contract made by Miss Shernet Haughton was directly contacted by Miss Haughton and advised of the recommendation and the contract award.

21. Miss Shernet Haughton made a recommendation in the amount of \$300,000.00 in favour of Mr. Michael Grant. Contracts were awarded by the Hanover Parish Council to Mr. Michael Grant in the amounts of \$300,000.00 and \$50,000.00. Cheques were also made payable to Mr. Grant in the referenced amounts of \$300,000.00 and \$50,000.00. The cheque in the amount of \$300,000.00 was co-signed by Miss Shernet Haughton.

22. Miss Shernet Haughton made a recommendation in the amount of \$100,000.00 in favour of Miss Nicolette Grant. A contract was awarded by the Hanover Parish Council to Miss Nicolette Grant in the amount of \$100,000.00. Cheques were also made payable to Ms. Grant in the referenced amounts of \$100,000.00 and \$24,300.00. Miss Shernet Haughton co-signed both cheques that were paid to Ms. Grant.



23. Miss Shernet Haughton made recommendations in the amounts of \$250,000.00, \$60,000.00 and \$40,000.00, in favour of Mr. Rayon Williams. Contracts were awarded by the Hanover Parish Council to Mr. Rayon Williams in the amounts of \$60,000.00 and \$40,000.00. Cheques were also made payable to Mr. Williams in the referenced amounts of \$245,000.00, \$60,000.00 and \$40,000.00. The three (3) cheques were co-signed by Miss Shernet Haughton.
24. Miss Shernet Haughton made recommendations in the amount of \$130,000.00 and \$85,000.00, in favour of Mrs. Donola Levarity. A contract was awarded by the Hanover Parish Council to Mrs. Donola Levarity in the amount of \$85,000.00. Cheques were also made payable to Miss Levarity in the amounts of \$130,000.00 and \$85,000.00. The cheque, in the amount of \$85,000.00, was co-signed by Miss Shernet Haughton.
25. Miss Shernet Haughton made recommendations in the amounts of \$105,000.00, \$25,000.00 and \$25,000.00, in favour of Mr. Devon Haughton. Contracts were awarded by the Hanover Parish Council to Mr. Devon Haughton in the amounts of \$105,000.00 and \$25,000.00. Cheques were also made payable to Mr. Haughton in the referenced amounts of \$105,000.00, \$25,000.00 and \$25,000.00.
26. Miss Shernet Haughton made recommendations in the amounts of \$120,000.00, \$95,000.00, \$140,000.00 and \$280,000.00, in favour of Miss Sherriola Johnson. Contracts were awarded by the Hanover Parish Council to Miss Sherriola Johnson in the amounts of \$278,500.00, \$95,000.00 and \$140,000.00. Cheques were also made payable to Miss Johnson in the amounts of \$278,500.00, \$95,000.00, \$140,000.00 and \$85,500.00. Of the four (4) cheques, three (3) were co-signed by Miss Shernet Haughton.



27. Miss Shernet Haughton made a recommendation in the amount of \$130,000.00, in favour of Mrs. Carol Grant-Haughton. A contract was awarded by the Hanover Parish Council to Mrs. Carol Grant-Haughton in the amount of \$130,000.00. A cheque was also made payable to Mrs. Grant-Haughton in the amount of \$130,000.00. This cheque was also co-signed by Miss Shernet Haughton.
28. Miss Shernet Haughton made a recommendation in the amount of \$80,000.00, in favour of Mr. Headley Vassell. A contract was awarded by the Hanover Parish Council to Mr. Headley Vassell in the amount of \$80,000.00. A cheque was also made payable to Mr. Vassell in the amount of \$80,000.00. This cheque was also co-signed by Miss Shernet Haughton.
29. Miss Shernet Haughton made recommendations in the amounts of \$300,000.00, \$270,000.00, and \$40,000.00, in favour of Mr. Petan Grant. Six (6) contracts were awarded by the Hanover Parish Council to Mr. Petan Grant in the amounts of \$300,000.00, \$245,607.60, \$161,700.00, \$245,000.00, \$250,620.00 and \$147,000.00. Nine (9) cheques were also made payable to Mr. Grant in the amounts of \$300,000.00 and \$245,000.00, \$245,607.60, \$161,700.00, \$147,000.00, \$40,000.00, \$47,040.00, \$117,640.00 and \$133,140.00. Of the nine (9) cheques, seven (7) were co-signed by Miss Shernet Haughton.
30. Miss Shernet Haughton made a recommendation in the amount of \$70,000.00, in favour of Mr. Brenton Grant. The OCG is not in possession of any contracts awarded by the Hanover Parish Council to Mr. Brenton Grant. A cheque was also made payable to Mr. Grant in the amount of \$70,000.00. This cheque was co-signed by Miss Shernet Haughton.
31. Miss Shernet Haughton made recommendations for Mr. Robert Williams to be awarded contracts. Three (3) contracts were awarded by the Hanover Parish Council to



Mr. Robert Williams in the amounts of \$333,958.40, \$199,725.00 and \$372,680.00. Two (2) cheques were also made payable to Mr. Williams in the amounts of \$333,958.40 and \$5,060.00.

32. The signatories for contract payments for the period January 2012- April 29, 2014 at the Hanover Parish Council were as follows:

Political Directorate

Miss Shernet Haughton;
Mr. Lloyd Hill;
Mr. Lester Crooks;
Mr. Fredricious Miller;
Mr. Wynter McIntosh;

Administrative

Mr. Alfred Graham;
Mrs. Judy McKenzie Lawrence;
Mrs. Shelly-Ann Spence; and
Mrs. Pauline Allen-Bedward.

33. Each cheque issued by the Hanover Parish Council is signed by a representative of the political arm and the administrative arm, namely, the Chairman or nominee and Secretary Manager or nominee, respectively.
34. There is no documented policy or protocol at the Hanover Parish Council that stipulates the procedure for the selection and/or recommendation for the award of contracts by Councillors/Mayor.



35. Miss Shernet Haughton has received training in ethics and there exists The Councillors Handbook, a Guide for Jamaican Councillors, which was provided by the Ministry of Local Government and Community Development and which is available to all Parish Councilors.
36. Miss Shernet Haughton is unfamiliar with the provisions contained in “The Councillors Handbook, a Guide for Jamaican Councillors”.
37. Miss Shernet Haughton facilitated contractors signing blank contract forms. A blank contract form was presented to Mr. Robert Williams, Mr. Michael Grant and Miss Sherriola Johnson by Miss Shernet Haughton. She had them sign these contract forms in the absence of particulars of the contract being contained in the documents circumventing the role of the Works Overseer.
38. Miss Shernet Haughton received and signed for a cheque which bore the number 8388511 in the sum of \$130,000.00 dated July 12, 2013 and this was made payable to Carol Grant-Haughton on July 12, 2013. The OCG has seen no evidence of a letter of authorization from Mrs. Carol Grant-Haughton permitting Miss Shernet Haughton to collect this particular cheque.



DISCUSSION OF FINDINGS

Roles and Responsibilities of Key Persons Involved in the Contract Award Process at the Hanover Parish Council

In light of the allegations surrounding the recommendations for the award of contracts at the Hanover Parish Council, the OCG deemed it prudent to ascertain the roles and responsibilities of certain officers who are involved in the contract award process. In this regard, the roles of the Secretary Manager, Mayor, Councillor(s), the Superintendent of Roads and Works and the Works Overseer were examined. The OCG's review revealed, *inter alia*, the following:

Mayor/Chairman of the Council

The OCG found, based upon its review of The Councillors Handbook, A Guide For Jamaican Councillors², that the following was specified in relation to the roles and functions of the Mayor/Chairman of the Council:

“In addition to the duties of a member of Council, the Mayor must:

- *provide leadership and direction to the Council;*
- *preside when in attendance at all Council meetings, except where the Council's procedure by-law provides otherwise... by taking the Chair and calling the members to order;*
- *receive and submit in the proper manner, all motions presented by the members;*
- *represent and support the Council;*

² The Councillors Handbook, A Guide For Jamaican Councillors. Produced by Communications Unit, Office of the Prime Minister, The Department of Local Government, 2009. Pg. 30



- *represent the Council at all civic functions and carry out civic duties*
- *ensure transparency in the daily operations of the Council*
- *act as a catalyst for change and development*
- *perform any other duty or function as assigned by Council; and*
- *vote on matters put to a vote of Council.”³*

Councillors

The role of the Councillor, is defined in The Councillor’s Handbook, A Guide For Jamaican Councillors:

“GENERAL ROLES:

- *As a Councillor, you are expected to accurately represent the policies and decisions of the Local Authority in performing its functions.*
- *Participate in the activities of the Council in accordance with the Parish Council Act, the KSAC Act and the Municipalities Act*
- *Participate in the optimum allocation of the Council’s resources for the benefit of the development of the Parish*
- *Play a key role in the creation and review of the Council’s policies and objectives and criteria*

³ Ibid



relating to the exercise of the Council's regulatory functions...

- *Accurately represent the policies and decisions of the Council in the performance of your duties*

REMEMBER: *once elected, you also need to work with other Councillors in the interest of the Parish, while remaining accountable to your electorate and stakeholders.*

SPECIFIC ROLES: *The Councillors of a Local Authority collectively must:*

...

- determine and monitor the application of policies, plans and programmes and the efficient and effective provision of services and facilities*
- efficiently and effectively manage the of [sic] assets/resources of the Division...*⁴ (OCG Emphasis)

The Councillor's Handbook, A Guide For Jamaican Councillors also stated that:

"...Councillors should:

⁴ The Councillors Handbook. Produced by Communications Unit, Office of the Prime Minister, The Department of Local Government, 2009. Page 26



- *Not do anything which will bring the Council or their office into disrepute*
- *Not misuse their official position to their own advantage or to the advantage or disadvantage of others*
- *Promote* equality by not discriminating against others
- *Treat* others with respect
- *Respect* confidential information
- *Listen* to the advice of technical officers, especially where the matter relates to possible illegal decisions or expenditure
- *Not* misuse Council resources or authorize their misuse, in particular for unauthorized party political purposes”⁵ (OCG Emphasis)

Further, the referenced Handbook outlines the following as the skills and competencies required of Councillors at the Parish Council:

“Political Understanding

Ability to act ethically, consistently and with integrity in communicating values and representing group views on decisions and actions. Ability to work across group boundaries without compromising values and ethics.”⁶

(OCG Emphasis)

⁵ The Councillors Handbook, A Guide for Jamaican Councillors. Produced by Communications Unit, Office of the Prime Minister, The Department of Local Government, 2009. Page 28



Importantly, the OCG requested and was provided with a document entitled “**CODE OF ETHICS FOR COUNCILLORS**” by the Ministry of Local Government and Community Development. The Code of Ethics for Councillors governs the conduct of Councillors and sets out the ethical and behavioural standards expected of Councillors in the Jamaican Local Government system.

The said Code of Ethics for Councillors indicates, *inter alia*, the following:

- ✚ *“Demonstrate fairness and honesty in all dealings and conduct and be open with and accountable to the community at all times...”*
- ✚ *Display openness and transparency in every aspect of your job...*
- ✚ *Ensure that your individual interest does not interfere or appear to interfere with the interest of the Local Authority*
- ✚ *Declare at Council meetings all personal or prejudicial interests*
- ✚ *Do not seek to improperly influence decisions to the advantage of yourself and/or the disadvantage of anyone else...*
- ✚ *Endeavour not to bring the Local Authority into disrepute at any time”⁷ (OCG Emphasis)*

⁶ The Councillors Handbook. Produced by Communications Unit, Office of the Prime Minister, The Department of Local Government, 2009. Page 17.

⁷ Document entitled “**CODE OF ETHICS FOR COUNCILLORS**”, which was provided under cover of letter dated February 11, 2015 by Mrs. Dionne Jennings, Permanent Secretary (Acting).



Secretary Manager

The Councillor's Handbook, A Guide For Jamaican Councillors⁸ highlights the role of the Secretary Manager who is also referred to as the Chief Administrative Officer as follows:

*“As the administrative head of the Council, the Secretary/Manager...is responsible for overall administration, financial management and human resource management. More specific responsibilities include ensuring that the Council's programmes and policies are implemented, advising and informing Council on the operation of the Council, preparing the financial plan and establishing financial controls, and performing any other duties assigned by Council.”*⁹

The role of the Secretary Manager is similarly indicated on the website of the Hanover Parish Council as shown below:

“The Secretary Manager, sometimes referred to as “The Secretary” (as distinct from Stenographer) is the Administrative Head of the Parish Council, and principal accountable officer to the Permanent Secretary in the Ministry of Local Government and Community Development, whose substantive

⁸ The Councillor's Handbook, A Guide for Jamaican Councillors. Produced by Communications Unit, Office of the Prime Minister, The Department of Local Government, 2009.

⁹ The Councillor's Handbook, A Guide for Jamaican Councillors. Produced by Communications Unit, Office of the Prime Minister, The Department of Local Government, 2009. Page 37



responsibility it is to act on the policy directives of the Council.”¹⁰

Superintendent of Roads and Works

In an effort to ascertain the roles and functions of the Superintendent of Roads and Works, the OCG, by way of a statutory Requisition, which was dated April 23, 2014, required that the Secretary Manager of the Hanover Parish Council, Mrs. Judy McKenzie- Lawrence, respond to the following question:

“Please indicate the name(s) of the respective Superintendent of Works and Deputy Superintendent of Works and/or any other Officer who may have acted in such capacity for the period January 2012 to present. Your response should include the commencement and termination of such person(s) tenure, a copy of the job description and/or an Executive Summary detailing a step by step process of the work requirements of the stated position.”¹¹

Mrs. McKenzie- Lawrence, by way of her response which was dated April 29, 2014, informed, *inter alia*, as follows:

“...JOB DESCRIPTION AND SPECIFICATION

¹⁰ Website of the Hanover Parish Council, accessed on March 18, 2015, retrieved from <http://www.hanoverpc.gov.jm/administration/secretary-manager-1>.

¹¹ OCG Requisition dated April 23, 2014, to Mrs. Judy McKenzie-Lawrence, Secretary Manager, Hanover Parish Council. (Question 2)



Post: *Superintendent Roads and Works –
SOG/ST8*

Department: *Roads and Works*

Reports to: *Secretary/Manager*

JOB SUMMARY

The incumbent's role is to advise the Parish Council in relation to parochial roads and works. Specifically, he/she will be responsible for reporting to the Council matters relating to works, repairs and or alterations required to roads, buildings or works in the parish. The incumbent will be required to furnish plans, specifications and estimates of such works, repairs and or alterations. He/she, upon the direction of the Council, carry out and superintend the carrying out such works, repairs and or alterations as may be sanctioned by the Council; same shall be paid for. The incumbent shall have care, protection, maintenance and supervision of all roads, buildings, works, live & rolling stocks and all other properties owned, controlled or in possession of the Council and shall be responsible for all expenditure in connection with the Roads and Works department...

RESPONSIBILITIES

- 1. Designing and preparing plans, specifications, and estimates in relation to all works such as roads,*



bridges, walls, buildings, river training, drainage and all other works being undertaken by the Council.

- 2. Submitting from time to time reports on all such works;*
- 3. Preparing estimates and designing plans and specification for Implementation and maintenance of all water supplies and its appurtenances under the control of the Parish Council.*
- 4. Receiving applications for building approval under the Building Act and applications for development and subdivision of lands under the Town and Country Planning Act and Local Improvements Act... ”¹²*

Works Overseer

Mrs. Judy McKenzie- Lawrence, by way of a statutory Requisition, dated April 23, 2014, was required to respond to the following question:

“Please provide the name(s) and title(s) of the respective Work Overseer(s) at the Hanover Parish Council between the period January 2012 to present. Your response should include the commencement and termination of such person(s) tenure, a copy of the job description and/or an

¹² Response to the OCG dated April 29, 2014 by Mrs. Judy McKenzie-Lawrence . (Response 2).



*Executive Summary detailing a step by step process
of the work requirements of the stated position.”¹³*

Mrs. Judy McKenzie-Lawrence, by way of her response to the OCG that was dated April 29, 2014, informed the OCG as follows:

**“...DESCRIPTION OF DUTIES FOR WORKS
OVERSEER**

(SOG/ST 2)

***REPORTS TO: THE SUPERINTENDENT,
ROADS AND WORKS***

REGULAR DUTIES:

***Under the direction of the Superintendent, Roads
and Works the incumbent will be responsible for:***

- I. Implementing and overseeing work programmes
and projects***
- II. Preparing and Submitting Payment Vouchers***
- III. Investigating complains [sic] and provide reports***
- IV. Overseeing Cemetery Keepers and part time Care
Takers***
- V. Providing estimates for Road maintenance, Council
Buildings and Council Properties***
- VI. Assisting with the General Maintenance of the
Minor Water Supply Systems***
- VII. Attending meetings at the Council as directed by the
Superintendent***

¹³ OCG Requisition dated April 23, 2014, to Mrs. Judy McKenzie-Lawrence, Secretary Manager, Hanover Parish Council. (Question 1)



Any other duties assigned at any given time.”¹⁴
(OCG Emphasis)

During the course of a Judicial Hearing held on June 4, 2014, Mr. Leonardo Allen, former Works Overseer, Hanover Parish Council and current Assistant Superintendent of Roads and Works at the St. James Parish Council, provided the following responses to questions which were posed to him:

“Q: As Works overseer at the Hanover Parish Council what were your job functions, sir?

