

## CONTRACTOR GENERAL'S INTRODUCTORY REMARKS

Having been sworn in as the fifth (5<sup>th</sup>) Contractor General of Jamaica, on February 25, 2013, I officially took up Office on 1 March, 2013. Therefore I am submitting this, the twenty-sixth (26<sup>th</sup>) publication of the Annual Report of the Office of the Contractor General, not as work conducted under my leadership but that of my predecessor, Mr. Greg Christie, who gave seven (7) years of remarkable service to the people of Jamaica and who demitted office in November of 2012.

Unlike in previous years however, the volume of the Annual Report has been significantly reduced, as the decision was taken to publish only the Executive Summaries for the respective Divisions, along with the reports for Portfolio assignments. All other information has been included on compact discs which shall be packaged with each copy of the Annual Report of 2012.

This Report is being submitted pursuant to Section 28 (2) of the Contractor-General Act, which states that: "*A Contractor-General shall submit to Parliament an annual report relating generally to the execution of his functions...*" In honouring this mandate, it is my privilege to submit to the Honourable Houses of Parliament of Jamaica, the 26<sup>th</sup> Annual Report of the Commission of the Contractor General, for the calendar year 2012.

The Contractor General is an Independent Commission of the Parliament of Jamaica, charged under Section 4 (1) of the Contractor-General Act, to monitor the award and implementation of Government of Jamaica (GOJ) contracts, with the aim of ensuring that such awards are made impartially, on merit and under circumstances which do not involve impropriety or irregularity. The Contractor General is also mandated under the same conditions, to monitor "*the grant, issue, suspension or revocation of any prescribed licence...*"

In addition to the foregoing obligations, Sections 15 (1) and 16 of the Contractor-General Act, gives a Contractor General, the discretionary power to formally investigate any matter associated with the award of Government contracts, the issuance of Government licences and permits, procurement procedures and the registration of Contractors.

The Office of the Contractor-General (OCG) does not have the powers to stop a contract already in progress or to prosecute offending parties where impropriety or irregularity is uncovered. Our powers are limited to investigating allegations and where necessary, making Referrals to the relevant authorities for further action, pursuant to Section 21 of the Contractor-General Act. The OCG therefore functions as an Ombudsman.

The OCG also provides technical and administrative support to the National Contracts Commission (NCC), thus enabling the NCC to effectively execute its functions as mandated under Section 23 of the Contractor-General Act. It should be borne in mind however, that as at the time of this report, the process for the separation of the NCC from the OCG was at an advanced stage. The OCG is in full support of the pending separation, as it augurs well for the independence of both entities.

Being cognisant of our role in ensuring that the Government procurement procedure is free of impropriety and irregularity and thus meets the highest standards, we have declared this commitment in our Mission Statement, which states that:

*"The Mission of the Office of the Contractor General is to effectively discharge the requirements of the Contractor-General Act and, in so doing, to:*

- *Monitor and investigate the award and implementation of contracts, licences, permits, concessions and the divestment of government assets;*
- *Improve and make fair and equitable, the system of awarding contracts, licences, permits, concessions and the divestment of government assets;*

- *Ensure that all public sector agencies give the widest possible opportunity to qualified persons to bid for contracts and divestments or to apply for licences and permits;*
- *Create a positive image of the public procurement process by promoting integrity, professionalism, transparency, efficiency and, in so doing, to thereby engender public confidence.”*

As Ombudsman, the OCG discharges its mission and core operating functions through three (3) operating divisions; namely, the Inspectorate Division (which is divided into (i) the Construction and (ii) the Non-Construction, Licenses and Permits Units), the Special Investigations Division, and the Technical Services Division. These Divisions are ably supported by two (2) additional Divisions; namely, the Corporate Services Division and the Information Systems Division. Combined, the OCG had a staff complement of fifty-six (56) persons during 2012.

In spite of the limited staff, the OCG is aware of the critical and necessary role it plays in our society and remains committed to meeting its obligations under the law. We must however discharge our mandate, bearing in mind that the principle of natural justice must always be practised and observed.

The OCG in carrying out its duties, is also mindful of its obligation to the people of Jamaica and is grateful for the ongoing support of those Jamaicans who take the time to communicate their appreciation for the work of the Office, whether directly or indirectly. This appreciation was borne out in the results of a National Integrity Action Limited's commissioned, Don Anderson, Market Research Services Poll of 2011, which saw the OCG being ranked as the agency that enjoyed the highest level of public satisfaction, from a group of seven (7) anti-corruption and law enforcement agencies.

I too, on February 25, 2013, swore to uphold the integrity of the office and to serve the people of my country to the best of my ability and according to law. I take this promise very seriously and shall abide by same.

Like most well-thinking Jamaicans, I dream of living in a country that is morally and spiritually grounded in truth, integrity and peace. I however recognise the fact, as it is set out in my very first address upon being sworn in as the Contractor General, that, as we examine the landscape:

*“... it cannot be business as usual. We cannot keep on ‘passing the buck’... waiting on the next generation or the next person to solve or begin to seriously tackle the ills of today. We must take back our country, but time shall be the master of change, as I would be naïve to suggest or think that change can or shall occur overnight. We must however be prepared to be committed to do whatever it takes, for however long it takes to continue, renew, reshape our strategy in our fight against the abominable crime called CORRUPTION.”*

On that day, I further asked the people of Jamaica, in an effort for us to take back Jamaica from the stranglehold of criminal elements intent on further eroding the moral fabric of society, to tell what they know. I also invited stakeholders to share information in the united fight against corruption and maintaining law and order and I went further to ask the ‘legislative thinkers’ to draft the appropriate legislation(s) to allow for the sharing of information between state agencies.

In accepting the appointment as Contractor General of Jamaica, I am well aware that challenges that I will be faced with are par for the course.

Having said that, the OCG is tasked with ensuring probity, transparency, fair competition and accountability in Government contracting. It is however evident that despite strides made by this office and a few other stakeholders, much more needs to be done about fighting corruption in all areas of our society. It is my considered view that the Legislative and Executive Arms of the State, should unreservedly demonstrate to the Jamaican people and international interests alike, through legislation and related action, that they are serious about fighting corruption in all its forms and at all levels.

While the concept of 'corruption' is understood, social and cultural norms make defining 'corruption' somewhat challenging, as capturing all forms of corruption in a single definition has proven difficult. The Commission for the Prevention of Corruption (CPC) in its "Guide to the Corruption (Prevention) Act 2000 & Regulation 2002," for instance, defines Corruption as *"the misuse of public office for private gain for the benefit of the holder of the office or some third party."* Similarly, corruption is defined by Transparency International (TI) as *the abuse of entrusted power for private gain.* TI further classifies corruption in three (3) categories. These are: Grand Corruption, Petty Corruption and Political Corruption. 'Grand Corruption', according to TI, refers to *"acts committed at a high level of government that distort policies or the central functioning of the state, enabling leaders to benefit at the expense of the public good."* TI defines 'Petty Corruption' as *"everyday abuse of entrusted power by low and mid-level public officials in their interactions with ordinary citizens, who often are trying to access basic goods or services in places like hospitals, schools, police departments and other agencies."* 'Political Corruption' is defined by TI as *"the manipulation of policies, institutions and rules of procedure in the allocation of resources and financing by political decision makers, who abuse their position to sustain their power, status and wealth."* These definitions of corruption are general in nature and as such, may be further broken out according to the social, political and economic circumstances of any country.

