

Report of Investigation

**Concerning Allegations of Impropriety and Irregularity in the
Award of Contracts, the Issuance of Licences and the
Implementation of Projects by the Jamaica Dairy
Development Board and/or the Ministry of Industry,
Commerce, Agriculture and Fisheries**

**Integrity Commission
June 2022**



This Publication until tabled in Parliament shall be confidential.

Sections 55 (4) and (5) of the Integrity Commission Act states:

"(4) Anything said or information supplied or any document or thing produced by any person for the purpose or in the course of any investigation by or proceedings before the Commission under this Act, shall be absolutely privileged in the same manner as if the investigation or proceedings were proceedings in a court of law.

(5) For the purposes of the Defamation Act, any report made by the Commission under this Act and any fair and accurate comment thereon shall be deemed to be privileged."

Section 56 of the Integrity Commission Act states:

"Subject to section 42(3)(b), every person having an official duty under this Act, or being employed or otherwise concerned in the administration of this Act (hereinafter called a concerned person) shall regard and deal with as secret and confidential, all information, statutory declarations, government contracts, prescribed licences and all other matters relating to any matter before the Commission, except that no disclosure made by the Commission or other concerned person in the proceedings for an offence under this Act or under the Perjury Act, by virtue of section 17(2) of that Act, shall be deemed inconsistent with any duty imposed by this subsection.

(2) The obligation as to secrecy and confidentiality imposed by this section, in relation to any documents, or information obtained under this Act continues to apply to a person despite the person having ceased to have an official duty, be employed or otherwise concerned in the administration of this Act.

(3) Every concerned person who is required under subsection (1) to deal with matters specified therein as secret and confidential who at any time communicates or attempts to communicate any such information, declaration, letter and other document or thing referred to in subsection (1) disclosed to him in the execution of any of the provisions of this Act to any person —

- (a) other than a person to whom he is authorized under this Act to communicate it; or
- (b) otherwise than for the purpose of this Act,

commits an offence and shall be liable on summary conviction in a Parish Court to a fine not exceeding one million dollars or to a term of imprisonment not exceeding one year.

Integrity Commission
1st Floor, PIOJ Building
16 Oxford Road
P.O. BOX 540
Kingston 5
Telephone: 876-929-6460/876-929-8560/876-929-6466
Fax: 876-929-7335



Table of Contents

Summary of Key Findings	8
Chapter 1 – Background	11
Initiation of Investigation	11
Jurisdiction	11
Individuals Pertinent to the Investigation	12
Requisitions.....	13
Chapter 2 – Terms of Reference	14
Chapter 3 – Law, Evidence, Findings and Discussion	17
Mombasa Dairy Feeding Grass: An Overview of the Dairy Sector Revitalization Programme	17
The Circumstances which led to the Agreement for the Planting of Mombasa Grass on Property Owned by Minister Karl Samuda	18
The Acreage of Mombasa Grass Planted by the JDDB on Minister Karl Samuda’s Property in Knollis, St. Catherine	25
Justifications for the Establishment of a Demonstration Plot of Mombasa Grass at Minister Karl Samuda’s Property and Conflict of Interest Implications	26
The Conflict of Interest Implications raised by the Establishment of a Demonstration Plot of Mombasa Grass by the JDDB at the Hon. Minister Karl Samuda’s Property in Knollis, St. Catherine.....	33
Payment(s) Made by Minister Karl Samuda for the Establishment of the Demonstration Plot by the JDDB.....	31
Allegations Concerning the Continuation of Work on the Minister Karl Samuda’s Property after the Commencement of the OCG’s Investigation	39
The Inclusion of the Cost of the Mombasa Grass Seeds in the Bill Provided to Minister Karl Samuda by JDDB	43
The Circumstances Regarding the Grant of a Milk Powder Importation Permit to Wisynco Group Limited.....	59
The Erection of a Sign at Bodles Research Station	56
Chapter 4 – Conclusion.....	58
Chapter 5 – Recommendations	62
Appendices.....	68



Summary of Investigation

- 1.1 On May 17, 2017, the Office of the Contractor General (OCG), initiated an Investigation into alleged acts of impropriety and irregularity in respect of the award of contract(s), the issuance of licences and the implementation of projects by the Jamaica Dairy Development Board (JDDDB) and/or the Ministry of Industry, Commerce, Agriculture and Fisheries (MICAFA).
- 1.2 The decision of the OCG to undertake the Investigation was prompted by certain online Media Articles and the receipt of an anonymous complaint.
 - 1.2.1 The following assertions were made in a Jamaica Gleaner Online Article dated May 10, 2017, entitled “*Samuda denies corruption in planting of grass on his farm*”¹:
 - a) That Mr. Karl Samuda, Minister of Industry, Commerce, Agriculture and Fisheries (MICAFA) used his influence to get the Jamaica Dairy Development Board (JDDDB) to establish a 15-acre demonstration plot of Mombasa dairy feeding grass on his personal property in Knollis, St. Catherine;

¹ Jamaica Gleaner Online Article Entitled “Samuda denies corruption in planting of grass on his farm” dated May 10, 2017, and extracted on May 15, 2017 from <http://jamaica-gleaner.com/article/lead-stories/20170510/samuda-denies-corruption-planting-grass-his-farm>.
INTEGRITY COMMISSION Concerning Allegations of Impropriety and Irregularity in the Award of Contracts, the Issuance of Licences and the Implementation of Projects by the Jamaica Dairy Development Board and/or the Ministry of Industry, Commerce, Agriculture and Fisheries



- b) That the Jamaica Dairy Development Board (JDDDB) had only agreed to plant five acres of Mombasa grass on Minister Karl Samuda's property;
- c) That Mr. Hugh Graham, former Chief Executive Officer, JDDDB had disagreed to a further 35 acres of grass being planted on Minister Karl Samuda's farm and pulled the technical team from the project;
- d) That the Acting Chief Executive Officer, JDDDB stated in a letter that the idea was not Minister Samuda's and that the Minister had declined the Jamaica Dairy Development Board's offer to plant the grass on his property; and
- e) That Minister Karl Samuda did not pay for the grass, as the Jamaica Dairy Development Board stated that it was not its practice to bill farmers for such services²;

1.2.2 The following assertions were made in another Jamaica Gleaner Online Media Article dated May 9, 2017, entitled "*Stinking politics!* - *Samuda denies allegations he fired Dairy Board CEO over milk powder, grass dispute*"³:

² Ibid.

³ Jamaica Gleaner Online Article Entitled "*Stinking Politics!* - *Samuda denies allegations he fired Dairy Board CEO over milk powder, grass dispute*" dated May 9, 2017, and extracted on May 15, 2017, from <http://jamaica-gleaner.com/article/lead-stories/20170510/stinking-politics-samuda-denies-allegations-he-fired-dairy-board-ceo>.

INTEGRITY COMMISSION Concerning Allegations of Impropriety and Irregularity in the Award of Contracts, the Issuance of Licences and the Implementation of Projects by the Jamaica Dairy Development Board and/or the Ministry of Industry, Commerce, Agriculture and Fisheries



- a) The assertion that in January 2016, a company applied to the Trade Board for a milk powder licence and the application was sent to the Dairy Board, through the Veterinary Division of MICAFA, in accordance with the Jamaica Dairy Development Act;
- b) That the Jamaica Dairy Development Board, on the 'evidence' of the Veterinary Division, declined the application, on the basis that Colombia was not a permitted source for importation of dairy products based on international agreements;
- c) Notwithstanding the technical objections to the application, the Minister directed the technocrats to grant approval for the company to import 100 tons of milk powder per year for sale on the local market;
- d) That the Ministry's technical officer indicated that the source of the imported milk powder would have to be changed for the Dairy Board to change their position; and
- e) The assertion that Minister Samuda issued instructions that "*Mr. Graham be fired for disobeying his instructions re granting the milk powder licence to the company...*"⁴

⁴ Ibid.



1.2.3 Additionally, the following assertions were made in an anonymous complaint dated May 11, 2017⁵, which purported, *inter alia*, the following:

"...an application for milk powder, from Wisynco Group Limited... goes back to 2016... but the problem was that it came in from the Trade Board to the Dairy Board... the Dairy Board do not issue licences, it's the Trade Board issue licences.

The application came in, and it was therefore denied... Colombia is not an approved source. It's not a permitted source by virtue of the Chief Veterinary Officer...