A: Implementing of programmes and overseeing of cemetery keepers and caretakers, preparing of estimates, I would go to meeting on behalf of the Superintendent of Roads and Works and just about any other duties that I am directed.”¹⁵

Further, to understand the roles of key persons in the contract award process at the Hanover Parish Council, the OCG posed the following question to Mrs. Judy McKenzie-Lawrence:

“Please provide an organizational chart of the Hanover Parish Council identifying the persons involved in the contract award and implementation process (es). Kindly note that the aforementioned organizational chart should reflect the chain of

¹⁴ Response to the OCG dated April 29, 2014 by Mrs. Judy McKenzie-Lawrence . (Response 1).

¹⁵ Transcript of Judicial Hearing involving Mr. Leonardo Allen. Page 196.



command in relation to each person involved in the process and specifically show the reporting relationship between or among the (a) Secretary Manager, (b) Superintendent of Roads and Works, (c) Works Overseers and (d) any other officers with direct responsibilities for contract implementation at the Hanover Parish Council.”¹⁶

Mrs. Judy McKenzie-Lawrence, in her response to the OCG that was dated January 22, 2015, stated as follows:

*“...Please be advised of the following, **the Hanover Parish Council has no Organizational Chart that depicts what you are requesting...***

Contracts are prepared and signed by the Superintendent-Roads & Works, then forwarded to the Secretary/Manager for signing, then to the Chairman of Council for signing and then back to the Superintendent-Roads and Works for implementation.”¹⁷(OCG Emphasis)

¹⁶ OCG Requisition dated January 12, 2015, to Mrs. Judy McKenzie-Lawrence, Secretary Manager, Hanover Parish Council. (Question 1).

¹⁷ Response by Mrs. Judy McKenzie-Lawrence dated January 22, 2015 to the OCG.



Allocations Made to Councillors in the Hanover Parish Council

The OCG was advised by Mrs. McKenzie-Lawrence in a Witness Statement dated March 25, 2014, that a Parochial Revenue Fund budget is prepared by the Hanover Parish Council and sent to the Ministry of Local Government and Community Development, requesting the allocation of funds. It was stated that the Ministry may then allocate the requested funds to the Parish Council monthly. She also stated that other allocations are provided by the Ministry on a 'needs basis'.¹⁸

By way of a Judicial Hearing which was held on June 4, 2014, Mr. Lloyd Hill, Councillor at the Hanover Parish Council, sought to explain the process through which funds are allocated to the Parish Council up to the point of contract award and the issuance of cheques to a contractor for work done. Mr. Hill stated as follows:

“...when an allocation is provided for a division or for all divisions, it is required that each councillor prepare a programme, making recommendations, names, address, and location of work to be done and approximate amount of work to be done. This goes do [sic] the Secretary Manager who in turn pass it on to the Accounts Department, the Roads and Works Department who will implement the work to one of its officers...when the officer gives out the work and somebody else takes up the work and then the bill is made up at the Roads and Works Departments, it goes to the Accounts Department,

¹⁸ Witness Statement of Mrs. Judy McKenzie-Lawrence dated March 25, 2014.



passes the bill to the Audit Department and they go and check the work.”¹⁹

The referenced process was also expressly detailed by Mrs. Judy McKenzie-Lawrence, in a Judicial Hearing held on June 4, 2014, as follows:

“The money is allocated before the assignment is given, so what I normally do when I get the listing of names for a program I would copy it to director of finance, the internal auditory [sic] and the Superintendent. With the Director of Finance she is to ensure that there are funds assigned to that program because the program is on a monthly maintenance program that is approved by the Government Ministry. Prepared by us and sent to the Ministry and approved and then the Ministry will send us the money from their maintenance. So therefore whenever an assignment or a program is sent by a councilor it has from where the fund would be taken...

So I send that copied to the Director of Finance for her to ensure that fund is available copy to the Internal auditor to ensure that if she has any suspicion she will check the work and stop the Superintendent Department will do what the Superintendent does best assign the work.”²⁰

¹⁹ Transcript of Judicial Hearing involving Mr. Lloyd Hill. Page 105-106.

²⁰ Transcript of Judicial Hearing involving Mrs. Judy McKenzie-Lawrence. Page 155.



Miss Shernet Haughton, by way of a Judicial Hearing which was held on April 1, 2014, provided her interpretation of the process through which allocations are made by the Ministry of Local Government and the disbursement of funds in this regard:

“CHAIRMAN:can you indicate for us what is your allocation as a Mayor in terms of road maintenance?

A: Okay. It all depends on what we get from the Minister of Local Government, and what I would normally do is, among the councillors and myself, we would sit together and discuss it and do a program and disperse it likewise...when we make up that program – the program would be madeup by the superintendent, then come to me to vet it, and I send it back to the Secretary/Manager who then sends it back to the supt. They look at it. In regards to the funds that we get from the Minister of Local Government, it goes to the Secretary/Manager or the Finance



Department; it doesn't come to me directly. What I get is a sheet of paper in terms of the disbursement from the superintendent; we sit together as councillors, we discuss...

CHAIRMAN: You said 'we'?

A: The councillors, yes.

CHAIRMAN: ...You get an allocation from the Minister; you then sit down with a disbursement list with the councillors. When yourself and the councillors speak, whether it is agreement or disagreement, a final list is prepared – correct?

A: First, the list is prepared by the superintendent; then the list would come to me now which I don't have to agree with what the superintendent has on it. So what I would do is sit with the councillors and we go through the entire list.

CHAIRMAN; Is the superintendent in that meeting?



A: *No, he would not be. Then whatever we agree on now I would send back to the Secretary/Manager who will in turn send it back to the superintendent, and they re-prepare it and then all three of us would sign off on that list.*

CHAIRMAN: **Who are the three persons who sign off on that list?**

A: **The Superintendent, the Secretary/Manager and I.** *That is for the funds that we get from the Minister...No program would be made up until we have the funds.*

CHAIRMAN: *So after the sign-off by the three persons you then create the program.*

A: **If you want to do a program for some work within the division, then you can create a program to get the work done.**

CHAIRMAN: *So either you have established programs or you could create a new program.*



A: *Well, you would normally – at times program would supersede programs which you don't do the ones that supersedes but you would from time to time create a program.*

CHAIRMAN: *And the basis for creating these programs is based on what you determine as the needs of the parish?*

A: *Yes.*

...

CHAIRMAN: *You would agree in respect of the disbursement list that is generated by the Works Superintendent and which you eventually sign off on, it speaks to a monthly allocation for each division.*

A: *Right. And as I said, the Secretary/Manager normally signs on these as well.*

...

CHAIRMAN: *If the councillors are not in agreement would they also sign?*



A: *Well, every councillor would do their own program for their respective division.*

...

CHAIRMAN: *Now in terms of the submission of the program, who is it who decides what programs are carried through, who decides that?*

A: *I would submit the programs to the Secretary/Manager who in turn would send it to the Roads and Works, and the Works Overseer would decide on that. I only make recommendations.*²¹

(OCG Emphasis)

In an effort to ascertain details of the allocations that were provided to Miss Shernet Haughton, the OCG, by way of a statutory Requisition dated April 9, 2014, requested Mrs. Judy McKenzie-Lawrence to respond to the following:

“Please provide the following documents and/or information as outlined below:

- a. Particulars of all Budgetary and/or other Allocations of funds received by Miss Shernette*

²¹ Transcript of Judicial Hearing with Miss Shernet Haughton. Volume 1. Pages 9-14.



Haughton on a monthly or annual basis as the Mayor of Lucea and Councillor for the Green Island Division, since 2012.”²²

Mrs. McKenzie-Lawrence, by way of her response which was dated April 11, 2014, provided the OCG with copies of documented allocations from the Ministry of Local Government and Community Development for the Road Maintenance Programme, as well as allocations made to the respective Divisions of the Hanover Parish Council.²³

Mrs. McKenzie-Lawrence further advised that:

*“...These are funds which are allocated to the Office of the Mayor and the Green Island Division on a monthly basis. Please be advised that periodic funding was granted from Ministry of Local Government for Drain Cleaning for the Period 2012 to present. Seasonal funding was also received From the Ministry of Local Government...”*²⁴

For the period July 20, 2012 to December 10, 2013, the following funds were allocated to the Hanover Parish Council by the Ministry of Local Government and Community Development²⁵:

²² OCG Requisition Letter dated April 9, 2014 to Mrs. Judy McKenzie-Lawrence. (Question 1a).

²³ Response by Mrs. Judy McKenzie-Lawrence dated April 11, 2014 to the OCG. (Response 1).

²⁴ Ibid

²⁵ Appendix B “Periodic Funding received from Ministry of Local Government and Community Development, six pages attached” Mrs. Judy McKenzie-Lawrence’s Response to the OCG dated April 11, 2014.



Table 1

DIVISION/ ALLOCATION	TYPE	OF	ALLOCATION AMOUNT
Mayor's Allocation and/or Mayor's Discretion			\$1, 650,000.00
Green Island Division			\$3,164,000.000
Lucea Division			\$2,202,000.00
Riverside Division			\$2,214,000.00
Cauldwell Division			\$2,194,000.00
Sandy Bay Division			\$2,600,000.00
Hopewell Division			\$2,070,000.00
Chester Castle Division			\$2,206,000.00
TOTAL			\$18, 300,000.00

In addition to the funds allocated to the aforementioned Divisions of the Hanover Parish Council, six (6) of the Councillors received a total of \$450,000.00 for the Equalization Fund for the Special Work Programme in December 2013²⁶. The Mayor's allocation, in this regard, was in the amount of \$800,000.00 and a total of \$100,000.00 was allocated to the Secretary Manager in respect of 'Holiday Employment'.²⁷

In relation to the Allocation for Seasonal Employment Programme, the OCG found based on an Inter-Office Memorandum dated December 18, 2013 to Mrs. Aretta Smith, Internal Auditor, Mr. Alexander Mann, Superintendent Roads and Works and Mrs. Shelly-Ann Spence, Director of Finance, that the Councillors at the Hanover Parish Council were awarded \$75,000.00 each, in this regard.

²⁶ Letter dated December 10, 2013 from the Ministry of Local Government & Community Development to the Secretary Manager, Hanover Parish Council, Mrs. Judy McKenzie-Lawrence found in Appendix B entitled "Periodic Funding received from Ministry of Local Government and Community Development, six pages attached" of said Mrs. Judy McKenzie-Lawrence's Response to the OCG dated April 11, 2014.

²⁷ Inter-Office Memorandum dated December 18, 2013 from Mrs. Judy McKenzie Lawrence to Mrs. Aretta Smith, Internal Auditor, Mr. Alexander Mann, Superintendent Roads and Works and Mrs. Shelly-Ann Spence, Director of Finance found in Appendix B "Periodic Funding received from Ministry of Local Government and Community Development, six pages attached" Mrs. Judy McKenzie-Lawrence's Response to the OCG dated April 11, 2014.



As it relates to the Parochial Revenue Fund Road Programme (Road Maintenance Programme) and based on the OCG's calculations, the following funds were allocated to the Hanover Parish Council for the period March 2012 to February 2014²⁸:

Table 2

DIVISION/ ALLOCATION	TYPE OF	ALLOCATION AMOUNT
Mayor's Allocation and/or Mayor's Discretion		\$11,205,000.00
Green Island Division		\$13,665,000.00
Lucea Division		\$10, 439,000.00
Riverside Division		\$11,234,000.00
Cauldwell Division		\$11,234,000.00
Sandy Bay Division		\$12,125,000.00
Hopewell Division		\$11,139,000.00
Chester Castle Division		\$11,189,000.00
TOTAL		\$92, 230,000.00

Instructively, Miss Shernet Haughton was in receipt of both the Mayor's Township Allocation and/or Mayor's Discretion, as well as that which was allocated to the Green Island Division.

Based on the foregoing, the total funds allocated to Miss Shernet Haughton as Mayor and Councillor of the Green Island Division, as it relates to (a) the Parochial Revenue Road Programme and (b) funds from the Ministry of Local Government and Community Development for the periods March 2012 to February 2014 and July 20, 2012 to December 10, 2013, respectively, amounts to approximately \$29, 684,000.00.

Having regard to the above statements, the OCG notes that Programmes for the Hanover Parish Council are created based on a 'needs basis'. In summary, once a recommendation is made by

²⁸ Appendix A "Road Maintenance Program twenty four pages for the period March 2012 - February 2014 attached" Mrs. Judy McKenzie-Lawrence's Response to the OCG dated April 11, 2014.

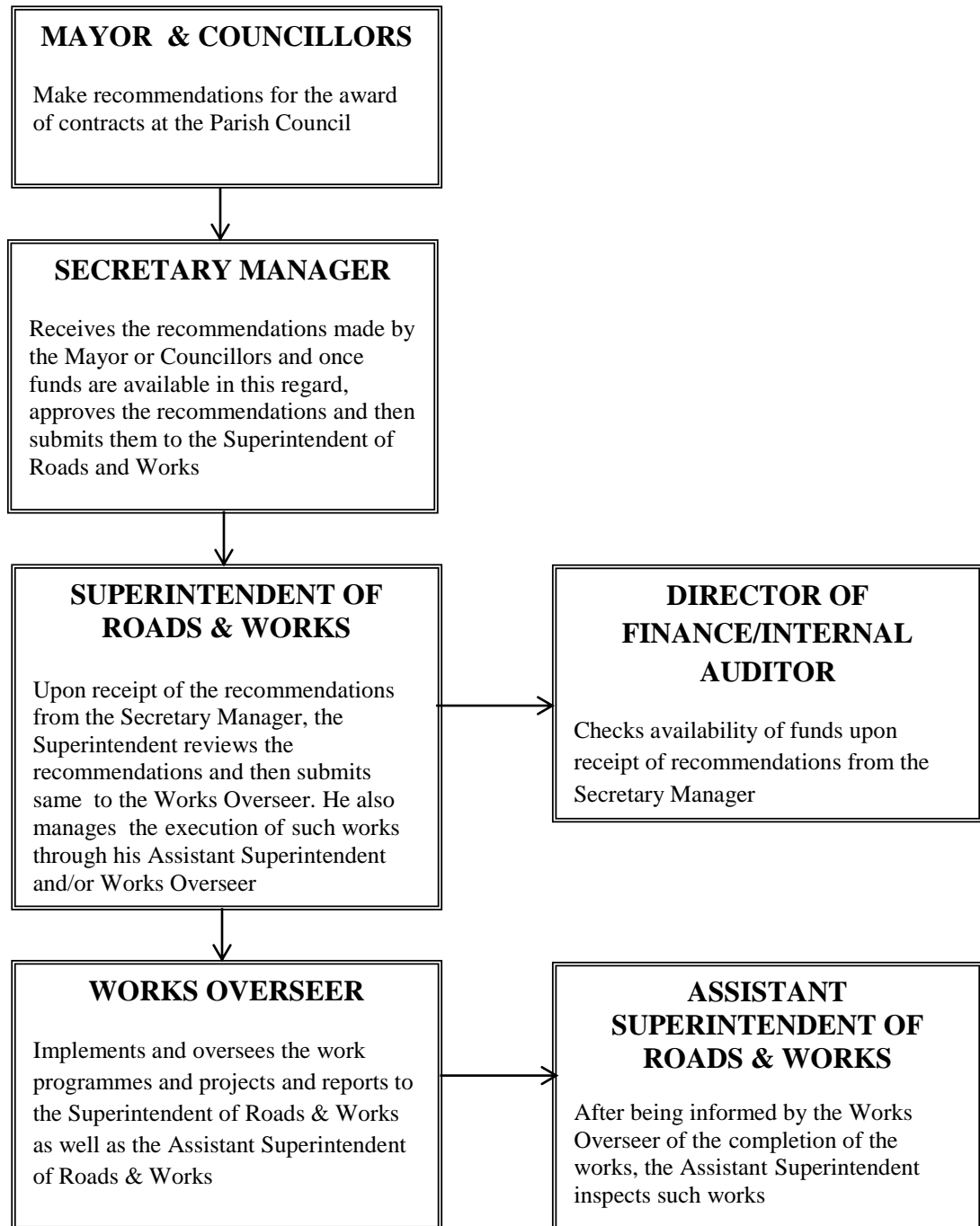


the Councillor(s) it is sent to the Secretary Manager in the form of an Inter-Office Memorandum. The OCG notes quite interestingly that recommendations made by the Councillors/ the Mayor, invariably, results into an award of a contract. This is based upon the observation that upon receipt of the recommendation, the Secretary Manager then submits the recommendation to the Director of Finance who determines whether funds are available for the programme to be approved. Once it is determined that funds are available the Secretary Manager is then advised and approves the programme which is then sent to the Superintendent of Roads and Works and thereafter, to the Works Overseer. The Works Overseer is required to make contact with the recommended contractor, and together, the work is measured and the scope of work (s) agreed on. Additionally, a contract is entered into once the scope of works and rates are determined. The contract/agreement contains details of the contract, the parties to the contract, and certain specified terms of the contract.