Corruption is not unique to Jamaica and as such, there are many international Instruments which seek to counter corruption around the world. As at the time of this report, Jamaica had signed to and/or ratified the following international Instruments: The Inter-American Convention Against Corruption, The Inter-American Convention on Mutual Legal Assistance in Criminal Matters, The United Nations Convention Against Transnational Organised Crime and its three (3) Protocols, The 1971 United Nation Convention on Psychotropic, The 1961 United Nations Single Convention as amended by the 1972 Protocol and the United Nations Convention Against Corruption, which was signed by Jamaica in 2005 and ratified in 2008. Having been inserted in these agreements, Jamaica is expected to adhere to certain protocols as contained in the Instruments.

Locally, the OCG is not alone in the fight against corruption. Other public entities such as The Commission for the Prevention of Corruption (CPC), The Integrity Commission, The Anti-Corruption Branch of the Jamaica Constabulary Force, The Office of the Director of Public Prosecutions, the Revenue Protection Division, the Financial Investigation Division and the Major Organised Crime and Anti-Corruption Task Force (the Jamaica Constabulary Force), to name a few, are also fighting corruption and its perception, with limited resources available to them. There are also Non-Governmental Agencies committed to stemming the proliferation of corruption and its perception. These include: The National Integrity Action, Jamaicans for Justice, Jamaica Civil Society Coalition, The Private Sector Organisation of Jamaica, The Centre for Governance, University of the West Indies, Mona, among others. The fight is on but all other concerned parties need to join us in stemming all forms of corruption.

It is a known fact that public anti-corruption agencies are under-resourced and as a result, many have unfortunately been labelled as being inefficient; much to their chagrin. The reality is that though progress has been made, the number of cases closed, pale in comparison to the workload and files pending action. In light of this most unfortunate state of affairs, the introduction of a Single Anti-Corruption Agency with far-reaching powers to treat solely with corruption matters is highly anticipated and welcomed.

The OCG has made significant progress in highlighting activities in relation to its mandate and the same can be said of the Anti-Corruption Branch of the Jamaica Constabulary Force and the National Integrity Action (NIA), among a few others. While much has been done in an attempt to mold the anti-corruption landscape toward more favourable ratings, the fact is that not all local anti-corruption agencies have made significant in-roads in that regard and this is a cause for concern.

The NIA's main objective is to combat corruption in Jamaica in a wholesome way; and since being officially established in 2011, they have done much to keep the spotlight on the matter of corruption, including sensitising the public through varying media and fora on the issue of corruption. The NIA has also been very vocal on the matter of the establishment of a single anti-corruption agency, with prosecutorial powers, among other matters. The entry of the NIA into the anti-corruption 'arena' has been a welcome one and from all indications thus far, they will continue to push for meaningful change socially and legislatively.

Our country has featured unfavourably in multiple international publications over the years, when surveyed to determine the level or perception of corruption among Jamaicans. Unfortunately, while the findings may be debatable to some extent, the reality is that as a nation, we are well aware of what we refer to as 'the runnings' phenomenon, when it comes to conducting business in Jamaica, where 'favours' are allegedly granted for one reason or another. 'The runnings' it is suggested, exists where someone is 'ably assisted' in circumventing standard operating procedures and getting the desired outcome, often through the exchange of money. Such practises must come to an end; but our reality is that only through the exposure and prosecution of wrong doers will we begin to effectively address this concern.

Each year, Transparency International (TI), an independent international agency which aims to "*stop corruption and promote transparency, accountability and integrity at all levels and across all sectors of society*", publishes its Findings on the perceived level of corruption within the public sector, in select countries. Jamaica has consistently ranked at the lower level of the scale, referred to as the "Corruption Perception Index" (CPI). For instance, of the 174 countries assessed in 2012, Jamaica was ranked at 86<sup>th</sup>. The reality is that, though the perception of corruption in Jamaica's leaves a lot to be desired, there have been advancements made in how corruption-related matters are handled. For instance, several legislative changes have been effected to address corruption and there has been an increase in the number of arrests made and convictions obtained by the relevant authorities. This reality is somehow not evidenced in the ranking 'given' to Jamaica on the CPI annually. TI has however maintained that prior to 2012, the scores were not to be compared from year to year or against those 'given' to other countries. This clearly has not prevented comparisons and rankings being expressed, with the CPI being the source.

Au contraire, Dr. Omar Hawthorne, Lecturer in the Department of Government at the University of the West Indies, wrote for her PhD. Designation in 2012. The Paper, entitled "Do International Corruption Metrics Matter? Assessing the Impact of Transparency International's Corruption Index", examined the matters of the world's political and economic responses and whether Jamaica responds to the CPI results. In addressing flaws identified, Dr. Hawthorn criticised TI's methodology, stating that, "*The study also shows that the CPI lacks construct validity, in that, it exhibits no correlation to other measures that it should correlate with if indeed it measured the perceptions of business and policy leaders.*" Noting the steps taken by Jamaica to address corruption over the years, she stated, *inter alia*, "... it would seem that Jamaica is improving and or making increased gains in fighting corruption but nonetheless the ranking on the CPI continues to decrease. While TI will be the first to say that the index cannot be compared yearly, this is an inherent flaw in their argument."

Further, Dr. Hawthorne found no evidence of Jamaica's credit rating or investment in Jamaica being affected by the CPI ranking. In the same Paper, she states, *inter alia*, that "*Political institutions give credence to TI's CPI. In general, the CPI is used as a standard measure for countries' perception levels by the various agencies within the US Department of State. But while there is increased use of TI's CPI by world policymakers there is no clear evidence that aid and or loans have been withheld because of a country's corruption level.*"

However, it was determined that the Jamaican Government pays keen attention to its annual ranking and has made policy decisions in relation to same.

It should be noted that TI has modified its methodology effective 2012 and has advised that it will now be possible to make year-to-year comparisons to gauge corruption perception levels.

The OCG's Annual Report of 2011 gives an illustration of Jamaica's performance in earlier CPI reports. Readers of this report, who are not in possession of a physical copy of previous Annual Reports issued by the OCG, may retrieve same from URL: <http://www.ocg.gov.jm/ocg/view/annual-reports>

Far too often, policies are put in place and then seemingly forgotten and studies are conducted and recommendations made to effect favourable change, but more often than not, these recommendations are not embraced.