This information was communicated to Wisynco... and they appealed to the Minister, who is Minister Karl Samuda, who upheld the decision of the Jamaica Dairy Development Board...

*He subsequently called a meeting... and overturned his own earlier decision and gave instruction for the permit to be granted."*⁶

⁵ Anonymous Complaint received by the then Office of the Contractor General dated May 11, 2017.

⁶ Ibid.



1.2.4 The anonymous complaint further alleged, *inter alia*, that Mr. Donald Elvey, Chairman, JDDDB issued instructions for a particular service provider to be contacted for the erection of a sign at the Government's Research Station in Bodles, St. Catherine.⁷

1.3 Summary of Key Findings

The Establishment of a Demonstration Plot of Mombasa Grass on Minister Karl Samuda's Property in Knollis, St. Catherine

1.3.1 The Dairy Sector Revitalization Programme (DSRP) was implemented by the Jamaica Dairy Development Board (JDDDB) in an effort to rebuild capacity within the local milk producing sector.

1.3.2 A sub-program under the DSRP known as the Forage Intervention Program (FIP), targeted dairy and beef farmers within Jamaica for the distribution of "Maluto II" (Mombasa) grass seeds.

1.3.3 Mr. Byron Lawrence, then Chief Technical Officer, JDDDB, entered into a verbal agreement with the Hon. Mr. Karl Samuda, then Minister of Industry, Commerce, Agriculture and Fisheries (MICAF) for the establishment of a demonstration plot of Mombasa grass on the Minister's property located in Knollis, St. Catherine. There was no discussion regarding the size of the plot or the amount of resources to be expended by the JDDDB.

⁷ Ibid.

INTEGRITY COMMISSION Concerning Allegations of Impropriety and Irregularity in the Award of Contracts, the Issuance of Licences and the Implementation of Projects by the Jamaica Dairy Development Board and/or the Ministry of Industry, Commerce, Agriculture and Fisheries



- 1.3.4 Mr. Hugh Graham, then Chief Executive Officer, JDDDB, intervened in the execution of work on the demonstration plot on Minister Samuda's farm, when the acreage increased to 15 acres, with further plans to plant an additional 35 acres. Mr. Graham issued directives to the staff that no further work should be executed at the Minister's property.
- 1.3.5 Of the 439 acres of Mombasa Grass cultivated by the Jamaica Dairy Development Board under its Forage Intervention Program, 14.2 acres of grass were planted on Minister Karl Samuda's property in Knollis, St. Catherine.
- 1.3.6 The itemized breakdown submitted by Mr. Byron Lawrence, then Acting CEO, JDDDB, did not include the cost of the Mombasa grass seeds which were used to establish the referenced demonstration plot.

The Circumstances Regarding the Grant of a Milk Powder Importation Permit to Wisynco Group Limited

- 1.3.7 In 2016, the Jamaica Dairy Development Board (JDDDB) rejected an application made by Wisynco Group Limited, for a permit to import 125 tonnes of milk powder from Columbia.
- 1.3.8 The application was rejected on the advice of the Veterinary Services Division (VSD) of the Ministry of Industry, Commerce and Fisheries (MICA) on the basis that Colombia was not a permitted source for the importation of milk powder into Jamaica.



1.3.9 At a meeting held on January 19, 2017, Minister Karl Samuda overturned the JDDB's decision and verbally instructed the officers of the JDDB to grant a license to Wisynco Group Limited, for the importation of 100 tons of milk powder per year.

1.3.10 Mr. Donald Elvey, Chairman, JDDB, granted conditional approval for Wisynco Group Limited to import milk powder into Jamaica, on the condition that the source of the milk powder was *“from a country to which the Chief Veterinary Officer has no objection.”*

The Erection of a Sign at Bodles Research Station, Old Harbour

1.3.11 The OCG's investigation produced no documentary evidence in relation to the award of a contract for the erection of a sign at Bodles Research Station in Old Harbour, St. Catherine.



Chapter 1 – Background

2.0 This chapter outlines the background information concerning the investigation.

Initiation of Investigation

2.1 On May 17, 2017, an investigation was initiated by the OCG, regarding alleged acts of impropriety and irregularity in respect of the award of contract(s), the issuance of licences and the implementation of projects by the Jamaica Dairy Development Board (JDDDB) and/or the Ministry of Industry, Commerce, Agriculture and Fisheries (MICAF).

Jurisdiction

2.1.2 Section 15(1) of the then applicable Contractor General Act empowered the then Contractor General to investigate the tender procedures relating to contracts awarded by public bodies, the award and/or implementation of government contracts, as well as the circumstances of the grant, issue, use, suspension or revocation of any prescribed licence.

2.1.3 Further, and pursuant to Section 63 of the Integrity Commission Act, the Director of Investigation continued the investigation into the said matter.

2.1.4 The referenced sections are outlined in greater detail in **Appendix 1**, attached hereto.

INTEGRITY COMMISSION Concerning Allegations of Impropriety and Irregularity in the Award of Contracts, the Issuance of Licences and the Implementation of Projects by the Jamaica Dairy Development Board and/or the Ministry of Industry, Commerce, Agriculture and Fisheries



Individuals Pertinent to the Investigation

2.2.1 The following individuals were considered pertinent to the investigation and were summoned to appear before the Contractor General, pursuant to Section 18 of the then applicable Contractor General Act.

1. The Hon. Mr. Karl Samuda, then Minister of Commerce, Industry, Agriculture and Fisheries (MICA);
2. Mr. Donovan Stanberry, then Permanent Secretary, MICA;
3. Mr. Donald Elvey, then Chairman, Jamaica Dairy Development Board (JDDDB);
4. Mr. Hugh Graham, former Chief Executive Officer, Jamaica Dairy Development Board (JDDDB);
5. Mr. Byron Lawrence, then Acting Chief Executive Officer, Jamaica Dairy Development Board (JDDDB);
6. Mr. Trevor Reynolds, then Field Officer, Jamaica Dairy Development Board (JDDDB);
7. Mr. Cecil Taylor, then Parish Agricultural Manager, RADA St. Catherine; and
8. Dr. Osbil Watson, then Director, Veterinary Service Division, MICA.

Unannounced Site Visits

2.2.2 On May 17, 18, and 24, 2017, representatives of the OCG visited the Jamaica Dairy Development Board, located at Hope Gardens, Kingston



6, to retrieve certain documents and records, electronic and otherwise, and associated correspondence, to inform its investigation on the referenced matters.

Requisitions

2.2.3 Statutory Requisitions were issued to the following public officers for the provision of certain documents and records deemed pertinent to the investigation.

1. Mr. Byron Lawrence, Acting Chief Executive Officer, JDDB;
2. Mrs. Judith Ramlogan, Registrar of Companies, Companies Office of Jamaica (COJ); and
3. Mr. Donovan Stanberry, Permanent Secretary, MICAFA.



Chapter 2 – Terms of Reference

- 3.0 This chapter outlines the scope of the investigation and the issues that were explored.
- 3.1 In the conduct of this investigation, the OCG sought to establish the following:
- 3.1.1 To determine the veracity of the allegation that the Hon. Minister Karl Samuda, the then Minister of Industry, Commerce, Agriculture and Fisheries, received approximately 14.2 acres of Mombasa Grass on his personal property located in Knollis, St. Catherine, under the Jamaica Dairy Development Board's Forage Intervention Programme (FIP).
- 3.1.2 To determine the circumstances which led to the Hon. Minister Karl Samuda, the then Minister of Industry, Commerce, Agriculture and Fisheries, receiving approximately 14.2 acres of Mombasa Grass on his personal property located in Knollis, St. Catherine, under the Jamaica Dairy Development Board's Forage Intervention Programme.
- 3.1.3 To ascertain whether the Hon. Minister Karl Samuda, the then Minister of Industry, Commerce, Agriculture and Fisheries, received a benefit under the Jamaica Dairy Development



Board's Forage Intervention Programme and the approximate value of any such benefit obtained.