Based upon the foregoing, the OCG constructed the following flow chart which outlines the reporting relationships between all key persons, to include the Internal Auditor, identified in the process of the award of contracts at the Hanover Parish Council:



Chart 1





Recommendations for the Award of Contracts at the Hanover Parish Council

As indicated in the 'Family List' and 'Friends List' that were provided to the OCG by an anonymous source, Miss Shernet Haughton allegedly made recommendations for the award of contracts to relatives and/or to persons with whom she is affiliated.

In this regard, the OCG, by way of its statutory Requisition, dated April 23, 2014, required Mrs. Judy McKenzie-Lawrence, Secretary Manager, to respond to the following question:

*"Please provide an executive summary detailing the approval process employed by the Hanover Parish Council for the award of contracts below \$500,000.00, particularly as it pertains to works which include Clearing of Blocked Roadways, Bushing and Drain Cleaning. Please note if the process for general contracts awards is different, please account for same. Your response should include the name(s) and title(s) of the person(s) responsible for the approval of such contracts in the Hanover Parish Council."*²⁹

Mrs. McKenzie-Lawrence, by way of her response which was dated April 29, 2014, informed the OCG as follows:

"Please be advised that the methodology for the awarding of contracts below \$500,000.00 for the Clearing of Blocked Roadways, Bushing and Drain Cleaning is such that the direct method of

²⁹ OCG Requisition dated April 23, 2014 that was sent to Mrs. Judy McKenzie-Lawrence. (Question 3).



Procurement, a recommended contractor list (programme) is forwarded from the Councillors/Mayor of the respective divisions through the Secretary Manager to myself, the Superintendent of Roads & Works. The programmes are then forwarded to the Assistant Superintendent of Roads and Works who then communicate with the Works Overseer and the Councillor to finalize on the scope of works to be executed. The works are directly, supervised by the Assistant Superintendent and are checked to be satisfactorily completed before it is forwarded to me (Superintendent Roads & Works) for certification. There are rare cases where the nature of the works may require urgent and more technical aspects that are not on the assigned programme and as such the Assistant Superintendent may engage a contractor to execute the required works in a timely manner under the direction of the Superintendent's office...³⁰(OCG Emphasis)

The aforementioned representations were also contained in a Hanover Parish Council Memorandum that was dated April 29, 2014, and sent to Mrs. Judy McKenzie-Lawrence by Mr. Alexander Mann, Superintendent, Roads & Works Department Office.

During the course of its Investigation, the OCG undertook a review of copies of Inter-Office Memorandums containing recommendations made by Councillors within the Hanover Parish

³⁰ Response by Mrs. Judy McKenzie-Lawrence dated April 29, 2014 to the OCG, Appendix 1.



Council. The following table was generated based on the OCG's review of "*Green Island Division Councillor Work Program identifying persons for work*", which was provided to the Office by Mrs. Judy McKenzie-Lawrence³¹. The stated table details recommendations made by Miss Shernet Haughton for the award of contracts to her relatives and/or persons with whom she is affiliated.

³¹ Response by Mrs. Judy McKenzie-Lawrence dated April 11, 2014 to the OCG, Appendix C "*Green Island Division Councillor Work Program identifying persons for work.*"



Table 3

Date of Recommendation³²	Name of Person Recommended	Relationship and/or Affiliation	Work Description	Recommended Amount to be Paid
16.11.12	Michael Grant	Spouse	Bushing	\$300,000.00
Date illegible	Nicolette Grant	Daughter	Bushing and Drain cleaning	\$100,000.00
09.05.12	Rayon Williams	Son	Drain cleaning	\$250,000.00
Date illegible	Rayon Williams	Son	Drain cleaning	\$60,000.00
16.11.12	Rayon Williams	Son	Drain cleaning	\$40,000.00
05.03.13	Donola Levarity	Sister	No description	\$85,000.00
09.05.13	Donola Levarity	Sister	No description	\$130,000.00
17.12.13	Donola Levarity	Sister	Bushing	\$200,000.00
Date illegible	Devon Haughton	Brother	Drain cleaning	\$25,000.00
16.11.12	Devon Haughton	Brother	Bushing	\$25,000.00
Date illegible	Devon Haughton	Brother	Drain cleaning	\$105,000.00
Date illegible	Sherriola Johnson	Niece	Drain cleaning	\$280,000.00
Date illegible	Sherriola Johnson	Niece	Drain cleaning	\$95,000.00
13.09.13	Sherriola Johnson	Niece	Drain cleaning and bushing	\$140,000.00
08.10.13	Sherriola Johnson	Niece	Drain cleaning and bushing	\$120,000.00
Date illegible	Petan Grant	Brother-in-law	Drain cleaning	\$40,000.00
16.11.12	Petan Grant	Brother-in-law	Bushing	\$300,000.00
10.01.13	Petan Grant	Brother-in-law	Drain cleaning	\$270,000.00
05.03.13 ³³	Headley Vassell	Brother-in-law	No description	\$80,000.00
02.07.13	Carol Grant-Haughton	Sister-in-law	Drain cleaning	\$130,000.00
TOTAL				\$2, 775, 000.00

³² Reflective of the date on which the Hanover Parish Council stamped the Inter-Office Memorandum

³³ The OCG notes that this Inter-Office Memorandum is also stamped with the dates March 6, 2013 and April 5, 2013.



As it regards the process utilised in determining the value of the recommendation for the award of contract before a verification of the works is conducted, Mr. Michael Grant, during a Judicial Hearing which was held on April 17, 2014, advised the OCG of the following:

“Q: ...You did undertake a visit to look at the location and see what it is you were to do?

A: Yes, I did.

Q: ...you were told prior to the visit of the amount that was to be paid?

A: Yes, the officer tell me.

Q: Before you visit the place....in other words, we are asking if you agreed the price before the measure up.

A: Yes... ”³⁴

Detailed below is a verbatim extract from the transcript of a Judicial Hearing held on April 1, 2014 involving Miss Shernet Haughton and during which, the process relating to the treatment of recommendations made by Councillors for the award of contracts was explained:

“A: Normally before any work is implemented the paper that I have to sign and send to the Secretary/Manager...

CHAIRMAN: That paper is the disbursement...

³⁴ Transcript of Judicial Hearing involving Mr. Michael Grant. Page 95-96.



A: *This is the internal memorandum;
that is the one that the Officer would
look at.*

CHAIRMAN: *Just a minute, I am going to get one
for you. (Document given witness)
You recognize that document?*

A: *Yes, I do.*

CHAIRMAN: *What is that document?*

A: *This is the program that the
officer would use.*

CHAIRMAN: *That's the inter-office
memorandum you referred
to?*

A: *Yes.*

CHAIRMAN: *When you say the officer
would use it, it means that
you would fill that out, and
that serves as a
recommendation.*



A: Yes, that serves as a recommendation,”³⁵

Mrs. Judy McKenzie-Lawrence also advised the OCG of the following:

“CHAIRMAN: ...Once a recommendation is made by a Councilor... it is almost a given that whatever recommendation is made once money is there the programme will go ahead?

A: ...they say it is a recommendation in some aspect but it is an assignment for work. I have never seen the names changed unless a work overseer will go to the area and say, for instance, if they allocated for say fifty thousand dollars for a piece of work of this nature and the officer goes there and realize say that work does not fit the amount of money he will

³⁵ Transcript of Judicial Hearing involving Miss Shernet Haughton. Page 21



either have to find additional work or cut the work and if the person does not have like a TRN or, can't do the work then. He goes back to the councilor who would change the name because the name change it come back to me to initial and go forward, because I have never seen where the assigned work is given to anyone else except in those circumstance.”³⁶
(OCG Emphasis)

It is instructive to note that the **recommendation referred to is an internal memorandum which is sent by a Councillor to the Secretary Manager giving details of the name of the contractor, contact and contract details, measurement of works to be done, location of works to be done and the sum to be paid for the contract. Consequently, once a recommendation is made for the award of contract to a contractor, invariably, that person is awarded the contract for the works.**

³⁶ Transcript of Judicial Hearing involving Mrs. Judy McKenzie-Lawrence. Page 155-156.



Selection Process Utilized in the Recommendation for the Award of Contracts

The selection process utilised by the Councillor/Mayor of the Hanover Parish Council in making recommendations for the award of contracts was examined during the course of the Investigation. The OCG highlights below a verbatim extract from the transcript of the Judicial Hearing held on April 1, 2014 involving Miss Shernet Haughton:

“OCG Officer: *Is there a documented
process that you utilize in
making your
recommendations for
persons?*

A: *No.*

OCG Officer: *Is there one that exists in the
Parish Council?*

A: *No, not [that] I know of.”³⁷*
(OCG Emphasis)

Further, Miss Shernet Haughton, in her response to the OCG dated April 1, 2014, regarding the recommendation for Mr. Headley Vassell and Miss Nicolette Grant to conduct works, indicated, *inter alia*, as follows:

“A: *The persons that live in that area would
choose him, so is not like I really go in there
and select him...*

³⁷ Transcript of Judicial Hearing involving Miss Shernet Haughton. Page 41.



OCG OFFICER: Mayor Haughton you are saying that the persons in the community had selected Mr. Vassel?

A: That area where they live.

Q: How did they make that selection?

A: They all complain about the drain so if I pass there they would say like the drain is clogged and so on and I would say to them which one of you would I recommend to get it done and they would say okay, him and then all of them would work together.

Q: Is this the practice that you would have in the award of the recommendation of contracts for persons where persons would volunteer persons to get the contract?

A: Yes.

Q: So in the case of the contract that was awarded to Nicolette Grant that you had indicated in your previous session with



us, who recommended her to you?

A: *Nobody would. Nicolette Grant, she is a group person, a person involved in the community, so nobody wouldn't have to specifically say it, but she is a person that is involved in the community.”³⁸*

Based upon the above discourse, the OCG notes that there is no documented process for the selection of persons who are recommended by Councillors and the Mayor within the Hanover Parish Council for the award of contracts.

Having regard to the foregoing, the OCG provides hereunder the following extract which highlights the manner in which persons were selected by Mr. Brenton Grant for the performance of works:

“CHAIRMAN: *So the bushing work you get, you carry one team to do the bushing or is you alone do the bushing?*

A: *Carry one team, sir.*

CHAIRMAN: *Which part the team come from?*

³⁸ Transcript of Judicial Hearing involving Miss Shernet Haughton. Page 10-11.



A: Well a some drunkard from
Logwood, sir.

CHAIRMAN: Some drunkard from
Logwood?

A: Yes, sir.”

CHAIRMAN: How much people do the
work?

A: Eight...

CHAIRMAN: And how the money split up?

A: That is why mi use the
drunkard them, them charge
one cheaper rate, sir. Mi gi
them live [sic] five thousand
dollars, some three.”³⁹

Additionally, the OCG found that at least one (1) contractor who benefitted from the recommendation for the award of contract made by Miss Shernet Haughton was contacted by Miss Haughton and advised of the recommendation and the contract award. The following was indicated by Miss Nicolette Grant during a Judicial Hearing which was held on April 17, 2014:

CHAIRMAN: How you became aware of the fact
that your mother made a
recommendation for you to be
awarded, ma'am?

A: Well, she told me about it and then
the officer from the Parish Council

³⁹ Transcript of Judicial Hearing involving Mr. Brenton Grant. Page 79.



he came and he issued a job to
*me...*⁴⁰ (OCG Emphasis)

⁴⁰ Transcript of Judicial Hearing involving Miss Nicolette Grant. Page 26.



Contracts Awarded to Persons Related to and/or Affiliated with Miss Shernet Haughton

Having regard to the allegations that were made against the former Mayor of the Hanover Parish Council, Miss Shernet Haughton, the OCG has produced, hereunder, a table outlining certain contracts which were awarded and payments made to persons related to and/or affiliated with Miss Shernet Haughton:

Table 4

Name of Person Awarded Contract	Nature of Relationship to Miss Shernet Haughton	Date of Recommendation	Recommended Amount \$	Cheque Payments \$	Date of Cheque	Bank of Encashment	Corresponding Contract Date
Michael Grant	Spouse	16.11.2012	300,000.00	300,000.00	17.12.2012	NCB	27.11.2012
		None seen	None seen	50,000.00	16.03.2012	NCB	08.03.2012
TOTAL= \$350,000.00							
Nicolette Grant	Daughter	Date illegible	None seen	100,000.00	03.08.2012	NCB	24.07.2012
		None seen	None seen	24,300.00	13.08.2013	NCB	None seen
TOTAL= \$124,300.00							
Rayon Williams	Son	09.05.2012	250,000.00	245,000.00	25.05.2012	NCB	None seen
		Date illegible	60,000.00	60,000.00	25.10.2012	NCB	20.09.2012
		16.11.2012	40,000.00	40,000.00	17.12.2012	NCB	28.11.2012
TOTAL= \$345,000.00							
Devon Haughton	Brother	Date illegible	105,000.00	None seen	None seen	None seen	05.06.2013
		16.11.2012	25,000.00	25,000.00	14.12.2012	NCB	27.11.2012
		Date illegible	25,000.00	25,000.00	25.05.2012	NCB	None seen
TOTAL= \$50,000.00							
Donola Levarity	Sister	05.03.2013	85,000.00	85,000.00	21.03.2013	NCB	11.03.2013
		09.05.2013	130,000.00	130,000.00	31.05.2013	NCB	None seen
		17.12.2013	200,000.00	None seen	None seen	None seen	None seen
	TOTAL= \$215,000.00						
Sherriola Johnson	Niece	08.10.2013	120,000.00	None seen	None seen	None seen	None seen
		Date illegible	280,000.00	278,500.00	14. 06.2013	NCB	05.06.2013



		Date illegible	95,000.00	95,000.00	23.08.2013	NCB	06.08.2013
		13.09.2013	140,000.00	140,000.00	20.09.2013	NCB	13.09.2013
		None seen	None seen	85,500.00	18.10.2013	NCB	None seen
TOTAL= \$599,000.00							
Carol Grant-Haughton	Sister-in-law	02.07.2013	130,000.00	130,000.00	12.07.2013	NCB	05.07.2013
Headley Vassell	Brother-in-law	05.03.2013	80,000.00	80,000.00	21.03.2013	NCB	11.03.2013
Petan Grant ⁴¹	Brother-in-law	16.11.2012	300,000.00	300,000.00	17.12.2012	NCB	27.11.2012
		10.01.2013	\$270,000.00	245,607.60	25.01.2013	NCB	25.01.13 ⁴²
		None seen	None seen	161,700.00	27.06.2013	NCB	28.06.2013 ⁴³
		None seen	None seen	245,000.00	03.05.2013	NCB	03.05.2013 ⁴⁴
		None seen	None seen	147,000.00	28.06.2013	NCB	28.06.2013 ⁴⁵
		Date illegible	40,000.00	40,000.00	31.05.2012	NCB	None seen
		None seen	None seen	47,040.00	None seen	None seen	None seen
		None seen	None seen	117,640.00	03.08.2012	NCB	None seen
		None seen	None seen	133,140.00	12.11.2013	NCB	None seen
TOTAL= \$1,437,127.60							
Brenton Grant	Spouse's brother's son	13.01.2014	70,000.00	70,000.00	23.01.2014	NCB	None seen
Robert Williams	Contractor employed to Miss Shernet Haughton	None seen	None seen	5,060.00	26.04.2012	NCB	None seen
		None seen	None seen	333,958.40	11.02.2013	NCB	11.02.2013 ⁴⁶
TOTAL= \$339,018.40							
GRAND TOTAL= \$3,459,446.00							

Based upon the referenced Table and the OCG's calculations, the total value of cheque payments made to the aforementioned persons amounted to \$3,459,446.00. As indicated herein, the total

⁴¹ In its review, the OCG has noted that this person is also referred to as Peter Grant, Peton Grant, and Petren Grant.

⁴² Date provided on Form B Payment Form

⁴³ Ibid

⁴⁴ Ibid

⁴⁵ Ibid

⁴⁶ Ibid



allocation of funds to Miss Shernet Haughton for the period March 2012 to April 2014 was \$29,684,000.00. The OCG notes that of this amount, approximately twelve percent (12%) was allocated to the stated persons.

Particulars of Family Members and Persons Affiliated with Miss Shernet Haughton

Pursuant to a Requisition that was dated April 9, 2014, and which was sent to Mrs. Judy McKenzie-Lawrence, Secretary Manager, Hanover Parish Council, the OCG posed the following question:

*“1. Please provide the following documents
and/or information as outlined below:*

...

b. Particulars of any inter-office memorandum, or any other documentation, recommending family members, close friends, associates or acquaintances of Miss Shernette [sic] Haughton in relation to contracts for Works, including but not limited to the following persons:

- 1. Anthony Haughton;*
- 2. Sherriola Johnson;*
- 3. Michael Grant;*
- 4. Nicolette Grant;*
- 5. Ryan [sic] Williams;*
- 6. Donola Livarity [sic];*
- 7. Penton [sic] Grant;*
- 8. Robert Williams;*
- 9. Devon Haughton; and*



10. Headley Vassell⁴⁷

Mrs. Judy McKenzie-Lawrence provided the following answers in her response to the OCG dated April 11, 2014:

“1b. Please be advised that we are not in possession of any inter-office memorandum or any other documentation with the words family members, close friends or acquaintances in relation to recommendations made for contract works in the Green Island Division. What we have are programs issued by the Councillor identifying persons for work...”⁴⁸

An officer of the Hanover Parish Council provided the OCG with certain confidential personnel records which depicted Miss Shernet Haughton’s affiliations with persons listed on Hanover Parish Council work programmes. The following was stated:

“ A team of Department heads came together to respond to this requestion [sic]. During our research we found that in the Council there were confidential personnel records that depicted affiliation to Mayor with some of the names on the work programmes.