Case in point; in 2001, Transparency International developed the concept of National Integrity Systems (NIS) assessments. The assessments seek to evaluate *"the anti-corruption efficacy of all principal institutions and actors that form a state. These include all branches of government, the media, the public and private sector, and civil society. Through a nuanced analysis of national efforts to stamp out corruption it provides a framework which local organisations and citizens can use to analyse both the vulnerabilities of a given country to corruption, as well as the effectiveness of national anti-corruption efforts."*

The first NIS assessment for the Caribbean region was conducted in Jamaica in 2003. The report makes for interesting reading, as, in the Executive Summary, the following statement was made concerning Jamaica's state of affairs, in relation to corruption: *"Corruption in its various forms derives, in the main, from public tolerance towards "beating the system", strong political traditions of patron clientelism, a 'winner-take-all' concentration of state power in the executive and Jamaica's strategic location on a main cocaine trafficking route to North America."*

The statement though embodied in a report of 2003, reads as if it were today, because arguably, it is still relevant to the state of affairs in Jamaica.

The report is 55 pages long and upon conclusion, makes five (5) recommendations, three (3) of which I will here quote verbatim:

*"Firstly, the need to hasten and to deepen constitutional and political reform around consensus measures to strengthen the independence of Parliament, the service commissions, the rights of the people etc. in relation to the Executive.*

*Secondly, the urgency of enforcement of anti-corruption law against offenders from high society - in the public and private sector – as one means of reaffirming equality before the law, undermining popular conviction that the highly placed corrupt are untouchable and thereby helping to stimulate now dormant public involvement in the anti-corruption processes.*

*Thirdly, the implementation of a comprehensive program of public education and cultural change management on the issue of corruption."*

In spite of the fact that the referenced report was published some ten (10) years ago, we espouse the very recommendations today, as the situation has seemingly remained static. The fact is that these recommendations have not been adopted nor implemented, but we are hopeful that change may come soon.

Notwithstanding the foregoing, Jamaica is by no stretch of the imagination, the only country confronted by the beast of corruption. On the contrary, corruption is now one of the 'problems' that now threatens the economic and social stability of many countries. It is considered a priority globally and one (1) example of an attempt to discuss the issue is seen where every two (2) years, people from countries across the world gather for the International Anti-Corruption Conference (IACC). The latest conference was held in Brasilia, Brazil in November 2012 and prior to that, in Bangkok, Thailand (2010). The conference which was held in Thailand, saw more than 1,200 people from 135 countries in attendance, while that which was held in Brazil, saw more than 1,900 people from 140 countries in attendance. The sheer number of attendees gives an idea of the 'crisis' that corruption has become worldwide.

At the end of each conference, a Declaration is passed, which is a collective commitment to continue the 'fight' against corruption. The Bangkok Convention as part of its Declaration, stated that *"Good laws will not defeat corruption in the face of public indifference... the rules of the corruption game won't change unless people are willing to stand up and demand integrity from their leaders, and demonstrate integrity themselves.* The Declaration also posited that *"Committed leadership and strong political will are critical to preventing and suppressing corruption in its various forms and dimensions, synergy between leadership, civil society and media and private sector are critical to successfully curbing corruption."* These excerpts from the Bangkok Declaration of the 14<sup>th</sup> IACC, are telling and bare a stark similarity to our landscape and what is required to effectively address the issue of corruption.

The United Nations Convention against Corruption (UNCAC), was adopted by the United Nations General Assembly in December 2003. The UNCAC is the first international, legally binding anti-corruption instrument. It recognises the importance of preventative and punitive measures in the fight against corruption and addresses the cross-border nature of corruption, with provisions on international cooperation and on the return of the proceeds of corruption. States which sign to the Convention are required to implement anti-corruption measures which may ultimately affect their laws, institutions and practices, thus preventing corruption and criminalising certain 'corrupt practices'. The UNCAC meets annually and as at December 2012, 165 countries were bound by the UNCAC.

The International Association of Anti-Corruption Authorities (IAACA) was formally established in 2006 and also meets on an annual basis. The aim of the IAACA is to facilitate the implementation of the UNCAC dictates. The membership of the IAACA is comprised of law enforcement organisations for national institutions and bodies tasked with fighting corruption, from 228 countries and regions. In addition, the UNCAC has 32 international organisations and more than 2000 individual members, which include professionals with experience in anti-corruption practice or research in their respective countries.

Jamaica is a Signatory to these groups and Jamaican representatives are usually in attendance at these seminars and conferences. However, whether the information coming out of these gatherings have resulted in any significant and obvious change to the level and perception of corruption locally is up for debate. While there have been positive action in relation to anti-corruption initiatives, there remains, in my opinion, more than enough room for improvement. Much more has to and can be done.

Corruption in its many forms has become like a parasite intent on having its way with its subjects; and without decisive action, it will ultimately engulf us. The anti-corruption 'war' therefore needs to be fought fiercely and relentlessly. We cannot at anytime relax and allow things to simply continue as is. It cannot be business as usual. The apathy toward corruption is to be rejected and while the objective is not to convert the unconcerned, they ultimately should get to the point where they do the right thing for the right reason, if we want the best for our country. It is up to each individual who is concerned about the impact of the scourge of corruption on this Fair Isle, to let their voice be heard. Further, the seeming imbalance of the social landscape, where the general perception is that the higher you are on the social ladder, the greater the possibility that you will escape punishment for wrong doing, has to be erased. This shift in behavior however, will have to start at the top.

The concern about impunity is real. Transparency International defines impunity as *"getting away with bending the law, beating the system or escaping punishment."* The more impunity is encouraged, the less the level of trust for those in authority. As stated in the Brasilia Declaration, *"impunity undermines integrity everywhere. Whether we are investing collective efforts and resources in fighting poverty, human rights violations, climate change or bailing out indebted economies, we need to give the people a reason to believe that impunity will be stopped."* The Declaration called on *"leaders everywhere to embrace not only transparency in public life but a culture of transparency leading to a participatory society in which leaders are accountable."*

A further concern, is the need to aggressively address the matter of mistrust of authorities. While significant inroads have been made in this regard, with the introduction of 'Hotlines', where reports may be made anonymously and agencies where persons can report crimes of varying nature, there is more work to be done in gaining the trust of the populace in them being assured of their personal safety and that of their loved ones.

In giving my acceptance speech at King's House in February 2013, I invited Jamaicans to *"tell us what you know and we will take the fight to the corrupt. We will protect the whistleblowers and report wrongdoing in the confines of observing fairness, the laws of natural justice and seek to make Jamaica a better place for us to live, work and play."* My invitation still stands.

Consequently, I am of the view that the fight against corruption will not be won if only the 'authorised' bodies are doing so in accordance with their given mandates. All Jamaicans should get involved. All Jamaicans should by now realise that they have to play their part in tackling corruption. We have to work as a team. We have to work hard at developing mutual trust. We have to recognise that once we stand united for the cause, we will overcome, as there is strength in numbers. Every Jamaican has a responsibility to assist in changing the negative perception of our country, as one mired in corruption. I anxiously await the day when the Transparency International's CPI ranks Jamaica at the upper end of its scale. It is an attainable goal but it requires a collective change of attitude and related action.