- 3.1.4 To determine the process utilized by the Jamaica Dairy Development Board and/or any other entity acting on its behalf, in the selection of candidates to receive Mombasa Grass under the Forage Intervention Programme.
- 3.1.5 To determine whether the circumstances surrounding the planting of Mombasa Grass on premises owned and/or operated by the Hon. Minister Karl Samuda, under the Jamaica Dairy Development Board's Forage Intervention Programme, gave rise to an actual or potential conflict of interest, in light of the said Minister's management of the Board's parent ministry.
- 3.1.6 To determine whether the the planting of Mombasa Grass on premises owned and/or operated by the Hon. Minister Karl Samuda, by the Jamaica Dairy Development Board, under its Forage Intervention Programme amounted to an offence under Section 14 of the Corruption Prevention Act.
- 3.1.7 To determine the veracity of the allegation that a licence was granted by the Jamaica Dairy Development Board to the Wisynco Group Limited for the importation of milk powder from Columbia.



- 3.1.8 To determine the nature and extent of the involvement, if any, of the Hon. Mr. Karl Samuda, the then Minister of Industry, Commerce, Agriculture and Fisheries, in the grant of a licence to Wisynco Group Limited for the importation of milk powder from Columbia.
- 3.1.9 To determine whether the Jamaica Dairy Development Board awarded a contract for the erection of a sign/billboard at Bodles Research Station in Old Harbour, St. Catherine.
- 3.1.10 To determine whether the award of a contract by the Jamaica Dairy Development Board for the erection of a sign/billboard at Bodles Research Station in Old Harbour, resulted in any breaches of the Government of Jamaica Handbook of Public Sector Procurement Procedures, Public Procurement Act, Corruption Prevention Act, Integrity Commission Act, and/ or any other applicable legislation or policies.
- 3.1.11 To determine whether recommendation(s) ought to be made to the Director of Corruption Prosecution (DCP); and
- 3.1.12 To determine whether recommendations ought to be made in respect of Anti-Corruption initiatives.



Chapter 3 – Law, Evidence, Findings and Discussion

4.0 This chapter outlines the discussion of the findings and the relevant legislation in respect of the investigation.

Mombasa Dairy Feeding Grass: An Overview of the Dairy Sector Revitalization Programme

4.1 The Dairy Sector Revitalization Programme (DSRP) was implemented by the Jamaica Dairy Development Board (JDDDB) in an effort to rebuild capacity within the local milk producing sector.

4.1.1 The DI perused a document labelled “*Ministry Paper 82/2015 Jamaica Dairy Development Board*” which outlined the various activities/sub-programs to be executed under the DSRP. Of note, the Fodder Programme, defined at Section 4.6 of the aforementioned document states, *inter alia*, the following:

“The programme primarily consists of:

- *Project \$25 m – Hay production for increased dairy production at Bodles and Hounslow*
- *Fodder Banks of king grass and sugarcane for 23 small scale dairy farmers \$3m (JDDDB/RADA)*
- *Forage harvesting/chaffing equipment leased to dairy farmers \$20.5m. Introduce equipment/expand on the use of*



machinery for the efficient delivery and use of forages. E.g. forage choppers, hay equipment. Increased mechanization in feeding systems, improved herd nutrition; Reduced feed costs

- **Distribution of Mulato II grass seeds to 30 dairy/beef farmers**
\$1.95 m
- Technical assistance to clusters of dairy farmers”⁸

The Circumstances which led to the Agreement for the Planting of Mombasa Grass on Property Owned by Minister Karl Samuda

4.1.2 It is under the referenced Fodder Programme that Mr. Byron Lawrence, then Project Coordinator of the Dairy Sector Revitalization Project indicated that the JDDDB and Mr. Karl Samuda, Minister of Industry, Commerce, Agriculture and Fisheries (MICAF), entered into an oral agreement for a demonstration plot of Mombasa grass to be planted on the Minister’s property.⁹

“I am aware that an oral agreement was entered into between the Jamaica Dairy Development Board (JDDDB) and Mr. Karl Samuda, Minister of Industry, Commerce, Agriculture and Fisheries for the establishment of a demonstration plot of Panicum maximum var. Mombasa on his farm in Knollis, St. Catherine.

⁸ Ministry Paper 82/ 2015 Jamaica Dairy Development Board. Pages 5-6

⁹ Response #1(a) from Mr. Byron Lawrence, then Project Coordinator, DSRP, JDDDB, dated December 12, 2017.

INTEGRITY COMMISSION Concerning Allegations of Impropriety and Irregularity in the Award of Contracts, the Issuance of Licences and the Implementation of Projects by the Jamaica Dairy Development Board and/or the Ministry of Industry, Commerce, Agriculture and Fisheries



The agreement speaks to the establishment of a demonstration plot to demonstrate the improved agronomic characteristics of the Mombasa cultivar particular in relation to its biomass yield, palatability, nutritive quality and drought tolerance.

It is envisaged that given the cultivars aggressive growth characteristics, it should be able to suppress the growth of *Themeda arguens* (Piano grass), a particular deleterious weed that adversely impacts the productivity of domestic livestock species. Additionally, being a demonstration plot, visibility becomes a critical component in the determination of the location of the demonstration plot. As a cattle farmer, Mr. Samuda [sic] farm satisfies the attributes of having pastures heavily infested with Piano grass and is highly visible..."¹⁰

4.1.3 During a statutory hearing convened by the OCG on May 15, 2017, Mr. Lawrence reiterated that he was responsible for initiating the oral agreement between Minister Karl Samuda and the JDDDB. He made the following statements, *inter alia*, in relation to the referenced contract and the basis on which it was made:

"... I made the offer to the Minister and I did so on the basis that we're trying to promote this grass and not only because

¹⁰ Ibid.



of its nutritional quantity but I observe that the grass is very aggressive...

...my decision to make the offer was after a meeting the Minister had with some farmers from Western Jamaica and he wanted the Dairy Board to be present. In the absence of the CEO I was the one who attended the meeting, and after the substantive issue was discussed, the argument came around to what are the difficulties they are having and the issue of piano grass was in the forefront.

...

Minister Samuda inferred that in all his life as a cattle farmer he can't see any method by which this thing can be controlled. I suggested the grass to him and he declined, but I am aware of the demonstration effect that this thing would have because he has a lot of piano grass. So if I can show farmers that this thing can suppress the growth of this invasive specie, [SIC] (species) you know, it would be something for the entire livestock community in Jamaica to benefit from. And that was the basis on which I implored him to accept the offer"¹¹

4.1.4 Mr. Lawrence further stated that Minister Karl Samuda offered to pay for the grass, at the time that he made the offer.

"Q: *Did he offer to pay for it?*

¹¹ Transcript of hearing dated May 15, 2017, involving Mr. Byron Lawrence, then Project Coordinator, DSRP, JDDDB, Pages 71-72.



Mr. Lawrence: Yes, he did.

Q: ... what was your response?

Mr. Lawrence: No, in all honestly I couldn't have him pay – he's a farmer in his own right. I have never asked any farmer...

Q: ...did Mr. Samuda play any part in the origin of this plant through the Board to bring in the grass to assist farmers, was he as Minister part of the process?

Mr Lawrence: The Minister only knew about the grass at that meeting¹²

4.1.5 Subsequent to the referenced oral agreement between the JDDB and Minister Karl Samuda, the JDDB commenced work on the establishment of a demonstration plot of Mombasa grass on the Minister's property in Knollis, St. Catherine, in April 2016.

4.1.6 Mr. Hugh Graham, then Chief Executive Officer, JDDB advised the OCG that he intervened in the planting of the grass on Minister Samuda's property. During a hearing convened on May 25, 2017, Mr. Graham stated, *inter alia*, the following:

¹² Transcript of hearing dated May 15, 2017, involving Mr. Byron Lawrence, then Project Coordinator, DSRP, JDDB, Page 72.



"Q. While you were the CEO, can you speak to the selection of Minister Karl Samuda to get grass, the Monbassa [sic] grass ...

...

A. Yes. ... this actually falls under the dairy sector revitalization project.

Q. And Mr. Lawrence is the coordinator?

A. And Mr. Lawrence was coordinator. So I am guided by Mr. Lawrence, I am guided by the technical team in terms of the actual selection process. But, generally, the dairy farmers are the priority, but we do extend some assistance to cattle in general. So that we have a few beef farmers that are beneficiaries and by convention this is how I inherited it...

Q. ... the view then that is held that the Minister Samuda should not have benefited from the seeds based on what you have just said, once, based on the protocols, based on the convention, based on what existed, there was nothing, in fact, irregular with him benefiting from the seeds on his farm even though he would not have been a dairy farmer, would that be accurate?