⁴⁷ OCG Requisition Letter to Mrs. Judy McKenzie Lawrence dated April 9, 2014, Question 1 (b).

⁴⁸ Response to the OCG by Mrs. McKenzie-Lawrence dated April 11, 2014. Response 1 (b).



List comprises of Sagicor information for Shernet and Sharon Haughton and the members on their plans:

- *Copy of Birth Certificates for:*
Shernet Haughton-
Nicolette Christelette Grant
Ryan [sic] Williams
Michael Grant
- *Sharon Haughton-*
Sherriola Sherene Johnson
Headley Vassell”⁴⁹

Based on the foregoing, the OCG observed that the referenced document, submitted by the Hanover Parish Council, contained a photocopy of a “*Sagicor Government Plans Enrollment Card*” along with a “*Sagicor Payroll Deduction Authorization Form*”, for a “*Shernet S. Haughton*” both dated May 9, 2012.

Importantly, the spouse and dependent information stated on the Sagicor Government Plans Enrollment Card were, *inter alia*, as follows:

⁴⁹ Response to the OCG by the Hanover Parish Council dated April 11, 2014. Response 2.



Table 5 ⁵⁰

<i>SPOUSE AND DEPENDENT INFORMATION</i>		<i>DATE OF BIRTH</i>			
<i>LAST</i>	<i>FIRST</i>	<i>RELATION</i>	<i>DD</i>	<i>MM</i>	<i>YY</i>
<i>GRANT</i>	<i>MICHAEL</i>	<i>SPOUSE</i>	<i>28</i>	<i>03</i>	<i>62</i>
<i>GRANT</i>	<i>NICOLETTE</i>	<i>DAUGHTER</i>	<i>14</i>	<i>08</i>	<i>93</i>
<i>WILLIAMS</i>	<i>RAYON</i>	<i>SON</i>	<i>03</i>	<i>01</i>	<i>89</i>

Further, an extract of the enrollment card for Sharon S. Haughton with Blue Cross of Jamaica Ltd. Enrollment Card detailed the following information:

Table 6 ⁵¹

<i>SPOUSE AND DEPENDENT INFORMATION</i>		<i>DATE OF BIRTH</i>			
<i>FIRST</i>	<i>LAST</i>	<i>REL</i>	<i>DAY</i>	<i>MTH</i>	<i>YEAR</i>
<i>Sherriola</i>	<i>Johnson</i>	<i>Dau</i>	<i>20th</i>	<i>02</i>	<i>1992</i>
<i>Headley</i>	<i>Vassel</i>	<i>Spo.</i>	<i>13</i>	<i>01</i>	<i>1970</i>

Also included in the supporting documentation provided by the Hanover Parish Council were certified copies of the Birth Certificates for Miss Shernet Haughton and Miss Sharon Haughton and their respective dependents.

The Birth Certificate which was provided for Rayon Williams named his mother as Shernet Haughton of March Town, Hanover. The Birth Certificate for Nicolette Grant named her mother as Shernet Haughton of March Town, Hanover. A copy of the Certificate of Registry of Birth of

⁵⁰ Appendix B "Periodic Funding received from Ministry of Local Government and Community Development, six pages attached" Mrs. Judy McKenzie-Lawrence's Response to the OCG dated April 11, 2014.

⁵¹ Appendix B "Periodic Funding received from Ministry of Local Government and Community Development, six pages attached" Mrs. Judy McKenzie-Lawrence's Response to the OCG dated April 11, 2014.



Sherriola Johnson which named her as the “*female child of Junior Johnson and Sharon Haughton*” was also provided to the OCG.

An examination of the copies of Birth Certificates, referred to above, for Miss Shernet Haughton and Miss Sharon Haughton revealed that the names of the parents on both Birth Certificates are identical, and thereby confirms that Miss Sharon Haughton and Miss Shernet Haughton are sisters.

Additionally, the documents referred to as “*Family List*” and “*Friends List*”, were put formally to Miss Shernet Haughton and questions were posed to her in relation to her affiliation with the persons stated and the recommendations indicated for the award of contracts. Detailed, hereunder, are the responses provided by Miss Shernet Haughton in this regard.

- **Brenton Grant**

- Recommendation

Based on the information stated on the “Family List” it was indicated that Mr. Brenton Grant is Miss Shernet Haughton’s nephew-in-law. In reviewing this allegation, the OCG was able to ascertain that Mr. Brenton Grant is Mr. Petan Grant’s son, the brother of Miss Shernet Haughton’s spouse.⁵² Below is a statement made to the OCG by Mr. Brenton Grant in this regard:

“CHAIRMAN:	<u><i>Now you know Mr. Michael Grant?</i></u>
A:	<u><i>Yes, sir.</i></u>
CHAIRMAN:	<u><i>Who is he?</i></u>
A:	<u><i>Uncle, sir.</i></u>

⁵² Transcript of Judicial Hearing involving Mr. Brenton Grant. Page 78.



CHAIRMAN: *And what is your father's name?*

A: *Petan Grant.*⁵³
(OCG Emphasis)

In a point of fact, Miss Shernet Haughton, herself admitted this relation.⁵⁴ Detailed below is a verbatim extract in this regard:

“CHAIRMAN: *Brenton Grant is Peton [sic] Grant son?*”

A: *Yes.*”⁵⁵

The OCG highlights at this juncture that no recommendations for the award of contract to Mr. Brenton Grant were evidenced. However, Miss Shernet Haughton, during a Judicial Hearing which was held on April 17, 2014, informed the OCG as follows:

“CHAIRMAN: *Ma'am, did you make a recommendation to Brenton Grant?*

A: *Yes, sir, one.*”⁵⁶
(OCG Emphasis)

Contract(s) Awarded

The OCG is not in possession of any contracts that were awarded to Mr. Brenton Grant.

⁵³ Ibid

⁵⁴ Transcript of Judicial Hearing involving Miss Shernet Haughton. Page 60.

⁵⁵ Ibid

⁵⁶ Transcript of Judicial Hearing involving Miss Shernet Haughton. Page 20.



Payment Received

As it relates to payments for works executed by Mr. Brenton Grant on behalf of the Hanover Parish Council, the OCG is in possession of a cheque which was dated January 23, 2014 and which was made payable in the sum of \$70,000.00⁵⁷.

- **Michael Grant**

Recommendation

Based on the information stated on the “Family List” it was indicated that Mr. Michael Grant is Miss Shernet Haughton’s spouse and that she made recommendations for him to be awarded contracts by the Hanover Parish Council.

Miss Shernet Haughton was asked as follows:

“A: ...Michael Grant.

CHAIRMAN: That is your spouse?

A: Yes....”⁵⁸ (OCG Emphasis)

The former Mayor further stated that she made recommendations for contracts in his favour:⁵⁹

“CHAIRMAN: You remember Michael Grant that you recommend him though?

A: Yes.”⁶⁰ (OCG Emphasis)

⁵⁷ Cheque dated January 23, 2014 made payable to Brenton Grant in the amount of \$70,000.00.

⁵⁸ Transcript of Judicial Hearing involving Miss Shernet Haughton. Page 58.

⁵⁹ Transcript of Judicial Hearing involving Miss Shernet Haughton. Page 18.

⁶⁰ Ibid



She also admitted that Mr. Michael Grant is Nicolette Grant's father as highlighted below:

“CHAIRMAN: ...Nicolette, who is her father?

A: Michael.

CHAIRMAN: Michael Grant.

A: Yes.”⁶¹
(OCG Emphasis)

Mr. Michael Grant, in responding to the OCG's questions during a Judicial Hearing, stated as follows:

“CHAIRMAN: Now, sir, you know Miss Shernett [sic] Haughton?

A: Yes, sir.

CHAIRMAN: Who is she to you, sir?

A: That is my girlfriend.

CHAIRMAN: Now, she is your girlfriend for about 25 years, sir?

A: Yes, 25 years.

CHAIRMAN: And you live for 25 years to, sir?

A: Yes, 25 years.”⁶² (OCG Emphasis)

An Inter-Office Memorandum⁶³ which was dated November 16, 2012, also displays a record of Mr. Grant being recommended by Miss Shernet Haughton for a contract in

⁶¹ Transcript of Judicial Hearing involving Miss Shernet Haughton. Page 64.

⁶² Transcript of Judicial Hearing involving Mr. Michael Grant. Page 80.

⁶³ Response by Mrs. Judy McKenzie-Lawrence dated April 11, 2014 to the OCG, Appendix C “Green Island Division Councillor Work Program identifying persons for work.”.



the amount of \$300,000.00 for the conduct of works at a location described as “Glassy Road”.

Contract(s) Awarded

The OCG is in possession of a contract dated November 27, 2012, which corresponds with the recommendation for the contract in the amount of \$300,000.00. Additionally, Mr. Michael Grant was awarded a second contract dated March 8, 2012 in the amount of \$50,000.00.

The OCG highlights that Mr. Grant, during a Judicial Hearing which was held on April 17, 2014, advised the OCG that on one occasion, he received a contract form with only the contract amount stipulated on said form. He stated as follows:

“OCG OFFICER: Mr. Grant did you just say that you signed basically a blank sheet of paper with the figure on it?

A: Yeah, the amount of money is on it.”⁶⁴ (OCG Emphasis)

Payment Received

A cheque in the sum of \$300,000.00 and dated December 17, 2012 was made payable to Mr. Michael Grant. Further, the OCG notes that a cheque dated March 16, 2012 was also made payable to Mr. Grant, in the amount of \$50,000.00.

⁶⁴ Transcript of Judicial Hearing involving Mr. Michael Grant. Page 91.



Signing of Cheques

Instructively, the cheque which was dated December 17, 2012 and paid to Mr. Michael Grant, in the amount of \$300,000.00 was co-signed by Miss Shernet Haughton.

• **Nicolette Grant**

Recommendation

Based on the information revealed on the 'Family List' it was stated that Miss Nicolette Grant is Miss Shernet Haughton's daughter, to whom she made recommendations for the award of contracts by the Hanover Parish Council.

Miss Shernet Haughton, by way of a Judicial Hearing conducted on April 1, 2014 advised the OCG as follows:

*“OCG OFFICER: What about Nicolette Grant,
 is she your daughter?*

A: Yes, she's my daughter...

*OCG OFFICER: Have you made recommendations
 for her?*

A: Yes, I have.

OCG OFFICER: Do you recall how many?

A: Just one.⁶⁵ (OCG Emphasis)

Miss Nicolette Grant also admitted this relation as stated below:

“CHAIRMAN: Who are your parents?

⁶⁵ Transcript of Judicial Hearing involving Miss Shernet Haughton. Page 57.



A: *Shernett [sic] Haughton
and Michael Grant.*⁶⁶
(OCG Emphasis)

Additionally, Miss Nicolette Grant disclosed that Miss Shernet Haughton approached her and informed her that she (Miss Nicolette Grant) would be given a contract, after which, an officer from the Hanover Parish Council issued the job to her.⁶⁷ Detailed below is an extract of said disclosure:

*“CHAIRMAN: ...are you aware that your mother,
the Mayor made a
recommendation for you to be
awarded a contract in the parish
of Hanover?”*

A: *Yes, sir.*

*CHAIRMAN: How you became aware of the fact
that your mother made a
recommendation for you to be
awarded, ma'am?*

A: *Well, she told me about it and then
the officer from the Parish Council*

⁶⁶ Transcript of Judicial Hearing involving Miss Nicolette Grant. Page 25.

⁶⁷ Transcript of Judicial Hearing involving Miss Nicolette Grant. Page 26.



*he came and he issued a job to
me...*⁶⁸(OCG Emphasis)

Contract(s) Awarded

Instructively, the contract was executed on July 24, 2012. The OCG is in possession of only one (1) contract in the amount of \$100,000.00 awarded to Miss Nicolette Grant. This contract corresponds with a cheque valued at \$100,000.00, which was made payable to Miss Nicolette Grant.

The OCG highlights that Miss Nicolette Grant was awarded a contract by the Hanover Parish Council. At the time Miss Shernet Haughton made the recommendation in this regard, Miss Nicolette Grant was nineteen (19) years old. Detailed below is a verbatim extract of said admission by Miss Shernet Haughton:

*“CHAIRMAN: At the time you made the
recommendation for her, how
old was she?*

*A: About nineteen.”*⁶⁹

Payment Received

The following cheques were made payable to Miss Nicolette Grant:

1. A cheque dated August 3, 2012 was paid to Miss Nicolette Grant in the amount of \$100,000.00. A contract was found which corresponds with this payment. This is the

⁶⁸ Ibid

⁶⁹ Transcript of Judicial Hearing involving Miss Shernet Haughton. Page 59.



only contract in the OCG's possession that relates to any award of contract to Miss Nicolette Grant.

2. A cheque dated August 13, 2013 was also paid to Miss Nicolette Grant in the amount of \$24,300.00.

Signing of Cheques

Miss Shernet Haughton signed both cheques that were paid to Miss Nicolette Grant.

• **Petan/Peton/Peter/Petren Grant**

Recommendation

Based on the information indicated on the "Family List" it was stated that Mr. Petan Grant is Miss Shernet Haughton's brother-in-law to whom she made recommendations for the award of contracts by the Hanover Parish Council. This relation was admitted by Mr. Petan Grant as seen below:

"CHAIRMAN: Now, Sir, Mayor Shernett [sic]

Haughton, Sir, you related to her?

A: That is my sister-in-law...

CHAIRMAN: She is married to your brother?

A: My brother.

CHAIRMAN: What is your brother's name?

A: Michael Grant..."⁷⁰

(OCG Emphasis)

⁷⁰ Transcript of Judicial Hearing involving Mr. Petan Grant. Page 45.



The OCG notes that Miss Shernet Haughton also confirmed the foregoing relationship:

“CHAIRMAN: Is there anybody else on this family list who is related to Michael Grant, ma’am?

A: Petan Grant.

CHAIRMAN: He is Michael Grant’s brother?

A: Yes.”⁷¹ (OCG Emphasis)

The OCG highlights that Mr. Petan Grant is also referred to as ‘Peter’, ‘Peton’ and ‘Petren’ Grant in the contracts and cheques issued by the Hanover Parish Council.

The following admission by Mr. Petan Grant was made as it regards the different variations to his name:

“A: *Peter Grant, it was the name originally going to school then when I went to renew the licence they say they can’t find my name on the system so I have to go and look about my birth certificate and all a that again so that is why the name change to Petan, P-E-T-A-N...*”⁷²

⁷¹ Transcript of Judicial Hearing involving Miss Shernet Haughton. Pages 64-65.

⁷² Transcript of Judicial Hearing involving Mr. Petan Grant. Page 50.



Miss Shernet Haughton also stated that Mr. Petan Grant is Mr. Michael Grant's brother and that recommendations for the award of contracts were made in his favour. Below is a verbatim extract of her admission:

"A: Petan Grant.
CHAIRMAN: He is Michael Grant's
brother?
A: Yes.
CHAIRMAN: Did you make any
recommendations for Petan
Grant to get contracts,
ma'am?
A: Okay, in regards to Petan...
CHAIRMAN: Just before we go there, did
you make recommendations?
A: Yes, sir.
CHAIRMAN: And was he granted contracts?
A: Yes, he was."⁷³ (OCG Emphasis)

Further, Inter-Office Memorandums⁷⁴, detailing the recommendations for work programmes for the period September 2012 to December 2013, highlighted the following:

1. A recommendation for work programme in the Green Island Division, dated January 10, 2013, was made by Miss Shernet Haughton for 'Petan Grant' to conduct drain cleaning works in the recommended amount of \$270,000.00.

⁷³ Transcript of Judicial Hearing involving Miss Shernet Haughton. Pages 64- 65.

⁷⁴ Response by Mrs. Judy McKenzie-Lawrence dated April 11, 2014 to the OCG, Appendix C "Green Island Division Councillor Work Program identifying persons for work."



2. A recommendation for a Parochial Revenue Fund work programme in the Green Island Division was made by Miss Shernet Haughton for 'Peter Grant' to conduct drain cleaning works in the recommended amount of \$40,000.00. The date on said Inter-Office Memorandum is not legible.
3. A recommendation for a work programme entitled "Christmas Programme", dated November 16, 2012, was made by Miss Shernet Haughton for 'Peton Grant' to conduct bushing works in the recommended amount of \$300,000.00.

Contract(s) Awarded

Further, it was disclosed to the OCG that Mr. Petan Grant was awarded contracts by the Hanover Parish Council prior to Miss Shernet Haughton becoming the Mayor. This is reflected in a verbatim extract as shown below:

"CHAIRMAN: Can you recall when you started receiving contracts from the Hanover Parish Council?