As I have said before, it cannot be business as usual. We cannot continue to collectively turn a blind eye to tax evasion, abuse of power, misappropriation of funds, misuse of inside knowledge and confidential information, treason, deceit and fraud, bribery, election tampering, acceptance of 'improper' gifts, cronyism, perversion of justice, nepotism, manipulation of regulation, and the list goes on. Corruption in any form should be seen by all as being unacceptable and therefore shunned. Only this approach will turn things around for us and cause the world to stand and take notice of our accomplishments.

Allegations of non-transparency, impropriety and irregularity in procurement and divestment processes continue to be reported to the OCG on a daily basis and there seems to be no end in sight. For corruption to thrive, all that is needed are the right 'players'; a corrupt public officer, a member of the public keen on being dishonest and observers who are aware but say or do nothing.

While I am aware that as at the time of this report, there is a Draft Bill (The Public Procurement Act, 2013) and the related Public Procurement Regulations, 2013 being reviewed, we recognise that the passage of same will take time and proverbially speaking, it will not happen overnight. However, its passage is highly anticipated.

It is further anticipated that with the passage of these important pieces of legislations, the penalties will be increased for breaches, depending on the nature of same. The OCG wishes to here place on record, that it does not support any Clause which seeks to give a Procuring Entity the right not to award a contract to any party with whom it is in litigation, or with whom it has an unresolved contractual dispute, as is currently contained in Volume 2, Section A8.16, of the Government of Jamaica Handbook of Public Sector Procurement Procedures (May 2012). The OCG sees this as a possible violation of the rights of the affected party, as such a provision in no way supports the old adage of being innocent until proven guilty. Having said that, Procuring Entities should be careful to employ the observance of the rules of natural justice, which is very impartial and ultimately, fair. In the foregoing regard, the OCG is heartened by the proposed omission of such a Clause from the referenced Draft documents.

## **ADVANCEMENTS MADE**

The OCG has noted that the Government of the day has commenced the process for the establishment of a Single Anti-Corruption Agency. The commitment was given in Parliament during the delivery of the 2012 Throne Speech by the Governor General of Jamaica, His Excellency Sir Patrick Allen and the process for same is in progress. The Office will continue to observe the progress of this undertaking and earnestly hopes that its opinion and comments shall be sought. The previous administration had unsuccessfully sought to pass by the Houses of Parliament, the Corruption Prevention (Special Prosecutor) Bill, which would result in the present Corruption Prevention Act and the Parliament Integrity of Members Act, being repealed, as they would be absorbed into the new Act. Whether passage of this Bill will be pursued, is left to be seen.

The introduction of a Single Anti-Corruption Agency into the Jamaican landscape would be a welcome addition, as with corruption-related matters being 'handled' under the 'same roof', the backlog in treating with corruption cases will be addressed, though it is understood that the reduction in the caseload will not be immediate. Having said that, the OCG is fully aware of the challenges being faced by the Office of the Director of Public Prosecution (ODPP), with the demands made on the Office for 'processing' of cases. It is of note that the Commission for the Prevention of Corruption (CPC) has referred in excess of eighteen thousand (18,000) matters to the Director of Public Prosecutions (DPP) for appropriate action to be taken. With the limited resources available to the DPP, it is clear that with more such matters being added on an ongoing basis, it is highly unlikely that much gain will be made in addressing the matter of the backlog and matters referred for its attention. Bearing in mind that the DPP has other matters to treat with relative to general law and order, any serious attempt at addressing corruption-related cases, may require some consultation with the stakeholders in the Judicial System. It is submitted that the proposed Single Anti-Corruption Agency with prosecutorial powers would take us a far way to address this issue and though it will take time, corruption-related cases will be addressed more speedily with the dedicated attention.

The OCG has noted steps being taken in the fight against corruption. Though these may be considered 'baby steps' in the right direction, some are worthy of note: Advances have been made with respect to the Whistleblower Legislation, which is aimed at providing protection for people in the workplace that provide information on criminal activities at their place of employment. The CPC is the designated authority named to undertake the statutory functions of the Protected Disclosures (or Whistleblower) Act.

It has also been noted that progress has also been made in relation to the separation of the National Contracts Commission (NCC) from the OCG. The OCG currently provides administrative and technical support to the NCC and in so doing, functions as the Secretariat for the NCC. Though we merely support the NCC in this regard and are in no way involved in the NCC's decision-making, it has proven difficult for persons to differentiate between the two entities, owing to the close 'relationship'. As said previously, the OCG is in full support of the separation and will continue to provide the necessary support to the NCC until the relevant legislation is passed to confirm the separation. Upon separation, the OCG will continue to monitor the activities of the NCC, in accordance with its mandate. More importantly, I believe both institutions must continue to complement each other even after separation, as both play a vital role in the procurement process, ensuring that the necessary checks and balances are in place and that all participants observe the principles of fair play. The two (2) institutions are essentially on the same 'team', with the NCC as facilitator and Linesman and the OCG as Umpire.

It is also of significant note that the Honourable Chief Justice of Jamaica, her Ladyship Mrs. Zaila McCalla, has in recent years, designated Court 4 at Half-Way-Tree to try cases of corruption. This should ultimately result in the speedy determination of corruption cases.



**MONITORING AND PORTFOLIO MANAGEMENT**

In keeping with its monitoring responsibilities, the OCG, through the Inspectorate Division, monitored a total of nine hundred and sixty-seven (967) procurement opportunities in 2012. The Division is divided into two (2) Units; namely, the Construction Contracts Unit and the Non-Construction, Licences and Permits Unit. Of the 967 procurement undertakings monitored, six hundred (600) were non-construction projects, while the remaining three hundred and sixty-seven (367) were construction projects.

A reduction in the number of contracts monitored in 2012, was as due to a multiplicity of factors, to include, the division undertaking a more focused approach in relation to the nature of the contracts monitored and based upon the observation of the procurement practices of certain entities over time, plus the strategic monitoring of procurement opportunities and management of Portfolio assignments. It is anticipated, that as further information is gathered on the procurement practices of Public Bodies, the number of contracts monitored on a sustained basis, will be further reduced.

The Table below shows the number of procurement projects monitored between 2008 and 2012:



The primary mandate of the Inspectorate Division is the monitoring of government contracts. However, Inspectors are also charged with other Portfolio responsibilities, to include, the Auditing of the procurement activities of Government entities, monitoring the divestment of State Lands and Assets, Enquiry Management (conducting enquiries into allegations of impropriety and/or irregularity in procurement processes), the Monitoring of Licences and Permits issued by Government entities, the monitoring of projects under the Constituency Development Fund (CDF) programme, the monitoring of projects under the Jamaica Development and Infrastructure Programme (JDIP) and the Jamaica Emergency Employment Programme (JEEP) and the management of the Quarterly Contract Award Portfolio.