A. **Well, it is the scale of it, because when it came to my attention, 5 acres, but when it crept to 15, I said no, no, no, because it crept to 15 and I have to say that** - - let me not cast blame there, because...



...it crept up to 15 under my watch and I was livid, in fact, I pulled the staff, I said nobody go back to the Minister's farm and I am not paying anybody travelling to go there, because it is my understanding that Mr. Lawrence spent quite a few of his Sundays...

...On the Minister's farm. I have never been to Minister Samuda's farm, never. **So I had a difficulty there and I had a further difficulty when they wanted to put in a further 35 acres, I said absolutely not, we couldn't justify putting 50 acres of grass on the Minister's personal property. I could see through the 5 acres and the demonstration effect that [sic] could have, but this is getting into a commercial scale now.**

Q: Were you ever aware that Mr. Lawrence had - - well, that the Minister Samuda had offered to pay for the seeds being placed on his farm, that was never brought to your attention?

A: No, that was never ever brought to my attention.

Q: The first time you heard about it was in the last few weeks in media?

A: Exactly. That never ever came to my attention."¹³

4.1.7 Mr. Karl Samuda, then Minister of Industry, Commerce, Agriculture and Fisheries (MICAF), confirmed that the offer was made to him by Mr. Byron

¹³ Transcript of hearing dated May 25, 2017, involving Mr. Hugh Graham, then Chief Executive Officer, JDDB, Pages 184-189.



Lawrence, however there was no discussion regarding the amount and size of the land to be planted. Mr. Samuda also stated the following, *inter alia*, in relation to the nature of his discussion with Mr. Lawrence:

"Q. ... Mr. Lawrence has indicated he is the person who caused you to get the seeds and to plant it, he insisted and suggested that you should try this new strain, is that correct?"

A. That's correct.

Q. Around when did this occur?

...

A. This year.

Q. This year?

A. 'Aprilish'.

Q. And when did the planting take place?

A. I think it was about the same time... the whole process has been going for about four months.

Q. And how much lands, meaning acreage, how much was planted?

A. Well, there was no discussion about the amount and the size of the land -- ...

...



So when we were talking about it, Mr. Lawrence... said, listen, we have done it on several other properties and we would like to introduce it to you, because we feel that if you, as the Minister, can demonstrate the success of this grass, it can go a far way in selling the thing. So, I said that looks fine and all that, and I said is one thing I am concerned about, if you do anything that is, anything that is beneficial to me, send me a bill, send me a bill. I repeated that several times and not only then, but subsequent.¹⁴

The Acreage of Mombasa Grass Planted by the JDDB on Minister Karl Samuda's Property in Knollis, St. Catherine

- 4.1.8 The OCG sought to ascertain the specific acreage of Mombasa grass which was planted on Minister Karl Samuda's property by the JDDB under its Fodder Programme.
- 4.1.9 The DI perused a document labelled *'The Jamaica Dairy Development Board (JDDB) Forage Intervention Programme'* which listed a total of 36 farmers, encompassing 440 acres, who received assistance from the JDDB, in relation to the provision of Mombasa grass seeds and/or planting of Mombasa grass. Of note, Minister Karl Samuda was listed as having received 15 acres of grass at his property in Knollis, St. Catherine.

¹⁴ Transcript of hearing dated May 25, 2017, involving Mr. Karl Samuda, then Minister of Industry, Commerce, Agriculture and Fisheries (MICAF). Pages 19-26.



4.1.10 The DI notes that the aforementioned document which was provided by Mr. Donald Elvey, then Chairman, JDDB, during a statutory hearing held on May 15, 2017, was altered by Mr. Elvey during the hearing. Mr. Elvey reduced the acreage associated with Minister Samuda's property from 15 to 14 acres. Consequently, the overall acreage for the planting of the Mombasa grass under the Forage Intervention Programme (FIP) was reduced to 439 acres. The aforementioned alterations were made on the referenced document and initialed by Mr. Elvey.¹⁵

Justifications for the Establishment of a Demonstration Plot of Mombasa Grass by the JDDB at the Hon. Minister Karl Samuda's Property In Knollis, St. Catherine

4.2 In light of the foregoing findings, the OCG made inquiries into the JDDB's rationale for the establishment of a demonstration plot on Minister Samuda's property specifically, and also to determine whether any other such demonstration plots were established by the JDDB.

4.2.1 The OCG's enquiries were predicated on the paucity of documentation provided by the JDDB regarding the general operation and management of the Forage Intervention Program, the specific reasons for which Minister Samuda's property was selected and the method by

¹⁵ Transcript of hearing dated May 15, 2017, involving Mr. Donald Elvey, then Board Chairman, JDDB, Page 61.



which the entity determined whether the establishment of the plot met its objectives.

4.2.2 Mr. Byron Lawrence, in a hearing dated June 2, 2017, stated, *inter alia*, the following:

“Q: *What was the importance of making the Minister a demonstration plot? You couldn't see how the thing was growing in the area?*

A: *... when one uses the term demonstration, you are talking about visibility. You want to see, somebody go and look at the thing and the Minister's place is unique in the sense that it is quite accessible; you can see the thing without having to go on the farm.*

...

Q: *Did you have a public education programme and say it's being planted at the Minister's farm, go and look at it?*

A: *If we were to have gone to any activities that we have participated in, you would have seen the grass. We have pictures.*

...

Q: *By planting at the Minister's farm how has your measuring tool assisted you?*

A: *Planting at the Minister's farm is a demonstration plot.*



Q: *What has been the effect of the demonstration?*

A: *It demonstrates that it can combat the ingress and growth of Piano Grass within a pasture.*

...

You have any statistics or finding in terms of the demonstration grass plots throughout Jamaica?

A: *Demonstration, it is just merely to observe.*

...

Q: *Do you have any statistics, other than observation, of the success of this programme?*

A: *The cause and effect situation is sort of difficult to ascertain because most of the farmers – and that is something we are trying to correct in their keeping records. But I give you one instance. ...a farmer from St Elizabeth... I took the opportunity of asking him what is his production like and he says that he used to get like eighty litres a day from his herd now he is getting a hundred and fifty."¹⁶*

4.2.3 At this juncture, the DI highlights that Mr. Byron Lawrence, then Chief Technical Officer and Project Coordinator, DSRP, JDDDB was unable to provide any data or statistics to indicate the efficacy of the Mombasa grass on the dairy farmers' milk yield. Mr. Lawrence further indicated that

¹⁶ Transcript of hearing dated June 2, 2017, involving Mr. Byron Lawrence, then Project Coordinator, DSRP, JDDDB, Pages 12-18. See Appendix 2 for excerpt.



the JDDB relied on individual farmers to maintain records regarding the “*cause and effect*” of the grass on their dairy stock, despite acknowledging the difficulties of this arrangement, and relied on anecdotal evidence to demonstrate its impact.

- 4.2.4 The JDDB planted 14 acres of Mombasa grass on property owned by Minister Karl Samuda in April 2016. However, the entity was unable to delineate a particular method by which it measured the impact or benefit of the plot on Minister Samuda’s property specifically, relative to the program’s overall objectives.

The Conflict of Interest Implications raised by the Establishment of a Demonstration Plot of Mombasa Grass by the JDDB at the Hon. Minister Karl Samuda’s Property in Knollis, St. Catherine

- 4.2.5 The OCG sought to determine whether the JDDB’s establishment of a plot of Mombasa grass on property owned by Minister Karl Samuda amounted to a conflict of interest, in light of Minister Samuda’s management of the JDDB’s parent ministry, the Ministry of Industry, Commerce, Agriculture and Fisheries (MICAFA).



- 4.2.6 It should be noted that a conflict of interest, as defined by the *Black's Law Dictionary 9th Edition* refers to "A real or seeming incompatibility between one's private interests and one's public or fiduciary duties."¹⁷
- 4.2.7 In light of the foregoing, it is evident that the establishment of a plot of Mombasa grass on Minister Samuda's property, by the JDDDB, clearly constituted a personal benefit to him. It should also be noted that this offer was made to him in his dual capacity as a Minister of Government and as a cattle farmer, which represents an intersection of personal interests as a private individual and public interests as a Minister of Government.
- 4.2.8 In his capacity as the then Minister of Industry, Commerce, Agriculture and Fisheries, Mr. Samuda was charged with the responsibility of spearheading the growth and sustainability of industries in the agricultural sector, among others, through the central ministry, as well as through agencies and departments of the Ministry, such as the Jamaica Dairy Development Board.
- 4.2.9 Mr. Samuda's acceptance of a personal benefit from an agency which fell within the remit of the Ministry which he managed, raised reasonable and valid conflict of interest implications, which were not mitigated by the responses provided by himself or Mr. Byron Lawrence, as to the specific reasons for which his property was selected.