A: Somewhere in 2000..."⁷⁵

Instructively, Miss Shernet Haughton became Mayor in March 2012.

Mr. Petan Grant also advised the OCG that he has received more contracts since Miss Shernet Haughton became the Mayor at the Hanover Parish Council. Detailed hereunder is an extract of this admission:

"CHAIRMAN: Since she is Mayor, which would you say, you get more

⁷⁵ Transcript of Judicial Hearing involving Mr. Petan Grant. Page 56.



contracts since she is Mayor

or the same amount...?

A: *I would say more.*⁷⁶

(OCG Emphasis)

The OCG is in possession of six (6) contracts which were awarded to Mr. Petan Grant as follows:

1. Contract dated November 27, 2012 in the amount of \$300,000.00.
2. Contract dated January 25, 2013 in the amount of \$245,607.60.
3. Contract dated June 28, 2013 in the amount of \$161,700.00.
4. Contract dated June 28, 2013 in the amount of \$147,000.00.
5. Contract dated May 3, 2013 in the amount of \$245,000.00.
6. Contract dated January 2, 2013 in the amount of \$250,620.00.

Payment Received

The following cheques were made payable to Mr. Petan Grant and were found with corresponding contracts:

1. Cheque dated December 17, 2012 paid to 'Petan Grant' in the amount of \$300,000.00.
2. Cheque dated January 25, 2013 paid to 'Petan Grant' in the amount of \$245,607.60.
3. Cheque dated June 27, 2013 paid to 'Petan Grant' in the amount of \$161,700.00.
4. Cheque dated May 3, 2013 paid to 'Petan Grant' in the amount of \$245,000.00.

⁷⁶ Ibid



5. Cheque dated June 28, 2013 paid to 'Petan Grant' in the amount of \$147,000.00.

The following cheques were also paid to Mr. Petan Grant⁷⁷:

1. Cheque dated May 31, 2012 paid to 'Peter Grant' in the amount of \$40,000.00.
2. Cheque dated August 3, 2012 paid to 'Petan Grant' in the amount of \$47,040.00.
3. Cheque dated October 12, 2012 paid to 'Petan Grant' in the amount of \$117,640.00. The OCG notes that the cheque had previously been written to 'Petren Grant'. This name was crossed out and replaced with 'Petan'. The amendment was signed by Miss Shernet Haughton who also signed the cheque.
4. Cheque dated November 12, 2013 paid to 'Petan Grant' in the amount of \$133,140.00.

Signing of Cheques

Of the nine (9) cheques which are in the possession of the OCG, seven (7) were co-signed by Miss Shernet Haughton as follows:

1. Cheque dated June 28, 2013 paid to 'Petan Grant' in the amount of \$147,000.00.
2. Cheque dated November 12, 2013 paid to 'Petan Grant' in the amount of \$133,140.00.
3. Cheque dated December 17, 2012 paid to 'Petan Grant' in the amount of \$300,000.00.

⁷⁷ Response by Mrs. Judy McKenzie-Lawrence dated April 29, 2014 to the OCG, Appendix 2. The OCG is not in possession of any contract in relation to these payments.



4. Cheque dated October 12, 2012 paid to 'Petan Grant' in the amount of \$117,640.00.
5. Cheque dated August 3, 2012 paid to 'Petan Grant' in the amount of \$47,040.00.
6. Cheque dated May 31, 2012 paid to 'Peter Grant' in the amount of \$40,000.00.
7. Cheque dated May 3, 2013 paid to 'Petan Grant' in the amount of \$245,000.00.

• **Carol Grant-Haughton**

Recommendation

Based on the information revealed in the "Family List" it was stated that Mrs. Carol Grant-Haughton is Miss Shernet Haughton's sister-in-law to whom she made recommendations for the award of contracts by the Hanover Parish Council.

In relation to the foregoing, Miss Shernet Haughton informed the OCG that Mrs. Carol Grant-Haughton is her sister-in-law, having married her brother, Mr. Dane Haughton. Below is an extract of said admission by Miss Shernet Haughton:

"CHAIRMAN: ...who is Carol Grant-Haughton...?

A: Carol Grant is Dane's wife,
yes.

CHAIRMAN: Who is Dane?

A: Dane is my brother.

CHAIRMAN: Now, did you make a
recommendation for an



award to Carol Grant-Haughton.

A: Yes, sir.⁷⁸ (OCG Emphasis)

An Inter-Office Memorandum⁷⁹ dated July 2, 2013, detailing a Parochial Revenue Fund work programme, displays a record of Mrs. Carol Grant-Haughton being recommended for drain cleaning works in the recommended amount of \$130,000.00.

Contract(s) Awarded

A contract dated July 5, 2013 was awarded to Mrs. Carol Grant-Haughton valued at \$130,000.00 and which corresponds with the above recommendation.

Payment Received

A cheque⁸⁰ dated July 12, 2013 was paid to Mrs. Carol Grant-Haughton in the amount of \$130,000.00⁸¹.

Signing of Cheques

The cheque dated July 12, 2013 in the sum of \$130,000.00, and which was made payable to Mrs. Carol Grant-Haughton, was co-signed by Miss Shernet Haughton.

⁷⁸ Transcript of Judicial Hearing involving Miss Shernet Haughton. Page 19.

⁷⁹ Response by Mrs. Judy McKenzie-Lawrence dated April 11, 2014 to the OCG, Appendix C *"Green Island Division Councillor Work Program identifying persons for work."*

⁸⁰ Response by Mrs. Judy Lawrence-McKenzie dated April 11, 2014 to the OCG. Appendix 2.

⁸¹ A contract was found in correspondence to this payment.



- **Devon Haughton**

Recommendation

The information disclosed in the “Family List” it was indicated that Mr. Devon Haughton is Miss Shernet Haughton’s brother to whom she made recommendations for the award of contracts by the Hanover Parish Council.

Miss Shernet Haughton informed the OCG that Mr. Devon Haughton is her brother.⁸² She further stated that two (2) recommendations for the award of contracts were made by her in his favour.⁸³ This admission is reflected in a verbatim excerpt hereunder:

“CHAIRMAN: Do you know a Devon Haughton?

A: Yes...[he is] my brother...

CHAIRMAN: Can you indicate how many recommendations you made in respect of your brother, Devon Haughton?

A: Two.”⁸⁴ (OCG Emphasis)

Mr. Devon Haughton, appeared before the Contractor General in a Judicial Hearing held on June 3, 2014, and informed the OCG, *inter alia*, as follows:

“Q: ...Now, Miss Shernette [sic] Haughton, the Mayor sir, you know her?

A: Yes, she is my sister.

...

⁸² Transcript of Judicial Hearing involving Miss Shernet Haughton. Page 6.

⁸³ Ibid

⁸⁴ Ibid



Q: Are you aware...that she recommended you?

A: No, no.

...

Q: the two jobs you did...were in The Green Island Division, do you know?

A: Yes, it was in Green Island Division.

...

CHAIRMAN: ...tell us how you get the work?

A: I get a call from the Parish Council, meet with me there I am coming down at such and such.

...

CHAIRMAN: Now the cheques, both the two contracts that I just showed you, you collected the cheque them yourself, sir?

A: Yes sir.

...

CHAIRMAN: The people that do the work with you sir, how do you find those people to do the work?

A: Because once I have got a work, because I am a car mechanic



*and body worker I always have
people around to work with
me.”⁸⁵*

Miss Shernet Haughton further stated that at the time the recommendations were made she knew Mr. Devon Haughton was her brother:

“CHAIRMAN: Miss Haughton, at the
time you made these two
recommendations...you
knew at that time that
Devon Haughton
was your brother?

A: Yes, I knew.”⁸⁶
(OCG Emphasis)

Additionally, the OCG highlights the following verbatim extract by Miss Shernet Haughton in a Judicial Hearing held on April 1, 2014:

“CHAIRMAN: ...In looking back
would you make
another
recommendation
to your brother in the
parish in
respect of work to be
done?

⁸⁵ Transcript of Judicial Hearing involving Mr. Devon Haughton. Pages 17-22.

⁸⁶ Transcript of Judicial Hearing involving Miss Shernet Haughton.. Page 31.



A: Yes, I would.

CHAIRMAN: And why is it [you] that
would make a
recommendation to say
your brother, your blood
and family – my words?

A: Okay, one of the
reasons why I would,
normally they would
sub the contracts
and a lot of people
benefit- would benefit
from the work. So its
[sic] not like he's
getting all of this money
just for himself alone.

CHAIRMAN: But you recognize that
if you recommend your
brother as against
somebody else, the
view could be held that
you are favouring
your family?...

A: Okay. Because he is not
a person who would be
selfish just to give
himself alone, it would
spread within the entire



area in terms of other
persons getting work.

CHAIRMAN: Sometimes people put it that,
which is not the same,
'parson chrissen him pickney
fuss'- you have heard that
term?

A: Yes, I have heard that term.

CHAIRMAN: And what you think that term
means in the context of - -
you understand what that
term means?

A: Yes, but I'm not really
looking in terms of say,
because he is my brother I'm
giving him the work. I'm not
really looking that way; I'm
looking at the people in the
community at large in terms
of who will benefit from the
work, the persons that will
get work. That is what I am
really looking at. It's not
that I'm looking to say
because he's my brother he
is going to benefit alone



from it; I'm looking at the
wider perspective of other
people living in the area
benefitting as well.⁸⁷
(OCG Emphasis)

Contract(s) Awarded

The OCG is in possession of two (2) contracts dated June 5, 2013, and November 27, 2012, which were awarded to Mr. Devon Haughton.

In a Judicial Hearing held on June 3, 2014, Mr. Devon Haughton disclosed that he first received a contract from the Hanover Parish Council after his sister, Miss Shernet Haughton, became Mayor and Chairman of the Hanover Parish Council.⁸⁸

“OCG OFFICER: Mr. Haughton, before
receiving these three
contracts, did you ever
receive any other
contracts from the
Parish Council?

A: No ma'am.

OCG OFFICER: The first time your
received a contract from
the Parish Council was

⁸⁷ Transcript of Judicial Hearing involving Miss Shernet Haughton. Volume 1. Page 31-33.

⁸⁸ Transcript of Judicial Hearing involving Mr. Devon Haughton. Page 29.



after your sister was
mayor?

A:

Yes ma'am. „⁸⁹

(OCG Emphasis)

Payment Received

The OCG also noted the following:

1. A cheque dated May 25, 2012 was paid to Mr. Devon Haughton in the amount of \$25,000.00⁹⁰.
2. A cheque dated December 14, 2012 was paid to Mr. Devon Haughton in the amount of \$25,000.00⁹¹.
3. A cheque valued at \$105,000.00 dated June 21, 2013 was awarded to Mr. Devon Haughton for drain cleaning works to be done at March Town and Allwood Town⁹².

• **Sherriola Johnson**

Recommendation

Based on the information represented on the “Family List” it was stated that Miss Sherriola Johnson is Miss Shernet Haughton’s niece to whom she made recommendations for the award of contracts by the Hanover Parish Council.

Miss Shernet Haughton admitted to the OCG that Miss Sherriola Johnson is her niece.⁹³ The said admission is detailed below:

⁸⁹ Ibid

⁹⁰ The OCG is not in possession of a contract corresponding with this payment.

⁹¹ The OCG is in possession of a contract which corresponds to this information.

⁹² The OCG is not in possession of a cheque in relation to this contract.



“CHAIRMAN: Now Sherilola Johnson [sic] is your niece?

A: Yes, it is my niece.

CHAIRMAN: She is niece by-?

A: My sister.⁹⁴ (OCG Emphasis)

Miss Sherriola Johnson also admitted to this relation during a Judicial Hearing held on June 5, 2014, as highlighted below:

“Q: Now, do you know Mayor Shernette [sic]

Haughton?

A: Yes sir.

Q: Who is she to you?

A: Aunt.⁹⁵ (OCG Emphasis)

It was disclosed by Miss Shernett Haughton that Miss Sharon Haughton is her sister. The OCG was also informed that Miss Sharon Haughton is currently employed at the Hanover Parish Council as municipal police and was employed prior to Miss Shernet Haughton becoming Mayor.⁹⁶

Inter-Office Memorandums⁹⁷ dated October 8, 2013, August 19, 2013, June 7, 2013, and September 13, 2013 reflect recommendations made by the former Mayor for Miss Sherriola Johnson to be awarded contracts by the Hanover Parish Council.

⁹³ Transcript of Judicial Hearing involving Miss Shernet Haughton. Page 34.

⁹⁴ Ibid

⁹⁵ Transcript of Judicial Hearing involving Miss Sherriola Johnson. Page 286.

⁹⁶ Transcript of Miss Shernet Haughton involving Miss Shernet Haughton. Page 13.

⁹⁷ Response by Mrs. Judy McKenzie-Lawrence dated April 11, 2014 to the OCG, Appendix C “Green Island Division Councillor Work Program identifying persons for work.”.



Contract(s) Awarded

During the course of its Investigation, the OCG discovered that three (3) contracts were awarded to Miss Sherriola Johnson as shown below:

1. Contract dated June 5, 2013 in the amount of \$278,500.00
2. Contract dated August 6, 2013 in the amount of \$95,000.00.
3. Contract dated September 13, 2013 in the amount of \$140,000.00.

The OCG highlights that Miss Johnson, during a Judicial Hearing which was held on June 5, 2014, advised the OCG that two (2) contract forms she received were blank. She stated as follows:

“Q: “...when you signed the piece of paper the form did blank, anything write on it?”

A: It was blank.

Q: The two of them was blank?

A: Yes sir.”⁹⁸

Payment Received

The following cheques⁹⁹ were made payable to Miss Sherriola Johnson:

1. Cheque dated June 14, 2013 paid to Miss Sherriola Johnson in the amount of \$278,500.00.
2. Cheque dated August 23, 2013 paid to Miss Sherriola Johnson in the amount of \$95,000.00.

⁹⁸ Transcript of Judicial Hearing involving Miss Sherriola Johnson. Page 296.

⁹⁹ Response by Mrs. Judy Lawrence-McKenzie dated April 11, 2014 to the OCG. Appendix 2.



3. Cheque dated September 20, 2013 paid to Miss Sherriola Johnson in the amount of \$140,000.00.
4. A cheque dated October 18, 2013 was also paid to Miss Sherriola Johnson in the amount of \$85,500.00.

Signing of Cheques

Of the four (4) cheques paid to Miss Sherriola Johnson, three (3) were co-signed by Miss Shernet Haughton.

• **Donola Levarity**

Recommendation

Based on the information stated on the “Family List”, it was revealed that Mrs. Donola Levarity is Miss Shernet Haughton’s sister to whom she made recommendations for the award of contracts by the Hanover Parish Council.

On April 1, 2014 during a Judicial Hearing, the OCG was informed that Mrs. Donola Levarity is Miss Shernet Haughton’s sister and that the former Mayor made recommendations for Miss Levarity to be awarded contracts.¹⁰⁰ Hereunder is a verbatim extract which represents the above information:

“CHAIRMAN: ...is Danola [sic] Lavarity [sic]
your sister, ma’am?

A: Yes, she is.

CHAIRMAN: Did you make recommendations
for her to get contracts, ma’am?

¹⁰⁰ Transcript of Judicial Hearing involving Miss Shernet Haughton. Pages 63-64.



- A: *Yes, I did.*
- CHAIRMAN: *Did she in fact get contracts?*
- A: *Yes, sir.*
- CHAIRMAN: *Did you know she was your sister
at the time...of the recommendation?*
- A: *Yes, sir.*¹⁰¹ (OCG Emphasis)

Miss Levarity confirmed this relationship during a Judicial Hearing held on June 3, 2014:

- “Q: *...Now ma’am, do you know one
Shernette Haughton?*
- A: *Yes sir.*
- Q: *Who is she to you?*
- A: *She is my sister.*¹⁰² (OCG Emphasis)

Further, Inter-Office Memorandums¹⁰³, dated September 2012- December 2013 which detailed recommendations for work programmes for the Green Island Division, highlighted the following:

1. In relation to a Parochial Revenue Fund work programme form in the Green Island Division dated May 9, 2013, Mrs. Donola Levarity was recommended by Miss Shernet Haughton to conduct works in the recommended amount of \$130,000.00. Of note the description of work done was not indicated.

¹⁰¹ Ibid

¹⁰² Transcript of Judicial Hearing involving Mrs. Donola Levarity. Volume 3. Page 3.

¹⁰³ Response by Mrs. Judy McKenzie-Lawrence dated April 11, 2014 to the OCG, Appendix C “Green Island Division Councillor Work Program identifying persons for work.”.



2. Mrs. Donola Levarity was recommended by Miss Shernet Haughton on a work programme form dated March 5, 2013 to conduct works in the recommended amount of \$85,000.000. The OCG highlights that the location of the work as well as its description done were not stipulated on the referenced form.
3. Mrs. Donola Levarity was recommended on a work programme form dated December 17, 2013 to conduct bushing works in the recommended amount of \$200,000.00. The OCG also notes that the location of the work was not stipulated on the form.