In 2012, the Division also undertook a special assignment, which saw the OCG reviewing the engagement arrangements by Government entities, for the following services: Garbage Disposal, Cleaning and Portering/Janitorial Audit and Security.

More detailed information pertaining to this undertaking, as well as the aforementioned Portfolio assignments, can be found under the sections entitled 'Monitoring of Non-Construction Contracts, Licenses, Permits and Concessions' and 'Monitoring of Construction Contracts'.

## **Matters Pertaining to Procurement Monitoring**

In May 2012, by way of Circular No. 16, the Ministry of Finance and Planning, informed all relevant parties of an increase in the contract value thresholds for the procurement of goods, services and works. The Government of Jamaica (GOJ) Handbook of Public Sector Procurement Procedures was subsequently revised to reflect the threshold changes, among others. As at the time of the drafting of this report, the latest version of the GOJ Handbook of Public Sector Procurement Procedures was dated May 2012.

Through its monitoring, the OCG has observed that Public Bodies have demonstrated greater compliance with standard GOJ procurement procedures. However, there is still room for improvement, as the following deviations persist among some Public Bodies:

1. The Non-Utilisation of the Standard Bidding Document in accordance with threshold stipulations
2. Improperly-prepared Evaluation Criteria
3. The Non-Preparation of Comparable Estimates
4. The Non-Disclosure of Comparable Estimates at Tender Opening Ceremonies
5. The failure of Public Bodies to obtain documented Head of Entity Approval of contract award recommendations
6. The failure of Public Bodies to utilise the GOJ-approved Bid Receipt and Bid Opening forms
7. The failure of Public Bodies to disclose the Evaluation Criteria to be utilised in evaluating Bids
8. The failure of Public Bodies to advise potential Bidders of the requirement for them to be registered with the National Contracts Commission (NCC) in order to be eligible to submit Bids, where applicable
9. The failure of Public Bodies to prepare Contract documents

It should be noted however, that once deviations are identified, offending Public Bodies are notified of same and instructions given regarding how to address the issues raised.

## **Cost Overruns and Variations**

In an effort to ascertain the value of Cost Overruns and Contract Variation costs incurred on contracts, the OCG at the beginning of 2013, requested from all Public Bodies, information pertaining to same, for the period January 1, 2012 to December 31, 2012. Public Bodies were also required to state the reason for any Cost Overrun or Variation declared. The requested information was in relation to projects with a value of J\$500,000.00 and above. One hundred and ninety-eight (198) Public Bodies were requisitioned and all responded to the OCG's request by the stipulated deadline.

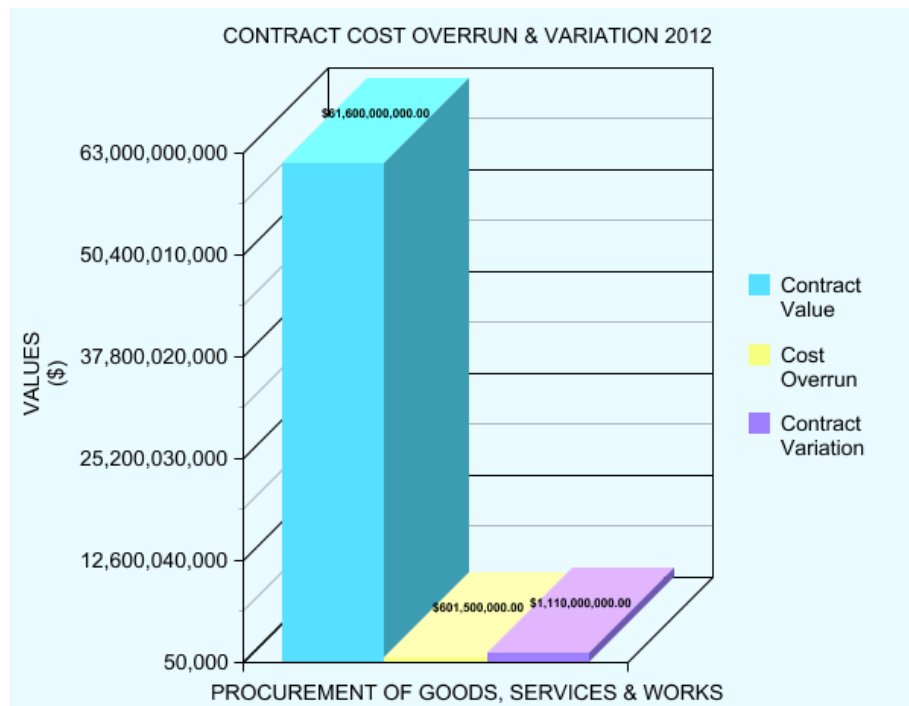
Of the one hundred and ninety-eight (198) Public Bodies which responded, one hundred and thirteen (113) reported no Cost Overrun or Contract Variation. The remaining Public Bodies reported incidents of Cost Overrun and/or Variation to contracts.

From the information obtained, the OCG determined that for the reporting period January to December 2012, contracts amounting to J\$61.60B, attracted Cost Overruns and Contract Variations amounting to J\$601.50M and J\$1.11B respectively, for Goods, Services and Works contracts combined.

The Table below illustrates the total Contract Cost Overruns and Variations (CCOV) for 2012:

Procurement Type	Total Contract Value (J\$)	Total Value Cost Overrun (J\$)	Total Value Variation (J\$)	% Cost Overrun	% Variation
Goods	0.62B	9.50M	(36.47 M)	1.54	-5.9
Services	1.72 B	111.50M	288.04M	6.50	16.80
Works	59.24 B	480.5M	858.6M	0.81	1.45
<b>TOTAL</b> (Goods/Works/ Services)	<b>61.60B</b>	<b>601.50M</b>	<b>1.11B</b>	<b>0.97</b>	<b>1.81</b>

The graph below, illustrates the total value of contracts awarded as well as total Cost Overruns incurred on contracts and total Contract Variations for 2012



### The Selection of Sub-Contractors to Conduct Work on Major Projects

The engagement of Sub-Contractors on projects, as at the time of this report, fell outside of the purview of the OCG. However, in spite of same, the OCG has, over the years, expressed by way of letters and its Annual Reports, its concerns pertaining to how Sub-Contractors are engaged for major infrastructural projects. The OCG has been strident in its efforts to get the powers that be, to consider implementing a procedure whereby, only Contractors registered with the NCC and therefore qualified to perform work in the respective categories and at the required levels, would be considered for engagement on major projects, as Sub-Contractors. The OCG in recommending that this approach to sub-contracting be undertaken, further recommended that any such award of contract should be conducted in a fair and transparent manner, thus allowing equal opportunity for any qualified and competent Contractor to be selected. This posture we maintain.