¹⁷ Black's Law Dictionary. (9th ed. 2009).



4.2.10 At his juncture the DI notes the following representations which were purportedly made by Minister Samuda in an article published by the Jamaica Gleaner, dated May 17, 2017, entitled “*Samuda pays \$546,000 grass bill, says he's now more comfortable*”, in which the Minister acknowledged, *inter alia*, the aforementioned conflict of interest implications:

“Samuda also said in hindsight, he should not have accepted the offer although he was “prevailed” upon to accede.

“Let me make a public statement, had I thought of it more carefully and if the opportunity should ever arise again I would not have gone the route I did”, Samuda said.

“It raises questions, it gives rise to speculation and in that regard it is unquestionably an error on my part....”¹⁸

Payment(s) Made by Minister Karl Samuda in respect of the Establishment of the Demonstration Plot by the JDDB

4.3 The referenced article also indicated, *inter alia*, that Minister Karl Samuda paid the sum of \$546,000.00 to the JDDB to defray the cost of a government project administered by the JDDB to cultivate 14 acres of grass at his farm in Knollis, St. Catherine. The referenced article further stated, *inter alia*, that, “*I feel more comfortable*”, Samuda said in

¹⁸ Jamaica Gleaner article dated May 17, 2017, entitled “*Samuda pays \$546,000 grass bill, says he's now more comfortable*”.



Parliament... ..Samuda told his parliamentary colleagues that he paid the Board \$546,000 for the Mombasa grass.”¹⁹

4.3.1 In light of the referenced media article, the DI sought to ascertain whether such a payment was in fact made by Mr. Samuda, and the means by which the referenced amount was calculated.

4.3.2 In relation to the method by which the value of the work was calculated, Mr. Byron Lawrence, then Project Coordinator, DSRP, JDDDB submitted a copy of an unsigned letter dated May 12, 2017. The referenced letter, which was prepared by Mr. Lawrence, acknowledged Minister Karl Samuda's request to be billed for the work carried out at his property. The referenced letter reads as follows:

“Dear Minister,

The Jamaica Dairy Development Board (JDDDB) acknowledges receipt of your request to be billed for the cost of the grass demonstration plot established on your farm. While it is appropriate that the JDDDB accedes to your request, it should be noted that it is not a policy of the JDDDB to bill recipients of assistance for the cost of that assistance. The JDDDB is hereby suggesting that you offset the indicative cost of the intervention by making a contribution, similar in

¹⁹ Ibid.



magnitude to the cost associated with the assistance, to the overall programme of assistance.

The cost of the intervention is \$546,000."²⁰

4.3.3 Consequently, the DI is in possession of a copy receipt dated May 17, 2017, bearing the following inscription "CCRT No. 2665436 MICAF Department", evidencing the receipt of a cheque in the amount of \$546,000.00. The document indicated that the monies were received from "Karl Samuda" in relation to "payment for grass demonstration plot at farm at Knollis, St. Catherine."²¹

4.3.4 Subsequently, the OCG requested an itemized breakdown of the manner in which the sum of \$546,000.00, which was quoted in Mr. Lawrence's May 12, 2017 letter to Minister Karl Samuda, was determined.

4.3.5 In his response, dated December 12, 2017, Mr. Lawrence provided the following table²²:

²⁰ Unsigned letter from Mr. Byron Lawrence, then acting CEO, JDDDB, dated May 12, 2017, addressed to Mr. Karl Samuda, Minister of Investment, Commerce, Agriculture and Fisheries.

²¹ Receipt Number 2665436 dated May 17, 2017

²² Requisition response of Mr. Byron Lawrence, then acting CEO, Jamaica Dairy Development Board, dated December 19, 2017. Response #5.



Table 1: Itemized breakdown of Bill of \$546,000.00

Description	Rate/day/hour (\$)	Total Days/Hours	Cost(\$)
Ploughing and harrowing of pastures at Mr. Karl Samuda' farm at Knollis, St. Catherine	3,000	172.5	517,000.00
Transportation tractor from RADA office to farm.			25,000.00
Labour	2,000	2	4,000.00
Total			546,000.00

4.3.6 In addition to the aforementioned table, the DI also reviewed four (4) invoices, which were used to arrive at the referenced total of \$546,000.00.

4.3.7 The DI reviewed an invoice dated September 5, 2016, which was submitted to the JDDB by the RADA St. Catherine Parish Office in the amount of \$218,500.00, for 'Work done at Knollis'. It was observed that the word "Riversdale" was written onto the invoice beside the word "Knollis" in the description column. The written notation appears to be evidenced by an unidentified signature. The referenced invoice outlined the following services, "To provide tractor service as follows: Ploughing and Harrowing... 69.5 hours @ \$3000.00 per hour... Transportation". It should be noted that the referenced invoice bears the inscription "Services rendered satisfactorily" and bears the stamp of the St.



Catherine RADA Parish Office.²³ The referenced invoice has been marked as **Appendix 3** and appended hereto.

4.3.8 The DI reviewed an invoice dated September 15, 2016, which was submitted to the JDDDB by the RADA St. Catherine Parish Office in the amount of \$226,000.00, for *‘Work done at Riversdale’* and outlined the following services, *“To provide tractor service as follows: Ploughing and Harrowing... 72 hours at \$3,000.00 per hour... Transportation.”* It should be noted that the referenced invoice bears the inscription *“Services rendered satisfactorily”* and bears the stamp of the St. Catherine RADA Parish Office.²⁴ The referenced invoice has been marked as **Appendix 4** and appended hereto.

4.3.9 The DI reviewed an invoice dated December 21, 2016, which was submitted to the JDDDB by the RADA St. Catherine Parish Office in the amount of \$98,000.00, for *‘Work done at Knollis’* and outlined the following services, *“To provide tractor service as follows: Ploughing and Harrowing... 31 hours at \$3,000.00 per hour... Transportation.”* It should be noted that the referenced invoice bears the inscriptions *“Services rendered satisfactorily”* and *“Approved for payment”* as well as the stamp of the St. Catherine RADA Parish Office.²⁵ The referenced invoice has been marked as **Appendix 5** and appended hereto.

²³ Invoice dated September 5, 2016 from the St. Catherine Parish Office of the Rural Agricultural Development Authority (RADA), addressed to the Jamaica Dairy Board, Ministry of Agriculture.

²⁴ Invoice dated September 15, 2016 from the St. Catherine Parish Office of the Rural Agricultural Development Authority (RADA), addressed to the Jamaica Dairy Board, Ministry of Agriculture.

²⁵ Invoice dated December 21, 2016 from the St. Catherine Parish Office of the Rural Agricultural Development Authority (RADA), addressed to the Jamaica Dairy Board, Ministry of Agriculture.



4.3.10 The DI perused a fourth invoice dated December 28, 2016, which was submitted to the JDDDB by Mr. Marvin Beckford of Riversdale, St. Catherine, in the amount of \$4,000.00, and bore the following description of services, *"Pasture establishment at farm in Knollis, Saint Catherine on Saturday, November 19, and Sunday November 20, 2016"* It should be noted that the referenced invoice appears to have been signed by Marvin Beckford and bears the inscription *"Approved for payment"*²⁶ The referenced invoice has been marked as **Appendix 6** and appended hereto.

4.3.11 The DI highlights that the referenced four (4) invoices for work undertaken by the JDDDB in Knollis St. Catherine amount to an aggregate total of \$546,500.00.

4.3.12 Given that 3 of the invoices were submitted by the RADA St. Catherine Parish Office, the OCG found it pertinent to ascertain the involvement of the Rural Agricultural Development Authority (RADA) in the planting of the Mombasa grass at Minister Karl Samuda's property.