Contract(s) Awarded

The OCG is in possession of a contract in the amount of \$85,000.00 which was awarded to Mrs. Donola Levarity. A cheque dated March 11, 2013 corresponds with this contract award.

Payment Received

The OCG notes the following:

1. A cheque dated March 21, 2013 was paid to Mrs. Donola Levarity in the amount of \$85,000.00.
2. A cheque dated May 31, 2013 was paid to Mrs. Donola Levarity in the amount of \$130,000.00.



Signing of Cheques

The OCG highlights that the cheque dated March 21, 2013 and made payable to Mrs. Donola Levarity, was co-signed by Miss Shernet Haughton.

• **Rayon Williams**

Recommendation

Based on the information stated on the “Family List” it was indicated that Mr. Rayon Williams is Miss Shernet Haughton’s son to whom she made recommendations for the award of contracts by the Hanover Parish Council.

The OCG, by way of a Judicial Hearing held on April 1, 2014, sought to determine the validity of the said allegations. Miss Shernet Haughton disclosed that Mr. Rayon Williams is her son and that she made recommendations for the award of contracts in his favour¹⁰⁴. Below is a detailed extract of her admission to the OCG:

“CHAIRMAN: Now is Ryan [sic] Williams you son, ma’am?
A: Yes, he is my son.
CHAIRMAN: Did you make recommendation for him to get work?
A: Yes, sir.”¹⁰⁵ (OCG Emphasis)

Further, Inter-Office Memorandums¹⁰⁶ dated September 2012 – December 2013 and which detailed recommendation for work programmes, highlighted the following:

¹⁰⁴ Transcript of Judicial Hearing involving Miss Shernet Haughton. Volume 1. Page 62.

¹⁰⁵ Ibid



1. In relation to a work programme form in the Green Island Division, Mr. Rayon Williams was recommended by Miss Shernet Haughton to conduct drain cleaning works in the recommended amount of \$60,000.00. The location of the work done was not indicated.
2. In relation to a work programme titled “Christmas Programme” dated November 16, 2012, Mr. Rayon Williams was recommended by Miss Shernet Haughton to conduct drain cleaning works in the recommended amount of \$40,000.00. The location of the work done was not indicated.
3. In relation to a Parochial Revenue Fund work programme in the Green Island Division dated May 9, 2012, Mr. Rayon Williams was recommended to conduct drain cleaning works in the recommended amount of \$250,000.00.

Contract(s) Awarded

The following contracts were awarded to Mr. Rayon Williams by the Hanover Parish Council:

1. Contract dated September 20, 2012 in the amount of \$60,000.00.
2. Contract dated November 28, 2012 in the amount of \$40,000.00.

Payment Received

The OCG notes the following:

1. A cheque dated May 25, 2012 was paid to Mr. Rayon Williams in the amount of \$245,000.00.

¹⁰⁶ Response by Mrs. Judy McKenzie-Lawrence dated April 11, 2014 to the OCG, Appendix C “Green Island Division Councillor Work Program identifying persons for work.”.



2. A cheque dated October 25, 2012 was paid to Mr. Rayon Williams in the amount of \$60,000.00.
3. A cheque dated December 17, 2012 was paid to Mr. Rayon Williams in the amount of \$40,000.00.

Signing of Cheques

The three (3) cheques that were made payable to Mr. Rayon Williams and which are in the possession of the OCG, were co-signed by Miss Shernet Haughton.

• **Robert Williams**

Recommendation

Based on the information stated on the “Family List” it was disclosed that Mr. Robert Williams is Miss Shernet Haughton’s “house contractor” to whom she made recommendations for the award of contracts by the Hanover Parish Council.

By way of a Judicial Hearing held on June 5, 2014, it was disclosed by Mr. Robert Williams that he has known Miss Shernet Haughton since 1994 or 1995¹⁰⁷. The OCG was also informed that he is the contractor who was employed to work on the house of Miss Shernet Haughton and Mr. Michael Grant.¹⁰⁸ Detailed below is an extract of the Judicial Hearing involving Mr. Robert Williams which reflects this information:

“CHAIRMAN: Now, sir, you know Mayor Haughton?

A: Yes, sir.

CHAIRMAN: How long you know her, sir?

A: About ‘94/95.

¹⁰⁷ Transcript of Judicial Hearing involving Mr. Robert Williams Pages 323

¹⁰⁸ Transcript of Judicial Hearing involving Mr. Robert Williams Pages 322-323.



CHAIRMAN: ...you work on them house?
A: Yes, sir, I work on them house.”¹⁰⁹
(OCG Emphasis)

This information was confirmed by Mr. Michael Grant, Miss Shernet Haughton’s spouse, as indicated below:¹¹⁰

“CHAIRMAN: ...you know a Robert Williams the contractor that works on your house?
A: Yeah, I know Robert...He is working on my house over, might be 18 years now. He is the builder for my House.”¹¹¹ (OCG Emphasis)

Further, Miss Shernet Haughton provided the OCG with the following information:

“CHAIRMAN: Now you know Mr Robert Williams the contractor that works on your house?
A: Yes.
CHAIRMAN: You would have made recommendation for him to get contracts?
A: Yes, a work to construct a U-drain.
...
CHAIRMAN: In relation to that you recommended him to do work in your own constituency?
A: In the division that I represent.
CHAIRMAN: And you live in the same division?

¹⁰⁹ Ibid

¹¹⁰ Transcript of Judicial Hearing involving Mr. Michael Grant. Volume 2. Pages 84-85.

¹¹¹ Ibid



- A: Yes, I was born and grown there.
- CHAIRMAN: Mr. Williams was at the time doing work for you on your house?
- A: He has always been working on my house for over I would say about eighteen years or maybe more.
- CHAIRMAN: On and off?
- A: Yes, he has always been working there, but in relation to the work that he does you don't have much people, you have skilled men, but you would not have much people like contractors like down there. We don't have much of them. So he works on various buildings.
- CHAIRMAN: And we spoke about it the last time. What came first in time, he worked on your house first and then some years after you recommended him for a contract?
- A: Yes.
- CHAIRMAN: Mr. Williams has said that you gave him some blank forms to sign.
- A: Whatever form Mr. Williams would get if there was something that I give to him to sign would be anything that, maybe an officer would ask me to just ask him to sign, because they supervise the whole process of it, not me, because I don't know anything about construction so it would be the officer who supervise the whole process."¹¹² (OCG Emphasis)

¹¹² Transcript of Judicial Hearing involving Miss Shernet Haughton. Page 357-359.



Contract(s) Awarded

In relation to her rationale for recommending Mr. Robert Williams, Miss Shernet Haughton disclosed the following to the OCG:

“CHAIRMAN: Tell me which happened first, contractor to build your house or you made a recommendation for him- which one happened first?...

A: My house.

CHAIRMAN: And then after that you recommended him?

A: The reason why he was recommended—yes.

CHAIRMAN: And tell us the reason why he was recommended.

A: In that area where we live there is not much persons there that have a certain experience of doing certain contractual work. However, he would have persons working with him but he is the contractor.”¹¹³ (OCG Emphasis)

Additionally, the OCG wishes to highlight that Mr. Williams disclosed that Miss Shernet Haughton took contract documents to him to be signed. On one such occasion, one of the said contracts was stated to have been blank.¹¹⁴ Detailed hereunder is an admission of the instant matter:

“CHAIRMAN: ...Mr. Williams you see the other contract them?

A: Yes, sir.

CHAIRMAN: You sign them?

¹¹³ Transcript of Judicial Hearing involving Miss Shernet Haughton. Page 70.

¹¹⁴ Transcript of Judicial Hearing involving Mr. Robert Williams Pages 334-336.



A: *Blank paper, sir...Blank paper. The Mayor carry it to me and say me must sign me name here.*

CHAIRMAN: *...The Mayor, Miss Haughton?*

A: *Yes sir, a she carry the contract to me, sir.*

...

CHAIRMAN: *...You just sign you name?*

A: *On it, sir, but I don't get no work for it.*

CHAIRMAN: *...you remember the Mayor making you sign those blank piece a paper?*

A: *As long as my name is on it, she carry it come to me and I sign it. I sign the three of them but is one work I get, one work I know about. I don't know about anymore.*¹¹⁵ (OCG Emphasis)

In regard to the issue of Miss Shernet Haughton taking contracts to Mr. Robert Williams to sign, Miss Shernet Haughton admitted as follows:

*"I can't remember if I taken [sic] anything to him to sign. So that is why I say maybe they just ask me to give him. I just don't remember..."*¹¹⁶

In its Investigation, the OCG has identified three (3) contracts that were awarded to Mr. Robert Williams:

1. Contract dated February 11, 2013 in the amount of \$333,958.00.
2. Contract dated January 11, 2013 in the amount of \$199,725.00.

¹¹⁵ Ibid

¹¹⁶ Transcript of Judicial Hearing involving Mr. Robert Williams Pages 361.



3. Contract dated January 11, 2013 in the amount of \$372,680.00.

Payment Received

The OCG also notes the following:

1. A cheque dated April 26, 2012 was made payable to Mr. Robert Williams in the amount of \$5,060.00.
2. A cheque dated February 11, 2013 was made payable to Mr. Robert Williams in the amount of \$333,958.00.

• **Headley Vassell**

Recommendation

Based on the information stated on the “Family List” it was indicated that Mr. Headley Vassell is Miss Shernet Haughton’s brother-in-law to whom she made recommendations for the award of contracts by the Hanover Parish Council.

Miss Shernet Haughton stated that Mr. Headley Vassell is her brother-in-law¹¹⁷, having married her sister Miss Sharon Haughton.¹¹⁸ She also admitted that she made recommendations for two (2) contracts in his favour. Hereunder is a verbatim extract of this information:

“CHAIRMAN: **Who is Headley Vassell?**

A: **He is my brother-in-law.**

CHAIRMAN: **...you made recommendations for him**
to get contract?

¹¹⁷ Transcript of Judicial Hearing involving Miss Shernet Haughton. Page 8.

¹¹⁸ Transcript of Judicial Hearing involving Miss Shernet Haughton. Page 13.



A: *Yes, I did.*

CHAIRMAN: *How many, ma'am?*

A: *I think it is two, two contracts.*

CHAIRMAN: *...Sharon Haughton that is your sister?*

A: *Yes, sir.*

CHAIRMAN: *She is the spouse of Mr. Vassel [sic]?*

A: *Yes, sir.*¹¹⁹ (OCG Emphasis)

Contract(s) Awarded

As it relates to the award of contracts to Mr. Headley Vassell upon a recommendation from Miss Shernet Haughton, the OCG is in possession of a contract dated March 11, 2013 in the amount of \$80,000.00 which was awarded to Mr. Headley Vassell.

Payment Received

A cheque dated March 21, 2013 was made payable to Mr. Headley Vassell in the amount of \$80,000.00.

The OCG also wishes to emphasize the excerpt below from a Judicial Hearing with Miss Shernet Haughton as it relates to the recommendation for the award of contracts to Mr. Headley Vassell:

“CHAIRMAN: *...in respect of Headley Vassel [sic] if you had to do it all over again would you make that recommendation again for Headley Vassel?*

¹¹⁹ Transcript of Judicial Hearing involving Miss Shernet Haughton. Volume 2 Page 8-13.



A: *Yes, I would, based on the area that they are in and the persons in that area.*

CHAIRMAN: *Even though that person, Headley Vassel [sic] is the spouse of your sister?*

A: *Reason being, even if you go in the area to check persons would tell you he is a people person.*

CHAIRMAN: *Even though he is the spouse of your sister?*

A: *Yes.*

CHAIRMAN: *And even though he is a people person would your view remain the same, would you still make another recommendation for Headley Vassel [sic]?*

A: *Yes, sir.* ¹²⁰ (OCG Emphasis)

Signing of Cheques

The cheque dated March 5, 2013 that was made payable Mr. Headley Vassell, and which is in the possession of the OCG was co-signed by Miss Shernet Haughton.

¹²⁰ Transcript of Judicial Hearing involving Miss Shernet Haughton. Volume 2. Page 12.



Having regard to the foregoing, the OCG has constructed, hereunder, the following Table, which represents the contracts that are in the possession of the OCG and which were awarded by the Hanover Parish Council to relatives and/or persons with whom Miss Shernet Haughton is affiliated:

Table 7

Name	Nature of Relationship	Contract Amount \$	Contract Date
Michael Grant	Spouse	300,000.00	27.11.2012
		50,000.00	08.03.2012
TOTAL \$350,000.00			
Nicolette Grant	Daughter	100,000.00	24.07.2012
Petan Grant	Brother-in-law	300,000.00	27.11.2012
		245,607.60	25.01.2013
		161,700.00	28.06.2013
		147,000.00	28.06.2013
		245,000.00	03.05.2013
		250,620.00	02.01.2013
TOTAL \$1,349,927.60			
Carol Grant-Haughton	Sister-in-law	130,000.00	05.07.2013
Devon Haughton	Brother	25,000.00	27.11.2012
		105,000.00	05.06.2013
TOTAL \$130,000.00			
Sherriola Johnson	Niece	278,500.00	05.06.2013

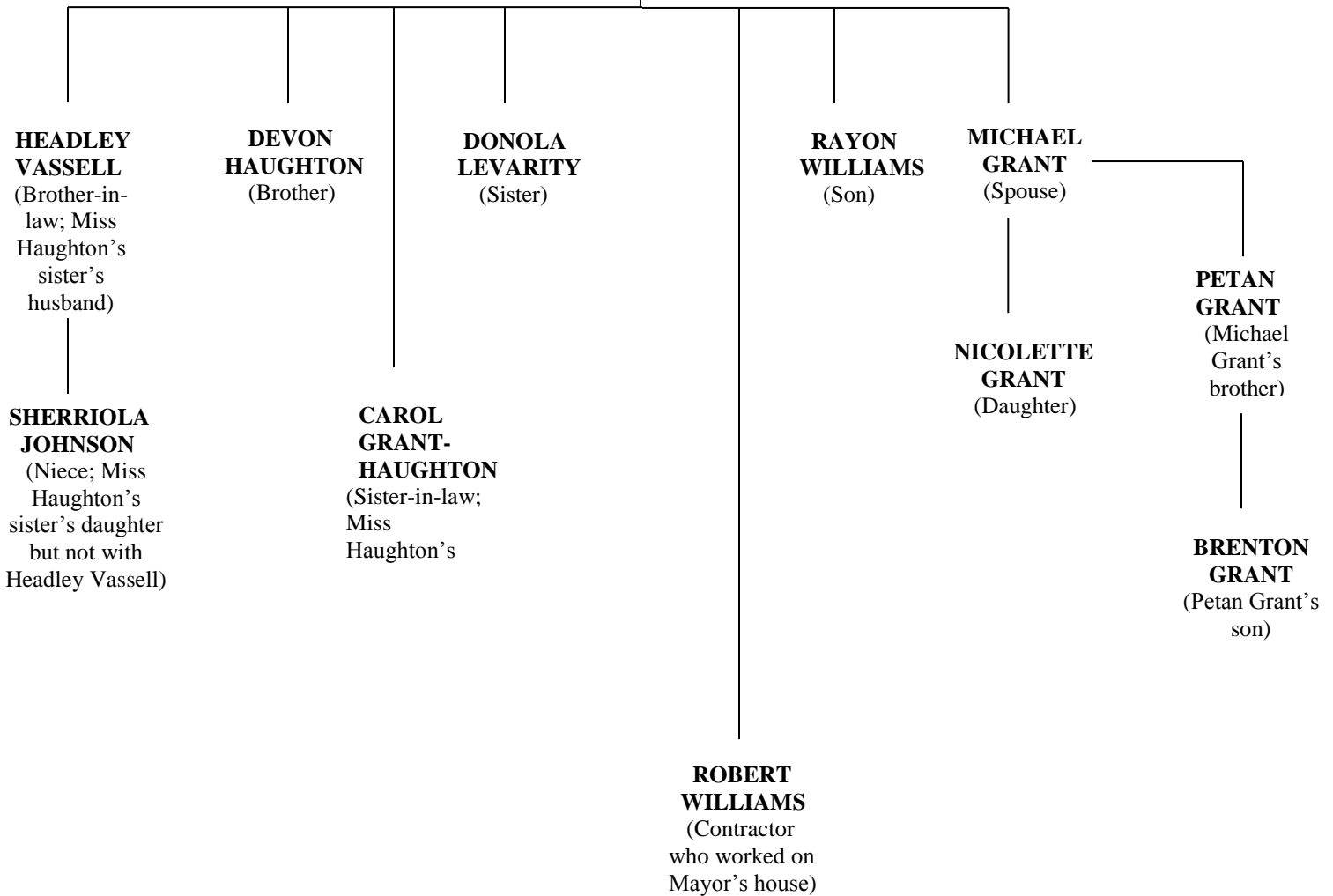


		95,000.00	06.08.2013
		140,000.00	13.09.2013
TOTAL \$513,500.00			
Donola Levarity	Sister	85,000.00	11.03.2013
Rayon Williams	Son	60,000.00	20.09.2012
		40,000.00	28.11.2012
TOTAL \$ 100,000.00			
Robert Williams	Contractor employed to Miss Shernet Haughton	199,725.00	11.01.2013
		372,680.00	11.01.2013
		333,958.40	11.02.2013
TOTAL \$906,363.40			
Headley Vassell		80,000.00	11.03.2013
GRAND TOTAL \$ 3,744,791.00			

Additionally, the OCG has also produced the following Chart which reflects the relationships between Miss Shernet Haughton and certain person identified as relatives and/or persons with whom she is affiliated:



SHERNET HAUGHTON





Based on the above findings the OCG has found that Miss Shernet Haughton made recommendations for the award of contracts to persons related to and/or affiliated with her. In this regard, the issue of nepotism becomes applicable. Nepotism, by definition, refers to the “bestowal of official favours on one’s relatives, especially in hiring.”¹²¹ Further, a relative is defined as “a person connected with another by blood or affinity...”¹²² Additionally, favouritism is defined as a “preference or selection, usually invidious, based on factors other than merit.”¹²³

The Awareness of Officers Within the Hanover Parish Council of the Issues of Nepotism and/or Favouritism

Having regard to the awareness of officers within the Hanover Parish Council of the issues of nepotism and/or favouritism, the OCG highlights that persons employed to the Hanover Parish Council were not aware that the former Mayor made recommendations for the award of contracts to her relatives and persons with whom she is affiliated. During a Judicial Hearing which was held on June 4, 2014, Mr. Alexander Mann, Superintendent of Roads and Works at the Hanover Parish Council, stated as follows:

“CHAIRMAN: Sir, had it come to your attention at any time that the Mayor has been recommending persons who are family members to undertake part in works?