This recommendation has been made against the background that infrastructural works, unless awarded according to the level of competence, will ultimately cost the people of Jamaica more than the agreed amount, as the likelihood for remedial work to correct any defects identified, will be greater in the long run. The increased likelihood of Cost Overruns and Contract Variation costs being incurred on projects is also of concern to the OCG, as, without the Sub-Contractors being duly registered with the NCC, thus ascertaining their level of competence, availability of resources (human and capital) and current workload, there is no guarantee that the works performed will be in accordance with the desired end result. Engaging a Sub-Contractor that has not been subject to the necessary and thorough due diligence conducted by the NCC prior to approving their ability to provide the service at the required level, is at best, risky and may be more costly in the long run.

Further, the OCG has sought to engage the GOJ and the Parliament of Jamaica, to make the necessary steps for it to undertake the monitoring of the engagement of Sub-Contractors, as well as monitoring of the works to be carried out by them. As at the time of this report however, no official position had been put forward by the said authorities pertaining to the engagement of Sub-Contractors.

Nonetheless, the OCG has noted with keen interest, the occasional calls for its office to intervene where Sub-Contractors are faced with challenges in relation to non-payment of monies for works conducted. Until the necessary legislation is passed however, the OCG is not empowered to take any action in relation to Sub-Contractors, as only the engagement of the main Contractor falls within the ambit of the OCG's jurisdiction. That said, it is advisable that Sub-Contractors, while being receptive of offers to perform works on these projects, take all the necessary steps to ensure that their interests are protected. Sub-Contractors should as best as possible, ensure that a duly signed Contract is in place prior to commencement of the agreed works and that the terms and conditions of the contract are clearly understood and acceptable. This will allow for the Sub-Contractor to 'have a case' should the main Contractor fall short of the agreement.

### **OCG Presentation to Accounting and Accountable Officers of GOJ Ministries and their Reporting Agencies**

In 2012, the OCG embarked on a 'mission' to sensitise Accounting and Accountable Officers, along with their reports, to their respective roles in the GOJ procurement process, as well as the role of the OCG. The planned presentations, also sought to highlight recurring areas of deficiencies/deviations identified by the OCG in its monitoring of procurement undertakings by Public Bodies over time and to make recommendations regarding how to address same.

We consider it our duty to assist Public Bodies in relation to the GOJ procurement procedures, where possible, and as such, the Office has found that owing to its monitoring function, it has the advantage of identifying the shortcomings which occur on an ongoing basis during the procurement process. It is with this in mind, that the OCG thought it necessary not to train, but to guide the necessary personnel within Public Bodies, in avoiding common 'mistakes' made in undertaking procurement exercises. We believe that our presentations, complements that offered by the Procurement Unit of the Ministry of Finance and Planning, and that both are useful to all stakeholders.

The presentations commenced in March 2012 and as at January 2013, a total of thirteen (13) presentations had been made to all but one Ministry and its agencies. The Ministry of Youth and Culture, through its Permanent Secretary in June 2012, declined the OCG's offer, opting instead to seek any procurement-related training or sensitisation from the Ministry of Finance and Planning, when required. It should be here noted that the Ministry of Finance and Planning welcomed and was privy to the presentations made by the OCG. There were instances where Ministries requested and were granted repeat presentations, as they found the presentations to be enlightening and desired that more personnel within their respective agencies benefit from the information. All presentations were followed by Question and Answer and discussion sessions and in this regard, many procurement-related matters were addressed indepth.

The presentation sessions were attended by Permanent Secretaries, Heads of Entities, procurement personnel within Ministries of Government and their reporting Agencies, as well as members of the Board of Directors within the respective Ministries and Agencies. The feedback received from all parties that benefitted from the presentations has been positive to date and all have expressed their gratitude to the OCG for the independent initiative.

The OCG hereby uses this opportunity to publicly thank the different Ministries and Agencies for accommodating its teams and for sharing in the experience. It is hoped that the information gained from the presentations will be applied where necessary.

The OCG wishes to also take this opportunity to encourage all procurement personnel to make every effort to keep abreast of any amendments to the GOJ Public Sector Procurement Policy and Procedures, by routinely checking the website of the Ministry of Finance and Planning. Further, where procurement training opportunities arise, you are encouraged to partake of same, as any training will be of benefit.

### **Submission of Quarterly Contract Award (QCA) Reports**

The OCG has over the years, required that Public Bodies submit to its office, a quarterly report indicating all contracts awarded within a stipulated contract threshold, below the value requiring NCC endorsement. Since 2009, the OCG has seen a 100% compliance rate, with the sole exception being the 1<sup>st</sup> Quarter of 2012, where one entity failed to submit its report within the timeframe stipulated. In keeping with the OCG's Zero Tolerance Policy for non-submission of said report, the offending Public Body has since been referred to the Director of Public Prosecutions for the necessary action to be taken.

Based on information gathered from the contracts reported by way of QCA report submission, a total 9,399 contracts were reported over the reporting period, at a total value of J\$25,752,214,653.20.

In 2012, the 'avenue' for submission of the referenced report was upgraded. As at the third (3<sup>rd</sup>) Quarter of 2012, Public Bodies commenced the submission of their QCA reports by way of the QCA Online Web Portal. The new system also coincided with the OCG's new thrust to have Public Bodies submit the details for all contracts awarded, valued above J\$500,000.00. The new format of the report now allows for the input of justification for the use of certain procurement methodologies and also for comments. Further, the Portal prevents procurement personnel from submitting an incomplete report, as it rejects any attempt at submitting the report without completing the required fields.

Owing to the change in reporting format among other things, the reports submitted are no longer scored and as such, Public Bodies have ceased to receive scores in accordance with their levels of compliance. This decision was taken, as the OCG was of the considered view that by merely submitting the report on time, unless the records of the entity are audited for accuracy of information, the scoring of the entity based on its own submission is flawed and does not in any way reflect the procurement practices of said entity.

For more detailed information on Procurement Monitoring and Portfolio Management activities for 2012, please visit the sections of this report entitled 'Monitoring of Non-Construction Contracts, Licences, Permits and Concessions' and 'Monitoring of Construction Contracts', respectively.

### **CORPORATE SERVICES DIVISION**

The Corporate Services Division comprises the Human Resource Management Department, the Finance and Accounting Department, the Office Management Department and the Registry.

## **Staff Matters**

Training of staff is a primary focus of the Corporate Services Division; and in 2012, twenty-one (21) staff members benefitted from local training opportunities which were identified by the Human Resource Management Department. In addition, three (3) senior staff members completed short training courses overseas, while select staff members were able to attend various seminars and conferences locally and overseas.

In November 2012, the Division continued with its hosting of the OCG's Annual Awards and Recognition Ceremony. Staff members received awards in a variety of categories, with one employee receiving an award for twenty-four (24) years of service to the OCG.