4.3.13 During the course of a hearing held on May 15, 2017, Mr. Byron Lawrence confirmed that while RADA was not involved in the planting of the grass

²⁶ Invoice dated December 28, 2016 from Mr. Marvin Beckford, addressed to the Jamaica Dairy Development Board, Ministry of Agriculture and Fisheries.



itself, their equipment, mainly tractors, were utilized by the JDDB for the preparation of the land.²⁷

4.3.14 Mr. Cecil Taylor, Parish Manager, RADA St. Catherine, advised the OCG, in a hearing held on May 31, 2017, *inter alia*, that RADA was contracted by the JDDB and that its tractors and operators were used to execute work undertaken on Minister Karl Samuda's property in Knollis, St. Catherine. Mr. Taylor further stated that the JDDB determined the specific locations at which the tractors were operated and instructed RADA personnel on the nature of the work to be executed.²⁸

4.3.15 It should be noted that the referenced four (4) invoices which were used to calculate the value of Minister Karl Samuda's payment to the JDDB, for the work conducted on his property, indicated that the referenced services were rendered between September and December of 2016.

4.3.16 However, during a hearing convened on May 31, 2017, Mr. Cecil Taylor, stated that work on Minister Karl Samuda's property was ongoing in 2017, and continued up to the date of the hearing. Mr. Taylor further stated, *inter alia*, the following:

"A: ...Right now we are working for Dairy Board at Bodles, Knollis; we just finished piece at Knollis [sic].

²⁷ Transcript of hearing dated May 15, 2017, involving Mr. Byron Lawrence, then Project Coordinator, DSRP, JDDB, Page 65.

²⁸ Transcript of hearing dated May 31, 2017, involving Mr. Cecil Taylor, then Parish Manager, RADA St. Catherine, Pages 66-71.



...

Q: *Mr Taylor, you are still doing work at the Minister's house, farm?*

A: *We had ploughed it before this incident.*

Q: *You did it this year, 2017?*

A: *Yes.*

Q: *And you just finished when, last week?*

A: *We finished the plot last week."*²⁹

4.3.17 Mr. Taylor further advised the OCG that he was advised to continue working on Minister Karl Samuda's property, by way of a telephone call from Mr. Byron Lawrence, then Project Coordinator, DRSP, JDDDB:

"Q: Mr Byron Lawrence?

A: Yes. He called me and asked me to prepare that invoice sent it in and do the work.

Q: So you have the invoices?

A: Yes, we have the invoice and one of my staff just prepared the bill.

Q: How much is it?

²⁹ Transcript of hearing dated May 31, 2017, involving Mr. Cecil Taylor, then Parish Manager, RADA St. Catherine, Pages 77-78.



A: *I am not so sure ...*

...

Q: *So the six acres that Mr Byron Lawrence has recently asked for, you haven't gotten a check for it yet?*

A: *No, I haven't. I haven't sent in the bill as yet. As I said, it has been prepared but we haven't sent it off as yet.*"³⁰

4.3.18 Further to the foregoing representations, Mr. Trevor Reynolds, Field Officer, JDDB in the course of a hearing held on May 31, 2017, confirmed that Mr. Byron Lawrence verbally instructed him to continue work on Minister Samuda's property, in late April or early May of 2017.³¹

Allegations Concerning the Continuation of Work on the Minister Karl Samuda's Property after the Commencement of the OCG's Investigation

4.3.19 Further to the aforementioned representations made by Mr. Cecil Taylor, Parish Manager, RADA St. Catherine and Mr. Trevor Reynolds, Field Officer, JDDB, the DI sought to ascertain further particulars from Mr. Byron Lawrence, regarding allegations that he instigated the continuation of work on Minister Samuda's property by the JDDB during 2017.

³⁰ Transcript of hearing dated May 31, 2017, involving Mr. Cecil Taylor, then Parish Manager, RADA St. Catherine, Pages 79-85.

³¹ Transcript of hearing dated May 31, 2017, involving Mr. Trevor Reynolds, then Field Officer, JDDB, Pages 62-63.



4.3.20 Mr. Hugh Graham, then Chief Executive Officer, JDDB, advised the OCG that he issued directives to the entity's staff for the cessation of work on Minister Samuda's property in Knollis St. Catherine. However, representations made by Mr. Trevor Reynolds indicated that Mr. Byron Lawrence instructed JDDB officers to continue working on the demonstration plot, after Mr. Graham's directives were issued and during the course of this investigation.

4.3.21 Mr. Byron Lawrence, then Project Coordinator, DSRP, JDDB stated, *inter alia*, the following:

"Chairman: ...I understand that within the last three weeks you requested of the Head of RADA a bill for work that is presently being done at the Minister's farm. I didn't know work was still continuing, Mr. Lawrence.

A: I am not aware of that.

Q: ... I am speaking that presently, within the last three weeks you were there and I was told you asked the head of RADA, Mr Taylor, recently to prepare an invoice for the minister in terms of current work being done.

A: This is the first I am seeing this.

...

A: ...I have never ever spoken to Mr Taylor, so he could not say Byron Lawrence was the person who spoke with him. I don't know Mr Taylor...



Q: ... I am not understanding why it is that they have addressed this bill to you and to the Jamaica Dairy Board in respect of work done at Knollis and especially since you quite helpfully provided to us a listing, the only farm that we understand in Knollis is the Minister's own, so I am not understanding.

A: I have nothing to do with that ...And the Dairy Board has nothing to do with soliciting work. We could not have been doing that, given what is taking place. That is implausible."³²

4.3.22 The DI perused an invoice dated May 31, 2017, which was submitted to the JDDDB by the RADA St. Catherine Parish Office, addressed to Mr. Byron Lawrence, in the amount of \$188,500.00 for "Work done at Knollis", which outlined the following services, "To provide tractor service as follows: Ploughing and Harrowing... 59.5 hours at \$3,000.00 per hour... Transportation."³³

4.3.23 The referenced invoice which was signed by Mr. Cecil Taylor, and bore the stamp of the St. Catherine RADA Parish Office, was submitted for services rendered by RADA, at the request of the JDDDB, at Minister Karl Samuda's property during 2017. The bill has been labeled **Appendix 7** and is appended hereto.

³² Transcript of hearing dated June 2, 2017, involving Mr. Byron Lawrence, then Project Coordinator, DSRP, JDDDB, Pages 82-87.

³³ Invoice dated May 31, 2017 from RADA St. Catherine Parish Office, addressed to the Jamaica Dairy Development Board, Ministry of Agriculture and Fisheries.



4.3.24 During a hearing held on February 6, 2018, in which both Mr. Byron Lawrence of the JDDDB and Mr. Cecil Taylor of RADA were present, the following, *inter alia*, was stated in relation to the aforementioned allegation and invoice:

“Chairman: But to put things into perspective though, I think we agreed that there is evidence that work has been done since the time that our investigation started, more work has been done at the Minister’s farm, are you aware of that?”

(Mr. Lawrence): By Jamaica Dairy Development Board?

Chairman: Yes.

(Mr. Lawrence): No, sir.

(Mr. Taylor now answering)

...

(Mr. Taylor): ... this is the only work I can tell you was done on the Minister’s farm because I was called and I was told where I should prepare the invoice for, so when I prepared the invoice and they came here and I sent it to Mr. B. Lawrence, Mr. Reynolds came to my office, my auditor was there and he asked me to put the bill in the Minister’s name...

I said to him, the Minister did not ask me to prepare anything, so I cannot, me and the Minister was not involved in any discussion re no work, is the Dairy Board,



so I have to put the bill in Dairy [sic] Board, and it is Dairy [sic] Board's prerogative, they can discuss with the Minister. My auditor said to me that Mr. Taylor, make it stay like that."³⁴

The Inclusion of the Cost of the Mombasa Grass Seeds in the Bill Provided to Minister Karl Samuda by JDDB

4.3.25 The OCG noted that of the four (4) invoices used to determine the value of Minister Karl Samuda's payment to JDDB for the work executed at his property in Knollis, St. Catherine, none included the cost of the Mombasa grass seeds, which were used to establish the demonstration plot. In a hearing held on February 6, 2018, Mr. Byron Lawrence, then Project Coordinator, DSRP, JDDB disclosed, *inter alia*, the following"

Chairman: ...the Minister asked you to write an invoice for him, did you acquiesce to the Minister Karl Samuda?

A: Yes, I did because the Minister wanted to pay the amount that was spent on his place.

Chairman: And you left out the seeds.