A: No, sir.”¹²⁴ (OCG Emphasis)

¹²¹ Black’s Law Dictionary. Ninth Edition. Thompson Reuters. 2009.

¹²² Ibid.

¹²³ Ibid.

¹²⁴ Transcript of Judicial Hearing involving Mr. Alexander Mann. Page 251.



Mrs. Judy McKenzie-Lawrence similarly indicated that she was unaware of the actions of the former Mayor in this regard. In her Witness Statement dated March 25, 2014, she stated the following:

“...6. I have never seen a document which states that Councillors cannot give family members contracts for casual work, however if particular individuals are always given contracts then this would raise a red flag.

*7. I am not aware of the eleven (11) family members of the Mayor who were said to have been awarded contracts, as was stated in the media. I did not peruse the list.*¹²⁵

(OCG Emphasis)

At this juncture the OCG emphasizes the provisions of the Councillor’s Handbook, A Guide for Jamaican Councillors, which states that Councillors should *“Not misuse their official position to their own advantage or to the advantage or disadvantage of others.”*¹²⁶ (OCG Emphasis)

Miss Shernet Haughton, during a Judicial Hearing which was held on June 5, 2014, informed the OCG of the following:

“CHAIRMAN: Now you have a copy of...the Councillor’s Handbook?

¹²⁵ Witness Statement of Mrs. Judy McKenzie-Lawrence dated March 25, 2014.

¹²⁶ The Councillor’s Handbook. Produced by Communications Unit, Office of the Prime Minister, The Department of Local Government, 2009. Page 28.



A: Yes.

CHAIRMAN: You ever read it?

A: Unless I have to really, if there is something that comes up and I have to, but I have not gone through all of it.

...

[Chairman reads an extract from The Councillor's Handbook, A Guide for Jamaican Councillors to Miss Shernet Haughton]

CHAIRMAN: ... 'The councilor should not misuse their official position to their own advantage or disadvantage of others'. Are you aware of the provision, ma'am?

A: I have never gone through the handbook unless something comes up which I have to refer to the - - other than that.

CHAIRMAN: ...Have you ever heard of the Code of Conduct attached at Appendix F;



Code of Ethics for Jamaican Councilors?

A: *No.*

CHAIRMAN: *You ever heard the provision that says, ‘Councilors should not misuse Council’s resources or utilize their misuse in particular for unauthorized party/political purposes?’*

A: *I am not using any things from Council.*

CHAIRMAN: *...I am asking you if you ever heard of it ma’am?*

A: *No.* ¹²⁷(OCG Emphasis)

In addition, the OCG notes that Section 4.2 of the GoJ Handbook of Public Sector Procurement Procedures detail the requirements in respect of issues of conflict of interest and unethical conduct. Section 4.2 states as follows:

“All personnel involved in the procurement process are expected to observe the GoJ Code of Conduct for Civil Servants outlined in the Staff Orders. They are expected to be free from interests or relationships that are actually or potentially detrimental to the best interests of the Government, and shall not engage or participate

¹²⁷ Transcript of Judicial Hearing involving Miss Shernet Haughton. Pages 372-374.



in any transaction involving a company, its affiliates, divisions or subsidiaries, in which they have even minor interests.¹²⁸ (OCG Emphasis)

Further, Section 4.2.1 states as follows:

“Any GoJ employee involved in the procurement process, who has entered into, or is about to enter into a financial or other business relationship that might involve a conflict of interest must immediately inform their supervisors in writing of the circumstances involved. This information is to be reviewed at an appropriate level and a decision taken as to whether there is a conflict of interest, and if so, what course of action is to be adopted.

*It is the duty of all staff and any other Public Officer and officials directly or indirectly involved in the procurement process – especially in the preparation of bidding documents; evaluation; contract negotiations; contract management; and payments – to declare any potential conflicts of interest. **A conflict of interest will arise when the individual has a direct or indirect relationship with a contractor, which may affect or might reasonably be deemed by others, to affect***

¹²⁸ Section 4.2 of the GoJ Handbook of Public Sector Procurement Procedures



impartiality on any matter related to his/her
*duties.*¹²⁹ (OCG Emphasis)

Section 4.2.1 also highlights, *inter alia*, that a conflict of interest exists when GoJ employees involved in the procurement process, “...*have a direct or indirect interest in, or relationship with an outsider that is inherently unethical, or who it might be implied or construed to make possible personal gain due to his/her ability to influence dealings or otherwise inhibit impartiality of the employee’s judgment*”.¹³⁰

¹²⁹ Section 4.2.1 of the GoJ Handbook of Public Sector Procurement Procedures
¹³⁰



Verification Process for Works Executed by Contractors

The OCG deemed it prudent to ascertain the verification and/or supervisory process implemented by the Hanover Parish Council in relation to the works which were executed by the contractors stated herein. In this regard, the OCG notes that it is the responsibility of the Superintendent of Roads and Works to implement and oversee work programmes and projects.¹³¹

Given the foregoing disclosure, the OCG highlights the following representations that were made by Mr. Alexander Mann, Superintendent of Road and Works, during a Judicial Hearing held on June 4, 2014:

“CHAIRMAN: *Let’s go through a bit more.
Under the section for official
use only, the work
satisfactorily done is the
Assistant Superintendent
signs there upon the
instruction of the works
overseer?*

A: *Well, what he normally does
he goes and cross-check the
work and then based on his
satisfaction he signs it after.*

...

¹³¹ Response of Mrs. Judy McKenzie-Lawrence dated April 29, 2014.



CHAIRMAN: ...As [it] regard the verification of works who is primarily responsible for that verification process?

A: When the work is taken up my Assistant Superintendent normally goes and check and from time to time I would go out in the field to do some spot checks when I can because of my workload I can hardly leave my desk so I depend solely on the Assistant Superintendent.”¹³²

Mr. Enoch Humphrey provided the following representations during a Judicial Hearing which was held on June 3, 2014:

“Q: Your present job function, sir?

A: Assistant Superintendent and it entails supervising mostly, supervising and checking works as they done...

...

Q: ...can you tell us what, if any, role you play from start to finish and when I say start, after a recommendation may be made for an

¹³² Transcript of Judicial Hearing involving Mr. Alexander Mann. Pages 238-244.



award for contract, do you have any role to play?

A: I am not one who will issue the work...I can go when it is completed or I can at sometimes just randomly pass through just to ensure that the work is done.”¹³³

The OCG notes that there are instances in which the works conducted are not physically checked by the requisite officer of the Hanover Parish Council. During a Judicial Hearing which was held on June 5, 2014, Mr. Xavier Munroe, Acting Deputy Superintendent of Roads and Works, Hanover Parish Council stated as follows:

“...for small contracts, bushing, the works - - are sometimes they are not physically they are just checked on the strength of the officer. They are random checks, so we do random checks as I say, so it might not be physically done, in the case where it is...not physically done you would sign on the strength of the officer, but these are not for larger volume works. Sir, when I mean strength, we rely on the integrity.”¹³⁴ (OCG Emphasis)

Based upon the OCG’s review of the contracts that were awarded to the persons related and/or affiliated with Miss Shernet Haughton, it was observed that all contracts issued to ten (10) of the eleven (11) such persons, were signed by the Assistant Superintendent attesting to the works

¹³³ Transcript of Judicial Hearing involving Mr. Enoch Humphrey. Pages 36-38.

¹³⁴ Transcript of Judicial Hearing involving Mr. Xavier Munroe. Page 274.



being satisfactorily completed. Instructively, the OCG is not in possession of any contract that was issued to Mr. Brenton Grant¹³⁵.

¹³⁵ Mr. Brenton Grant represents the eleventh family member for which recommendations were made.



Hanover Parish Council Cheque Signing Process

Having regard to the observation that Miss Shernet Haughton had signed cheques for her relatives and persons to whom she is affiliated, the OCG deemed it prudent to ascertain the circumstances surrounding the signing of cheques in relation to contract payments at the Hanover Parish Council.

By way of a statutory Requisition dated April 23, 2014 to Mrs. Judy McKenzie-Lawrence, the OCG required that responses be provided to the following:

“Please provide the name(s) and title(s) of the Public Official(s)/ Officer(s) and/or any other person(s) who is/are a signatory (ies) for contract payments for the Hanover Parish Council for the period January 2012 to present.”¹³⁶

In her response to the OCG which was dated April 29, 2014, Mrs. Judy McKenzie-Lawrence stated as follows:

“Ans. The signatories to the Council’s account are:

Political Directorate

Shernet Haughton (Chairman) – 29.3.12 to Present

Lloyd Hill (Chairman/Vice Chairman) – January 2012 to Present

Lester Crooks (Councillor) – 29.3.12 to Present

Fredricious Miller (Vice Chairman) – January 2012 to 28.3.12

Wynter McIntosh (Councillor) – January 2012 to 28.3.12

¹³⁶ OCG Requisition dated April 23, 2014 , to Mrs. Judy McKenzie-Lawrence, Secretary Manager, Hanover Parish Council. (Question 5).



Administration

Alfred Graham (Secretary/Manager) – January 2012 to 11.11.12

Judy McKenzie-Lawrence (Secretary/Manager) – 12.11.12 to Present

Shelly Ann Spence (Director of Finance) – January 2012 to Present

Pauline Allen Bedward (Accountant, Budget & Revenue Officer) –

January 2012 to Present

***Please note that each cheque is sign by the Chairman or nominee
and Secretary/Manager or nominee.***¹³⁷

In a Judicial Hearing held on June 4, 2014, it was outlined by Mrs. Judy McKenzie-Lawrence that in the process of signing cheques at the Hanover Parish Council, two (2) signatures by the requisite signatories from the political directorate and administration are required in order for the cheques to be valid. More specifically, a signatory from the administrative arm of the Hanover Parish Council signs the cheque and a signatory from the political directorate signs below that signature.¹³⁸ Detailed below is a verbatim extract of this information:

***“CHAIRMAN: ...Each cheque requires two signatories for it to
be valid?***

A: Yes.

***CHAIRMAN: On the top line somebody from administration
would sign?***

***A: Somebody signs for me and political persons
sign at the bottom.***

CHAIRMAN: Can you just tell us who are the persons who

¹³⁷ Ibid

¹³⁸ Transcript if Judicial Hearing involving Mrs. Judy McKenzie-Lawrence. Page 166-167.



can sign on the top line including yourself
or for you?

A: Me, the Director of Finance is Mrs. Spence
and the Budget Officer, Mrs. Bedward.

CHAIRMAN: And the persons who are allowed?

A: At the bottom, normally they use the Finance
Chairman who is now Councillor Crooks and the
Deputy Mayor, Councillor Hayles and the Mayor.¹³⁹
(OCG Emphasis)

Miss Shernet Haughton's involvement in the process of signing cheques at the Hanover Parish Council

Based upon the representations noted herein, the OCG highlights that Miss Shernet Haughton is a signing officer at the Hanover Parish Council. In this regard, Miss Haughton signs contracts, cheques, and other documents relating to payroll or the purchase of merchandise.¹⁴⁰

It must be stated that when asked by the OCG whether the act of signing a cheque in relation to family members to whom she made a recommendation was considered to be proper, Miss Shernet Haughton disclosed to the OCG the following:

*"...I don't think anything is wrong with that
because I am a signing officer, so it doesn't matter
who or what cheques come to me."*¹⁴¹

¹³⁹ Ibid

¹⁴⁰ Transcript of Judicial Hearing involving Miss Shernet Haughton. Pages 42-43.

¹⁴¹ Transcript of Judicial Hearing involving Miss Shernet Haughton. Page 45.



Instructively, and based upon the perusal of the actual cheques which were made payable to persons identified as relatives of Miss Shernet Haughton, it was observed that Miss Shernet Haughton had, in fact, signed the cheques for the following persons:

1. Mr. Michael Grant;
2. Miss Nicolette Grant;
3. Mr. Petan Grant;
4. Mrs. Carol Grant-Haughton;
5. Miss Sherriola Johnson;
6. Mr. Rayon Williams;
7. Mrs. Donola Levarity; and
8. Mr. Headley Vassell.



Authorisation for the Collection of Cheques

The method of payment utilized by the Hanover Parish Council for works executed by contractors is the issuance of cheques. Cheques may be collected personally by the payee or collected from the Parish Council by an authorized person on behalf of the contractor. In circumstances where a cheque is being collected on behalf of a contractor, a letter of authorization issued and signed by the contractor/payee is required. Additionally, a Cheque Delivery Book is utilized by the Council to record the names of persons to whom cheques are paid, and captures information such as the cheque number, the initials of the person who issued the cheque and the signature of the person who received the cheque.

The OCG perused the actual Cheque Delivery Book of the Hanover Parish Council, which exhibited records of the collection of cheques issued by the Council, during the period March 2012 to April 2014. The OCG's review revealed that Miss Shernet Haughton, former Mayor, Hanover Parish Council, collected cheques for the following persons:

The OCG notes the following:

Cheque Collected By	Cheque No.	Name of Payee	Date Collected
Shernet Haughton	8386293	Gerald Johnson	24.12.2012
Shernet Haughton	8390635	Glenford Dennis	06.12.2013
Shernet Haughton	8391132	Jennifer Murray	20.12.2013
Shernet Haughton	8388511	Carol Grant-Haughton	12.07.2013

Having regard to the records found in the above referenced Cheque Delivery Book, the OCG was provided with authorisation letters by the Hanover Parish Council that were submitted for the collection of cheques between the period June 2012 and March 2014. In this regard, the OCG reviewed authorisation letters from 'Gerald Johnson' and 'Jennifer Murray', authorising Miss Shernet Haughton to collect cheques on their behalf. Instructively, the OCG found no



authorisation letter which permitted Miss Shernet Haughton to collect a cheque, as referenced above, on behalf of Mr. Glenford Dennis.

Further, based upon a review of the Cheque Delivery Book, the OCG observed that one ‘S. Haughton’ had collected a cheque on behalf of Mrs. Carol Grant-Haughton. It must be highlighted at this juncture that Miss Shernet Haughton disclosed to the OCG during a Judicial Hearing which was held on April 17, 2014, as follows:¹⁴²

“CHAIRMAN: You just delivered the
cheque to her?

A: To Carol, yes.

...

CHAIRMAN: Now ma’am, for Carol
Grant-Haughton you
collected the cheque for her
based on her authorization.

A: Yes, sir.¹⁴³ (OCG Emphasis)

In the absence of an authorisation letter from Mrs. Carol Grant-Haughton, with greater emphasis, the point must be made that Miss Shernet Haughton made a recommendation in favour of Mrs. Carol Grant-Haughton in the amount of \$130,000.00, for which a contract was awarded by the Hanover Parish Council in the referenced amount. Further, a cheque which bore the number 8388511, was also made payable in the amount of \$130,000.00. The cheque was subsequently co-signed by Miss Shernet Haughton and thereafter collected by Miss Haughton.

Notwithstanding the foregoing admission, it is the OCG’s observation that the signature which appeared in the Cheque Delivery Book in relation to the collection of a cheque on behalf of Mrs.

¹⁴² Transcript of Judicial Hearing involving Miss Shernet Haughton. Page 71.

¹⁴³ Transcript of Judicial Hearing involving Miss Shernet Haughton. Page 73-74.



Carol Grant-Haughton was inconsistent with the signatures affixed in relation to ‘Glenford Dennis’ and ‘Jennifer Murray’. The OCG also observed a similar ‘S. Haughton’ signature in the Cheque Delivery Book as it regards the collection of Miss Sharon Haughton’s cheques.