## **Receipt of CIDA Grant**

In keeping with its thrust of strengthening the OCG through technology, the Office requested and was awarded a grant of CDN\$40,000.00, courtesy of the Canadian International Development Agency (CIDA). The funds were utilised to enhance the OCG's information technology systems and capabilities and the project completed within budget and the stipulated timeframe. Receipt of the items, have resulted in the office operating more efficiently.

Further information pertaining to the activities of the Division during 2012, may be found in the section of this report, which is entitled 'Corporate Services Division'.

## **INFORMATION SYSTEMS DIVISION**

During 2012, the Information Systems Division (ISD) continued to offer outstanding technological support to the various Divisions within the OCG. One of the many undertakings of the ISD to improve the efficiency of the Divisions, was the conversion and introduction of two (2) Servers to the Virtualisation Solution and the repurposing of one (1) Virtual Server Host.

Further information pertaining to the activities of the Division during 2012, may be found in the section of this report, which is entitled 'Information Systems Division'.

## **SPECIAL INVESTIGATIONS DIVISION**

The Special Investigations Division (SID) concluded six (6) Special Investigations in 2012. The referenced Reports were duly submitted to the Principal Officer of the Public Body and the respective Minister of the relevant Ministries in accordance with Section 20 (1) of the Contractor-General Act. The Reports were also submitted to the Houses of Parliament, in accordance with the mandates of Section 21 of the Contractor-General Act.

The Reports of Investigation have been Tabled in the respective Houses and are now available for viewing on the OCG's website, at [www.ocg.gov.jm](http://www.ocg.gov.jm).

The Reports concluded in 2012, were:

1. Special Report of Investigation - The Award of a Security Contract for the Provision of Landside Security Services to Protection and Security Limited;
2. Special Report of Investigation - Conducted into the Circumstances Surrounding the Award of a Contract to Syncon Technologies Limited for the Supply and Installation of a Telephone System in 2007;
3. Special Report of Investigation - Allegations of Procurement Breaches regarding the Installation Ceremony for the Interim President of College of Agriculture, Science and Education (CASE);

4. Special OCG Report of Investigation – Conducted into the Circumstances Surrounding Procurement and Contract Award Issues at the National Youth Service (NYS);
5. Special Report to the Parliament of Jamaica - Concerning the Posture of the Cabinet of Jamaica with respect to certain Lawful Requisitions of the Office of the Contractor General; and
6. Special Enquiry Audit - QCA Reports filed by the Rural Electrification Programme Limited.

In line with the Findings unearthed in the conduct of our investigations, several key recommendations were made to the respective Public Bodies; all of which are detailed in the section of this Report, which is entitled 'Special Investigations Division'.

It should be noted, that upon conclusion of Special Investigation Reports, where deemed necessary, formal Referrals have been made by the OCG to the appropriate State Authorities for the requisite action(s) to be taken by them in accordance with the requirements of Section 21 of the Contractor-General Act.

### **TECHNICAL SERVICES DIVISION**

The primary function of the Technical Services Division (TSD) is to provide Administrative and Technical support to the National Contracts Commission (NCC). The TSD functions as the Secretariat to the NCC and as such, carries out a variety of duties on behalf of the NCC.

In carrying out the duties of the NCC, the TSD continues to be hampered by the limited human resource. In spite of that reality however, the Division continued with its undertaking of ensuring that all registration applications received, are reviewed for 100% compliance with the requirements for registration and all information entered on the application are verified by an Officer within the Division. The verification of data is paramount, as it allows for the NCC to approve registration in the most appropriate category and in keeping with the competence level of the applicant.

In November 2012, in an effort to have a more comprehensive Application Form for the provision of Goods and Services to Public Bodies, a revised Application Form was introduced. Importantly and of great significance, was the increase of the registration period for Contractors from twelve (12) months to eighteen (18) months, a move which was welcomed by the Contractors who had long lobbied for a change in the registration period.

The total number of Contractors registered for the provision of Goods and Services in 2012, was 1397; up from 1396 in 2011. The total number of Works Contractors (Grades 1-4) registered with the NCC was 218, down from 219 in 2011. In either instance, the difference was at best marginal. Total registration for Grade 5 Works Contractors was 17, which represented a reduction of two, coming from 19 in 2011.

During 2012, the NCC endorsed the award recommendation of 512 contracts amounting to \$24,232,961,653.00.

It should be here noted, that effective May 14, 2012, the lower limit for NCC endorsement of contract award recommendations was increased from J\$10M to J\$15M.

More comprehensive information on the activities of the Division, can be viewed under the section entitled 'Technical Services Division'.

## **CLOSING COMMENTS**

The OCG is cognisant of the important role it plays in the Jamaican landscape and as such, has been strident in ensuring that it fulfills its mandate. While there have been challenges, we have performed our duties to the best of our abilities, given our resources and the legislative limits within which we operate. Over the years, we have made significant in-roads in relation to our monitoring function, in that; we have sought to engage Public Bodies in an attempt for them to improve upon their procurement awareness and practices.

The OCG is aware that many agencies have taken steps to address deficiencies identified; however, the continued failure of some Public Bodies to adhere to proper procurement practices continues to be of great concern to the OCG. There continues to be far too many instances of procurement breaches. Deviations from the established procurement process, invariably lead to the perception of or actual delay, ultimately resulting in resources that could have been otherwise used by the entity being expended. Where Public Bodies are found to be in violation of established procurement procedures, these entities are generally advised in writing and recommendations made for the matters to be addressed.

One of the main issues which has come to the attention of the OCG in relation to procurement management, is the fact that there are Public Bodies which do not have staff dedicated to performing procurement duties. As such, persons assigned to carry out procurement functions, also have the added responsibility of other unrelated, on-the-job duties. For instance, the OCG has seen procurement personnel having the added responsibility of being Human Resource Managers or the Personal Assistant to the Head of Entity; two (2) otherwise demanding desks, which would not allow for the kind of attention required in performing procurement duties. Procurement is a specialised area which requires focus and the GOJ Handbook of Public Sector Procurement Procedures speaks to Public Bodies having established Procurement Units.

The OCG recognises that the size of some entities will not allow for such a Unit to be established; however, where this is not possible, Public Bodies should ensure that at a minimum, the parties who perform procurement duties are fully aware of the associated and approved policies and procedures and are given sufficient time to carry out procurement duties. Admittedly, the area of procurement is demanding and in most instances, time consuming. Notwithstanding same, the need for procurement practitioners to be meticulous in performing their duties cannot be overemphasised. Further, Public Bodies should ensure that as best as possible, every effort be made to ensure that even where there are human resource constraints, more than one person is trained in procurement procedures, to allow for continuity in the absence of the designated 'procurement person'.

In light of the foregoing, I take this opportunity to encourage heads of entities, including Permanent Secretaries, to make every effort to identify training courses in procurement for all individuals who are involved with procurement activities. Where identifying external training for staff poses a problem, the Public Body is encouraged to seek the relevant training from the Ministry of Finance and Planning (MOFP), who are the Managers and authors of the procurement process. Failing that, special sessions should be held internally and the Handbook perused, covering all relevant sections. Where there are questions, then the MOFP should be contacted in that regard for clarification.