A: Yes, because... ...two things, we have never assessed anybody for seeds and secondly, if we were to put the seeds in this, you are talking about

³⁴ Transcript of hearing dated February 6, 2018, involving Mr. Byron Lawrence, then Project Coordinator, DSRP, JDDB and Mr. Cecil Taylor, then Parish Manager, RADA St. Catherine, Pages 83-87. See Appendix 8 for excerpt.



somewhere in the region of almost \$700,000 for 14 acres, how do you reconcile that?

Chairman: ...that is why I am asking why is it that the cost of the seeds was not included in it.

A: I just couldn't justify that."³⁵

4.3.26 At this juncture, the DI notes that Mr. Byron Lawrence, then Project Coordinator, DSRP, JDDDB, deliberately excluded the cost of the Mombasa grass seeds from the invoices used to calculate the value of public resources expended on Minister Karl Samuda's personal property.

³⁵Transcript of Hearing dated February 6, 2018, involving Mr. Byron Lawrence, then Project Coordinator, DSRP, JDDDB and Mr. Cecil Taylor, then Parish Manager, RADA St. Catherine, Pages 70-71. See Appendix 9 for excerpt.



The Circumstances Regarding the Grant of a Milk Powder Importation Permit to Wisynco Group Limited

- 4.4 The OCG also conducted enquiries into allegations regarding the grant of an import permit to a private entity by the JDDDB, for the importation of milk powder from Columbia for resale on the local market.
- 4.4.1 The allegations are that in January 2016, a private entity applied to the Trade Board Limited for a milk powder importation licence. Given the nature of the substance to be imported, the application was sent to the JDDDB for a determination to be made.
- 4.4.2 It was further alleged that the referenced application was denied by the JDDDB on the advice of the Veterinary Services Division (VSD) of the Ministry of Industry, Commerce, Agriculture and Fisheries (MICAF), on the basis that Columbia was not a permitted source for the importation of dairy products into Jamaica.
- 4.4.3 The referenced company then wrote to Minister Karl Samuda, requesting his intervention in the matter and the Minister initially upheld the JDDDB's previous decision.
- 4.4.4 Subsequently, at a meeting convened by the Minister, it was alleged that Minister Samuda directed the JDDDB to grant approval for the company



to import 100 tonnes of milk powder per year for sale on the local market, notwithstanding the entity's technical objections.³⁶

4.4.5 In a Statement dated May 11, 2017, Mr. Hugh Graham, Chief Executive Officer, JDDB, identified Wisynco Group Limited as the company to which the allegations referred.³⁷

4.4.6 The Trade Board Limited is a regulatory agency of government under the management of the Ministry of Industry, Commerce, Agriculture and Fisheries (MICAF). The entity is led by the Trade Administrator, who operates under the legal authority of the Trade Act, 1955.³⁸

4.4.7 Under sections 11 and 12 of the Trade Act, 1955, the Minister or his delegate is empowered to grant or withhold licences for the importation of any class of goods for which an import licence is required.

4.4.8 The process requires an application to be made by the prospective importer to the Trade Board Limited, containing details of the product manufacturer's country of origin, the supplier's name and address and the required quantity to be imported.

4.4.9 The application is supported by a Registration Form, an Application for Import Quantities, a completed Product Analysis Form, Production

³⁶ Jamaica Gleaner article dated May 9, 2017 and entitled "*Stinking politics!'- Samuda denies allegation he fired Dairy Board CEO over milk powder, grass dispute*".

³⁷ Statement dated May 11, 2017, from Mr. Hugh Graham, Chief Executive Officer, JDDB to the then Office of the Contractor General.

³⁸<https://www.tradeboard.gov.jm/tblweb/oneC.php?id=100&headingID=43&frame=>
Accessed May 30, 2022.



Records, Certificate of Incorporation, Taxpayer Registration Number (TRN) and Tax Compliance Certificate (TCC) on behalf of the prospective importing entity as well as a Purchase Order from the manufacturer, where applicable.

4.4.10 Under section 20 of the Jamaica Dairy Development Board Act, 2012, every person who proposes to engage in any trade in dairy products must submit an application to the Jamaica Dairy Development Board for the appropriate licence to be granted.

4.4.11 In light of the application of section 20 of the Dairy Development Board Act, 2012, the Trade Board Limited sends applications in relation to the importation of milk products to the JDDB, for the entity to make a determination of whether the requisite licence should be granted. The JDDB then solicits the assistance of the Veterinary Division of the Ministry of Industry, Commerce, Agriculture and Fisheries (MICAF) in making its determination.

4.4.12 At this juncture, it should be noted that Section 27(1) of the Jamaica Dairy Development Board Act, 2012 provides a right of appeal to a person who is aggrieved by the decision of the Board not to grant a licence. The Act allows such an individual to appeal to the Minister within 28 days of the date of the decision or within such longer period as the Minister may allow.³⁹

³⁹ Section 27(1) of the Jamaica Dairy Development Board Act, 2012



November 25, 2016	<ul style="list-style-type: none">• Minister Samuda upheld the decision of the JDDB. According to Minister Samuda's letter, "... I am satisfied after consultation that the Board has made its determination in keeping with its standards and procedures and as such, I will not seek to intervene in this regulatory matter."⁴¹
January 16, 2017	<ul style="list-style-type: none">• Minister Samuda then convened a meeting to discuss the referenced application on which he had already ruled. The following individuals were among the persons invited to the referenced meeting:<ul style="list-style-type: none">○ Mr. William Mahfood, Chairman, Wisynco and his legal representatives from Myers, Fletcher & Gordon;○ Mr. Donovan Stanberry, Permanent Secretary, MICAF;○ Dr. Osbil Watson, Director of Veterinary Services, MICAF;○ Mr. Hugh Graham, CEO, JDDB; and○ Mr. Sandor Pike, Director of Agricultural Marketing, MICAF.• Upon receipt of an invitation to the aforementioned meeting, Mr. Hugh Graham sought a Legal Opinion from Ms. Joy Crawford, Attorney-at-Law and Ms. Marsha Locke, Legal Services Unit, MICAF on how to proceed.• Ms. Joy Crawford's response to Mr. Graham indicated, <i>inter alia</i>, that, "...The proposed meeting seems to be an informal one which is ill-advised for the JDDB, having made its decision on sound scientific grounds and may give the appearance of an

⁴¹ Letter dated November 25, 2016, addressed to Mrs. Simone Bowie Jones, Attorney-at-law, Myers, Fletcher & Gordon from Minister Karl Samuda, Minister of Industry, Commerce, Agriculture and Fisheries.



	<p><i>attempt to fetter the JDDB's decision. It is always the Minister's prerogative to meet with whomever he chooses, but to involve a regulatory body which has already made its decision does not appear to be at arm's length..."⁴²</i></p>
January 17, 2017	<ul style="list-style-type: none">• Mr. Graham then wrote to Minister Samuda, outlining the basis upon which Wisynco's application was denied and requested that he be recused from attending the referenced meeting, <i>"The forgoing facts and considerations suggest that if a meeting outside of the procedures specifically prescribed by the Act is to be held with WISYNCo Limited to discuss the application and/or the unsuccessful Ministerial appeal, the JDDB could be placed in an invidious position if it should participate. In the circumstances Minister, I respectfully ask to be recused from the meeting if the specific details of the decisions are to be discussed..."⁴³</i>
January 19, 2017	<ul style="list-style-type: none">• During the meeting, Minister Samuda proceeded to set aside the JDDB's decision (and his own previous decision) and verbally instructed Mr. Hugh Graham to grant Wisynco a permit for the importation of 100 tons of milk powder per year. This decision was not communicated in writing.• Dr. Osbil Watson, Director of Veterinary Services, MICAFA confirmed that during the course of the referenced meeting, he

⁴² Letter dated January 16, 2017, addressed to Mr. Hugh Graham, CEO, JDDB, from Ms. Yvonne Joy Crawford, Attorney-at-Law.