The OCG emphasizes that Mrs. Judy McKenzie-Lawrence, Secretary Manager, Hanover Parish Council, informed the OCG that Councillors at the Hanover Parish Council are not to collect cheques for/and on behalf of persons. Mrs. McKenzie-Lawrence, in a Judicial Hearing which was held on June 4, 2014, stated as follows:

“A: ...I was not aware that the Accounts Department was allowing councillors to collect cheques. When I found out because of this I sent notice to put up in the cashier’s cage. I asked the Director how is this possible that councillors are collecting cheques, it is not supposed to happen.”¹⁴⁴
(OCG Emphasis)

Additionally, the OCG was also provided with the referenced Notice that was issued by the Secretary Manager, which stated as follows:

“ **NOTICE**
Please be informed that effective
immediately **NO CHEQUES MUST BE**

¹⁴⁴ Transcript of Judicial Hearing involving Mrs. Judy McKenzie-Lawrence. Page 160.



***DELIVERED TO COUNCILLORS EXCEPT
THEIR OWN PERSONNEL [sic] CHEQUES***¹⁴⁵

The OCG wishes to emphasize that Mrs. McKenzie-Lawrence also disclosed to the OCG that Miss Shernet Haughton, by way of an Inter-Office Memorandum, requested that the persons whose cheques she had collected, provide their signatures to indicate that they had, in fact, received said cheques:

“CHAIRMAN: Has the Mayor asked you to tear out cheques as it relates to this investigation or to allow persons to change things to cover her tracks?

A: No, she didn’t ask me to tear out cheques. She asked me if the persons that she signed cheques for would be able to come and sign, and I said it is too late.

CHAIRMAN: Come and sign?

A: Come and sign their names also and I said it is too late because you have already signed the documents, the persons whom she collected the cheques for if they could

¹⁴⁵ Notice by the Hanover Parish Council dated April 11, 2014 which was received by the OCG on June 4, 2014.



come and sign the documents also. So I said it cannot happen because the document already signed....apparently she collected some cheques for some people so she ask if the persons could come in, because she said she gave the cheques to the persons...¹⁴⁶

(OCG Emphasis)

In this regard, Miss Shernet Haughton, during a Judicial Hearing which was held on June 5, 2014, made the following admission to the OCG:

“CHAIRMAN: ...Have you asked for changes to be made to the ledger, asking that persons form whom you sign cheques to allow them to come in and sign now. Have you done that, ma’am?

A: I had said that.¹⁴⁷

(OCG Emphasis)

¹⁴⁶ Transcript of Judicial Hearing involving Mrs. Judy McKenzie-Lawrence. Page 163.

¹⁴⁷ Transcript of Judicial Hearing involving Miss Shernet Haughton. Page 380-381.



CONCLUSIONS

Based upon the Witness Statement, sworn responses provided during Judicial Hearings by Officers of the Hanover Parish Council, as well as documentary evidence submitted to the OCG, the OCG has arrived at the following considered conclusions:

1. Based on its Investigation, the OCG concludes that there were instances of nepotism, favouritism, and conflicts of interest involved in the recommendations for the award of Government contracts to relatives and persons affiliated with Miss Shernet Haughton.
2. In relation to the allegation that Miss Shernet Haughton awarded Fifteen Million Dollars (\$15,000,000.00) worth of contracts to eleven (11) family members and seven (7) close friends, the OCG concludes that recommendations in the amount of \$2,775,000.00 were made by Miss Haughton to nine (9) family members. Importantly, Miss Shernet Haughton admitted to the OCG that she had also made recommendations for the award of contracts to the remaining two (2) family members and/or persons with whom she is affiliated.
3. The OCG concludes that twenty-two (22) contracts, with a cumulative value of \$3,744,791.00 were awarded by the Hanover Parish Council to relatives and persons affiliated with Miss Shernet Haughton. The award of contracts to the stated persons was as a direct result of the recommendations made by Miss Shernet Haughton. In making said recommendations, Miss Shernet Haughton failed to declare that she had a personal or prejudicial interest in relation to these contracts and contractors.
4. The OCG concludes that the total allocation of funds to Miss Shernet Haughton for the period March 2012 to April 2014 was approximately \$29,684,000.00. Twelve percent (12%) (\$3,744,791.00) of which was awarded by way of contracts to her family members



and/or affiliates. It is instructive to note that this 12% represented the individuals with whom the OCG could clearly establish a relationship or connection with Miss Shernet Haughton.

5. The OCG has concluded that the following persons are related and/or affiliated with Miss Shernet Haughton:
 - i. Mr. Michael Grant- Spouse;
 - ii. Mr. Rayon Williams- Son;
 - iii. Miss Nicolette Grant- Daughter;
 - iv. Mr. Devon Haughton- Brother;
 - v. Mrs. Carol Grant Haughton- Sister-in-law (Ms. Haughton's brother's wife);
 - vi. Mrs. Donola Levarity- Sister;
 - vii. Mrs. Sharon Haughton- Sister and mother of Sherriola Johnson;
 - viii. Miss Sherriola Johnson- Niece;
 - ix. Mr. Headley Vassell- Brother-in-law;
 - x. Mr. Petan Grant- Brother-in-law (Michael Grant's brother);
 - xi. Mr. Brenton Grant- Petan Grant's son; and
 - xii. Mr. Robert Williams- Contractor employed to Miss Shernett Haughton.
6. Miss Shernet Haughton is unfamiliar with the provisions contained in "The Councillors Handbook, a Guide for Jamaican Councillors". The notion advanced by Miss Shernet Haughton that she had not been introduced to issues of ethics prior to assuming the role of Councillor/Mayor is rejected as untrue and a fabrication on her part and is a failed attempt to plead ignorance.
7. The recommendation for the award of contracts by Miss Shernet Haughton to persons related and/or affiliated to her was a shameless and brazen act, and in all the circumstances, was unethical and amounts to a conflict of interest and nepotism. As a



public official, she advanced a private interest resulting in a monetary benefit to her family members and persons closely affiliated to her. In this respect, the numerous instances evidenced in this report collectively contravened the principles of integrity and good governance.

8. Whilst being Mayor and Councillor, Miss Shernet Haughton had an interest, directly or indirectly, in contracts awarded to her family members and/or affiliates based on her recommendations for same, which was in contravention of Sections 99 and 100 of the Parish Council Act. Sections 99 and 100 of the Parish Council Act stipulates:

“ A contract entered into between a Parish Council and any councilor thereof or in which any such councilor is pecuniarily interested, whether directly or void indirectly, whether the contract be made before or after he became a councilor of such Council, shall be null and void; unless—

- (a) if made after he became such councilor it has been entered into with the express sanction; or*
- (b) if made before he became such councilor, it has received, prior to his nomination as a candidate, the subsequent approval, of the Minister.”*

9. There is no documented process for the selection of persons who are recommended by Councillors and the Mayor within the Hanover Parish Council for the award of contracts.



10. Miss Shernet Haughton's actions have had the effect of undermining public confidence in her ability to act appropriately in her position as a Councillor of the Division of Green Island and in her then capacity as Mayor and Chairman of the Hanover Parish Council.
11. Miss Shernet Haughton's actions, as it regards the recommendation for the award of contract to Mrs. Carol Grant-Haughton and the subsequent co-signing and collection of the corresponding cheque, made payable for works executed in relation to the said contract, amounts to unethical behavior.
12. During the course of the OCG's Investigation, Miss Shernet Haughton requested of the Secretary Manager, Mrs. Judy Lawrence-McKenzie, that she allow contractors to write letters to be placed on Parish Council records and/or have them sign acknowledging receipt of their cheques, with retroactive effect.

This approach by Miss Shernet Haughton is viewed with suspicion and the OCG is of the considered opinion that, had it been acted upon by the Secretary Manager, it would have caused the OCG to draw the irrefutable inference that Miss Shernet Haughton was, in fact, authorized to receive cheques on behalf of these contractors and/or that they signed and collected the cheques personally. The Secretary Manager rejected the unethical approach of the former Mayor and must be commended for her stance.
13. The recommendation and selection process of contractors as utilized by Miss Shernet Haughton and/or the Hanover Parish Council is devoid of checks and balances that are necessary for proper transparency and accountability in the management of public funds. In this regard, the OCG has observed that there is a "rubber stamping" of recommendations to contractors made by Councillors as the recommendations, invariably, results in the award of contract to those recommended without any verification of skills, competencies or relationships that may result in conflict of interest.



14. In relation to the foregoing, the OCG was alarmed by and condemns the admission made by Mr. Brenton Grant, the nephew of Miss Shernet Haughton's spouse. Of note, Mr. Grant stated that he had selected "drunkards" to execute the works under the contract as they charged a cheaper rate. The OCG is, therefore, of the considered opinion that the selection process, as it now stands, has the potential to significantly compromise the integrity of the operation and quality of work produced and may not result in value for money.
15. In some instances, a complete verification of works executed is not conducted by the Hanover Parish Council. It was admitted by an Officer from the Parish Council that physical verification of works is not done in all instances and when this arises the "*strength of the officer*" suffices. This contravenes the process for the award of contracts outlined by the Hanover Parish Council. With greater emphasis, it is a requirement for the Assistant Superintendent to verify/confirm that the work is satisfactorily done prior to payment.
16. Miss Shernet Haughton did not have an appreciation for the fact that her actions were reprehensible when she made recommendations for the award of contracts to family members and persons with whom she is affiliated, knowing that her recommendations would have been accepted. Importantly, "The Councillor's Handbook, a Guide for Jamaican Councillors" was available to all Councillors.
17. Councillors were allowed to collect cheques on behalf of contractors with and without authorisation letters from the Hanover Parish Council. The OCG notes that prior to the conclusion of its Investigation, the Secretary Manager saw it fit to issue a Notice on April 10, 2014, to the effect that Councillors are now only allowed to collect their own cheques.



18. In regard to the signing of contracts, Miss Shernet Haughton circumvented procedures and usurped the function of the Works Overseer by facilitating the signing of blank contract forms by contractors whom she recommended for the award of contracts. Miss Shernet Haughton produced the blank forms to the contractors, namely, Mr. Robert Williams, Mr. Michael Grant and Miss Sherriola Johnson. She had them sign the blank contract forms in the absence of particulars of the contract being contained in the documents, thereby circumventing the role of the works overseer.
19. In relation to Mr. Petan Grant, the OCG uncovered many inconsistencies in the process between the recommendations for the award of contracts and the collection of cheques as payment. Cheques have been signed and prepared with different variations to his name. The OCG notes that out of a total of nine (9) cheques paid to Mr. Petan Grant, his name has been displayed as “Peter”, “Peton”, and “Petren”. In one instance, one variation to his name, “Petren”, was crossed out on a cheque and replaced with “Peter”. This amendment was signed by Miss Shernet Haughton.



REFERRALS

The OCG, in the conduct of its Investigation, is required to be guided by Section 21 of the Contractor General Act. Section 21 provides as follows:

“If a Contractor-General finds, during the course of his investigations or on the conclusion thereof that there is evidence of a breach of duty or misconduct or criminal offence on the part of an officer or member of a public body, he shall refer the matter to the person or persons competent to take such disciplinary or other proceeding as may be appropriate against that officer or member and in all such cases shall lay a special report before Parliament.”¹⁴⁸ (OCG Emphasis)

Based upon the evidence presented by representatives of the Hanover Parish Council, the OCG is hereby referring a copy of its Special Report of Investigation to the Office of the Director of Public Prosecutions, for due consideration and/or investigation as she may deem fit, having regard to the breaches of the Government of Jamaica Handbook of Public Sector Procurement Procedures and the attendant Regulations, which have been identified herein.

The OCG is hereby referring the matter to the Office of the Director of Public Prosecutions for the determination to be made as to whether Miss Shernet Haughton, former Mayor and Chairman

¹⁴⁸ Section 21, The Contractor General Act



of the Hanover Parish Council and Councillor for the Green Island Division, breached the following provisions:

1. Section 4(1) of the Contractor General Act in relation to award of government contracts;
2. 'Code of Ethics for Councillors' in relation to failing to declare a personal or prejudicial interest in a government contract;
3. Section 4.2, "Conflict of Interest" of the GoJ Handbook of Public Sector Procurement Procedures (May 2012);
4. Section 4.3 "Unethical Conduct" of the GoJ Handbook of Public Sector Procurement Procedures (May 2012); and
5. Sections 99 and 100 of the Parish Councils Act.

In the instant matter, Miss Shernet Haughton recommended family members and affiliates for the award of contracts, which they received and in some instances co-signed cheques to said persons for payment. Miss Shernet Haughton also, in one instance, collected the cheque without authorization letter on behalf of said person.

The OCG is referring this matter to the Director of Public Prosecutions, having particular regard to the provisions of Section 40 of the Public Sector Procurement Regulations (2008), which provides as follows:

"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, to a fine not exceeding one**



**thousand dollars or to imprisonment for a term
not exceeding three months or to both ...”**

(OCG Emphasis)

Additionally, the OCG recommends that a forensic analysis by a handwriting expert be conducted by the Jamaica Constabulary Force to compare signatures appearing in the Cheque Delivery Book to determine the veracity of signatures in instances where the OCG has observed discrepancies in the signatures on several records.



RECOMMENDATIONS

Section 20 (1) of the Contractor-General Act mandates that “*after conducting an Investigation under this Act, a Contractor-General shall, in writing, inform the principal officer of the public body concerned and the Minister having responsibility therefor of the result of that Investigation and make such Recommendations as he considers necessary in respect of the matter which was investigated.*” (OCG’s Emphasis)

1. The OCG is cognizant of the fact that Miss Shernet Haughton tendered her resignation as Mayor, Chairman of the Hanover Parish Council on August 28, 2014. Notwithstanding, the OCG is of the considered opinion that having regard to the gravity of the findings of this report, Miss Shernet Haughton ought properly to also relinquish her post as Councillor of the Green Island Division, in keeping with the ethical principles of governance and sound ethical public management.
2. The OCG strongly recommends that the Ministry of Local Government and Community Development create policies and implement systems in relation to the contract award process that will allow for the provision of appropriate oversight of discretionary decisions and of personnel with the authority to make such decisions. In the absence of proper checks and balances and an independent selection and award criterion, the contract award process runs the risk of being labelled nepotistic.
3. It is also crucial for the Ministry of Local Government and Community Development to put the necessary enforcement mechanisms in place to ensure that Councillors and Mayors abide by the principles outlined in the Code of Ethics for Councillors with appropriate sanctions for failure to comply with same.



4. It is incumbent on the Ministry of Local Government and Community Development to ensure that its public officials are aware of the requirements in relation to identifying conflict of interest and situations in which such should be declared.
5. As outlined in the Framework for Commonwealth Principles on Promoting Good Governance and Combatting Corruption, the OCG hereby recommends that:

“...the rule of law should apply to all those involved in the administration and provision of services in the public interest, as it does to the whole of civil society. Those holding offices of trust need to be bound by well publicized Codes of Conduct with appropriate sanctions for breaches that are enforced consistently and vigorously. These codes should, inter alia, cover: standards of integrity, potential conflicts of interest, acceptance of gifts, misuse of information for personal gain, and disclosure of assets and financial interests. Ethical standards should be promoted--through education and training where necessary-- which instill pride in the virtues of integrity, professionalism, efficiency, transparency, and impartiality in the public service”.¹⁴⁹

(OCG Emphasis)

6. It is strongly recommended that Councillors and Mayors of Parish Councils should not be involved in the recommendation and/or selection of contractors to whom they

¹⁴⁹ Nicholls, Colin. *Corruption and Misuse of Public Office*, 2nd Edition. Oxford University Press. 2011. Para. 11.96, Page 407.



are related and/or affiliated as the proposed beneficiaries of Government of Jamaica contract awards. The OCG's recommendation is premised upon the fact that the recommendations for the award of contract(s), by a Public Official, a Councillor and Mayor in the instant case, to her relatives and/or persons with whom she is affiliated, can create the perception of a conflict of interest, or the perception of bias and, inevitably, the perception of nepotism.

7. Further, the OCG must recommend that Councillors and/or Mayors should recuse themselves from decision making processes which involve the award of GOJ contracts in scenarios which pose potential conflicts of interest, in particular, where there is the slightest hint and/or suggestion of nepotism, whether real or perceived.
8. The OCG recommends that Public Bodies should, in keeping with the stipulated Procurement Guidelines, establish robust and transparent systems and processes to ensure that the selection of contractors at the community level is free from the perception of bias and political interference in the award of contracts.
9. The OCG recommends that strict adherence be observed to the Procurement guidelines and attendant Public Sector Procurement Regulations by all procuring Public Bodies and the respective Public Officers who are charged with the responsibility for administering the award of Government contracts.
10. The OCG recommends that in circumstances where a Public Body has identified that there is a breach of the procurement procedures, the responsible agency should seek to remedy the said breach in an expeditious and effective manner as opposed to continuing with the implementation of the project in violation of applicable GOJ Public Sector Procurement Procedures, the Regulations and other governing laws.



11. Where, however, a project permits the receipt of recommendations from a Councillor or Mayor for the engagement of contractors, the suitability of the recommended contractors should be, at a minimum, independently vetted by the Procuring/Implementing Public Body with time being of the essence for completion of the process and once in excess of a certain value threshold, same should be subjected to some form of a competitive procurement process.