The OCG is concerned about the continued occurrences of Contract Variations, Time and Cost Overruns being incurred on projects. While such occurrences are not indicative of corruption, it is my belief that the manifestation of such occurrences can be greatly reduced, through proper Procurement Planning and greater care being taken in the preparation of Comparable Estimates, ensuring that all elements of the undertaking are accounted for from the outset. These two (2) areas if properly undertaken, generally result in projects being completed on time and within budget, save for natural disasters or some unforeseen occurrence not related to the actual procurement. The Contract Variation and Cost Overrun amounts indicated earlier are exorbitant by any standard and should be of great concern to all Jamaicans and particularly to the Heads of all Public Bodies, whose responsibility it is to ensure that its reports are fiscally responsible in conducting all business on behalf of the people of Jamaica.



I wish here to take this opportunity, to remind Project Managers that they have a responsibility to carefully monitor projects to which they are assigned and in so doing, document any issue which may affect or has affected the project. Where it is found that a Project Manager is negligent in performing his duty, thus resulting in unfavourable outcomes for the Public Body, then that Project Manager is to be held accountable and the necessary action taken. Conversely, where there are disputes or issues in relation to projects and/or Contractors, Public Bodies should ensure that these are documented and the necessary action taken.

Public Bodies are reminded that the engagement of Contractors without a signed and dated Contract Agreement with the necessary Terms and Agreements stated therein, is a violation of the Procurement Policy. A standard Contract Agreement not only serves to indicate timelines; it also is an instrument of protection for both parties. It is therefore imperative that a proper Contract Document is prepared.

During its monitoring, the OCG has noted that most incidents of deviation occur during the Pre-Contract phase of the procurement process. While the office continues to bring these deviations to the attention of the offending Public Bodies, and while it is not my intention to offend any Public Body, it is not lost on the OCG that the Pre-Contract phase is the stage in the procurement process, which is most vulnerable to varying forms of corruption. As such, the OCG will watch with keen interest, how the relevant authorities, in reviewing the Contractor-General Act, will treat with its jurisdiction in relation to its monitoring of the Pre-Contract stage of the procurement process.

I have yet to complete my first year as the fifth (5<sup>th</sup>) Contractor General of Jamaica; however I look to the future with great anticipation of what is to come. I am fully aware that the fight against corruption is a team effort and as such, I encourage all Jamaicans to join hands and come aboard, as we confront the monster of corruption together. We need to stand united and make it known in no uncertain term that corruption in any form is not acceptable. The fight starts with us. Further, in our effort to cleanse Jamaica of corruption, we need to teach the next generation not to accept corruption in any form.

The National Vision for Jamaica is *“Jamaica, the place of choice to live, work, raise families, and do business”*. This Vision is embodied in *“Vision 2030”* which is the National Development Plan for Jamaica; a product which resulted from extensive consultation between the Government and the people of Jamaica. All parishes were included in this effort, which has identified four (4) National Goals to be achieved by the year 2030. These are:

1. Jamaicans are empowered to achieve their fullest potential
2. The Jamaican society is secure, cohesive and just
3. Jamaica’s economy is prosperous
4. Jamaica has a healthy natural environment

The Goals identified are interdependent and therefore cannot be achieved in isolation. For each Goal to be achieved, there are expected National Outcomes. In order to attain those Outcomes, there are detailed associated National Strategies.

The National Outcomes for each Goal are as follows:

### **Goal 1**

- a. A Healthy and Stable Population
- b. World-Class Education and Training
- c. Effective Social Protection
- d. Authentic and Transformational Culture

## **Goal 2**

- a. Security and Safety
- b. Effective Governance

## **Goal 3**

- a. A Stable Macroeconomy
- b. An Enabling Business Environment
- c. Strong Economic Infrastructure
- d. Energy Security and Efficiency
- e. A Technology-Enabled Society
- f. Internationally Competitive Industry Structures

## **Goal 4**

- a. Sustainable Management and Use of Environmental and Natural Resources
- b. Hazard Risk Reduction and Adaptation to Climate Change
- c. Sustainable Urban and Rural Development

The National Strategies to be undertaken in order to achieve the National Outcomes outlined, are quite detailed and space does not allow for me to list them accordingly. As such, and in an effort to gain a full appreciation of Vision 2030, I encourage all Jamaicans to visit the webpage for the Plan at URL: <http://www.vision2030.gov.jm/>.

Though for many the Vision outlined is what fairytales are made of, it is my belief that it is attainable. However, the only way to achieve these 'Goals', is to approach them in a united way. All Jamaicans, regardless of social or political standing need to be committed to the cause. Short term sacrifices may be required in order for us to achieve long term gains. It is not impossible once we invite God's presence and do what we have to do. We are not perfect but we are a blessed nation built on hard work and pride. In spite of some of the misfortune we have had to face, I believe all Jamaicans want for us to once again become a prosperous and peaceful nation.

We have to appreciate that Jamaica is no ordinary island. We are a small nation with a big image and we are admired; and in some cases revered the world over. Merely being Jamaican in some parts of the world accords you celebrity status. We however have our challenges, which also get its fair share of attention. Nevertheless, all is not lost.

As Jamaicans, we should re-commit to contributing to the growth, security, prosperity and general wellbeing of our fair nation. We need to live by the words of our National Pledge, which speaks to our spirit as Jamaicans:

*"Before God and all mankind, I pledge the love and loyalty of my heart, the wisdom and courage of my mind, the strength and vigour of my body in the service of my fellow citizens; I promise to stand up for Justice, Brotherhood and Peace, to work diligently and creatively, to think generously and honestly, so that Jamaica may, under God, increase in beauty, fellowship and prosperity, and play her part in advancing the welfare of the whole human race."*

I urge all Jamaicans to meditate on the words of this our National Pledge and re-commit to making our Jamaica, the best place to live. It will not happen overnight but it can be done. If the honest majority takes the decision "to stand up for

*Justice, Brotherhood and Peace, to work diligently and creatively, to think generously and honestly,”* then the minority bent on being dishonest and depraved will eventually fall. We have to unite for the cause. We need to stop waiting on the next man to do it. We cannot leave it for Politicians, Dons or future generations to effect change. As it is, that has not worked. We have to stand up and encourage each other to come together as one, for the same cause. We can do it.

In closing, I wish to take this opportunity to express my sincere gratitude to those who have supported the Office and its work. We ask for your continued prayers and support. We assure you that we will remain committed to the cause and will continue to confront the scourge of corruption without fear or favour.

On a personal note, I wish to thank the hardworking staff of the OCG for their unwavering commitment to the task at hand. I also wish to thank everyone who has in one way or another, supported my appointment as the fifth Contractor General of Jamaica. To you and all of Jamaica, be assured of my commitment to serving this country. May God continue to bless Jamaica.

Dirk Harrison

Contractor General