⁴³ Letter dated January 17, 2017 from Mr. Hugh Graham, CEO, JDDB, to Minister Karl Samuda, Minister of Industry, Commerce, Agriculture and Fisheries.



	reiterated that Columbia was not a permitted source for the importation of milk powder. ⁴⁴
January 23, 2017	<ul style="list-style-type: none">Mr. Hugh Graham wrote to Mr. Donovan Stanberry, Permanent Secretary (MICAFA) and requested that Minister Samuda put the directives issued verbally in the aforementioned meeting, in writing, <i>“As you will appreciate Permanent Secretary, such written instruction is required for dual purposes of the records of the JDDDB, which currently reflect our previous decision in keeping with the exercise of our authority as the regulator of the trade in dairy products under The Jamaica Dairy Development Board Act; as well as to formally notify the members of the Board of the JDDDB of the change of action consequent on the decision of the Minister.”</i>⁴⁵
February 1, 2017	<ul style="list-style-type: none">Wisynco submitted a new application for a milk powder importation permit. The application again indicated Colombia as the source of the milk powder.
February 7, 2017	<ul style="list-style-type: none">Mr. Hugh Graham, wrote to Dr. Osbil Watson, Director of Veterinary Services, MICAFA and requested confirmation of whether Colombia was a permitted source.

⁴⁴ Transcript of hearing dated May 15, 2017, involving Mr. Donald Elvey, then Chairman, JDDDB and Dr. Osbil Watson, then Director, Veterinary Service Division, MICAFA, Pages 40-47.

⁴⁵ Letter dated January 23, 2017 from Mr. Hugh Graham, then Chief Executive Officer, JDDDB, to Mr. Donovan Stanberry, Permanent Secretary, MICAFA.



February 22, 2017,	<ul style="list-style-type: none">• Dr. Osbil Watson responded to Mr. Graham and indicated the following, <i>"I am to advise that Colombia is not currently approved for export of such products to Jamaica. However, the application [sic] may choose to import the milk powder from any other authorized source such as EU, United States, Canada, Argentina."</i>⁴⁶• Dr. Watson confirmed that Wisynco's second application (dated February 2017) to import milk powder from Colombia, was also denied by the JDDDB.
April 18, 2017	<ul style="list-style-type: none">• By way of letter dated April 18, 2017, Mr. Donald Elvey, Chairman, JDDDB, wrote to Mr. William Mahfood, Chairman, Wisynco and granted what he (Mr. Elvey) referred to as, "conditional approval" of Wisynco's application for an import permit.• The referenced letter indicated that, <i>"After due consideration, the Jamaica Dairy Development Board is satisfied that Wisynco Group Limited had met the requirement of the Dairy Development Board Act and will recommend to the Trade Board Limited to <u>proceed to issue the relevant import permit on condition that the source of the milk powder is from a country to which the Chief Veterinary Officer has no objection.</u></i>

⁴⁶ Transcript of hearing dated May 15, 2017, involving Mr. Donald Elvey, the Chairman, JDDDB and Dr. Osbil Watson, then Director, Veterinary Service Division, MICAF, Pages 40-47.



	<p><i>The Chief Veterinary Officer has already advised that the Country of Colombia in South America, is not a source from which dairy products can be imported to Jamaica.”⁴⁷</i></p>
--	---

4.4.15 In an effort to determine the veracity of the foregoing details, the OCG directed inquiries to Minister Karl Samuda regarding the nature and extent of his role and/or involvement in Wisynco Group Limited's milk powder import permit application and subsequent appeal.

4.4.16 Minister Samuda confirmed that he initially endorsed and upheld the JDDB's denial of Wisynco's first application.

4.4.17 However, Minister Samuda also stated that the initial letter of refusal issued to Wisynco from the JDDB, did not outline the specific reason for the refusal of the application and that it was on that basis that he convened the aforementioned meeting.

“Now, they, instead of just going frontally and saying look we are not permitting it because, and put it in writing, because Columbia is a source from which we do not approve imports, that would have solved the whole problem...

I tell you quite frankly I think it was a sham, it was to try and justify a reason for blocking the importation of the milk powder.

⁴⁷ Letter dated April 18, 2017, addressed to Mr. William Mahfood, Chairman, Wisynco Group Limited from Mr. Donald Elvey, Chairman, JDDB.



...

*...Now, the fact of the matter is that if they had given them the reason from the start, we wouldn't here be discussing this now.*⁴⁸

4.4.18 Minister Samuda further stated that Wisynco Group Limited requested a meeting with him to outline their programme for the development and expansion of the industry. He made the following representations regarding the nature of that meeting:

“When I looked at what they were requesting against the total that had been approved and the unused portion, follow me carefully, the unused portion of the licences granted, I realized that the amount that were requesting was three percent of the unused portion. So the impact... on the industry was indiscernible, you couldn't discern the impact because it was infinitesimal...

...

...I said listen, the Vet, Dr. Watson said look you can import it from a list of approved countries and you can apply and you will get your licence, thereupon,

⁴⁸ Transcript of hearing dated May 25, 2017, involving Mr. Karl Samuda, then Minister of Industry, Commerce, Agriculture & Fisheries, Pages 73-74.



I said if it does not impact by volume then the people should get their licence.

...

MR. K. SAMUDA: And as a result of the discussion the Board agreed, willingly... but they needed to know that they couldn't bring it from Columbia and I said to the meeting, look-- but even when I said that to the meeting, the CEO at the time was still adamant that these people should not be given a licence, it goes beyond comprehension."⁴⁹

4.4.19 The DI perused a letter dated March 22, 2016, from Mr. Hugh Graham, CEO, JDDDB, to Mr. Craig Clare, Group Engineer/Special Project Manager, Wisynco Group Limited, which was the first letter issued to the Wisynco, which communicated the denial of its application. The contents of this correspondence corroborate Minister Karl Samuda's aforementioned representation, that a reason was not initially indicated for the JDDDB's rejection of the application. The referenced letter stated as follows:

"Re: Import Allocation of Milk Powder -125MT

The Jamaica Dairy Development Board (JDDDB) has reviewed your request email dated March 7, 2016, requesting approval for an import allocation of milk

⁴⁹ Transcript of hearing involving Honourable Karl Samuda, Minister of Industry, Commerce, Agriculture & Fisheries, dated May 25, 2017. Pages 78-80.



powder as per specified quantity. Regrettably, the JDDB cannot approve the request at this time.

We will be happy to consider approving milk powder for use in manufacturing particularly targeting the export trade.”⁵⁰

The Erection of a Sign at Bodles Research Station, Old Harbour St. Catherine

4.4.20 The DI sought to ascertain the veracity of an allegation that a contract was awarded by the JDDB for the development and installation of a sign/billboard at Bodles Research Station in Old Harbour, in contravention of Government of Jamaica mandated procurement procedures and guidelines.

4.4.21 An unannounced visit conducted by the OCG at the JDDB's offices, as well as requisitions issued to key officers at the entity produced no documentary evidence on the award of any such contract or the erection of any such sign/billboard.

⁵⁰ Letter dated March 22, 2016, addressed to Mr. Craig Clare, Group Engineer/Special Project Manager, Wisynco Group Limited from Mr. Hugh Graham, Chief Executive Officer, Jamaica Dairy Development Board.



4.4.22 In a requisition response dated December 12, 2017, Mr. Byron Lawrence, Acting Chief Executive Officer, JDDDB, stated, *inter alia*, the following in relation to the referenced matter:

"To the best of my knowledge there does not exist within the JDDDB a contract document in relation to the erection of signage at the Bodles Research Station."⁵¹

4.4.23 During a hearing held on May 15, 2017, involving Mr. Donald Elvey and Mr. Byron Lawrence, the Chairman and Acting Chief Executive Officer of JDDDB respectively, Mr. Donald Elvey stated the following:

"Q: How do you treat with the item that is on your summons, item number one, the one that speaks to procurement of the erection of a billboard at Bodles, St. Catherine?"

Mr. Elvey: Okay, that activity to my understanding, was never done; there is no procurement related to that activity."⁵²

⁵¹ Requisition response dated December 12, 2017, from Mr. Byron Lawrence, then Project Coordinator, JDDDB, Response #9.

⁵² Transcript of hearing dated May 15, 2017, involving Mr. Donald Elvey, Chairman, JDDDB and Mr. Byron Lawrence, then Project Coordinator, DSRP, JDDDB, Page 56.



Chapter 4 – Conclusion

5.0 This chapter outlines the conclusions reached by the Director of Investigation (DI) based upon the findings of this investigation.

The Establishment of a Demonstration Plot of Mombasa Grass on Minister Karl Samuda’s Property in Knollis, St. Catherine

5.1 The DI concludes that in April 2017, the Jamaica Dairy Development Board (JDDDB) cultivated approximately 14.2 acres of Mombasa grass on a property located in in Knollis, St. Catherine, which was owned by the Hon. Karl Samuda, then Minister of Industry, Commerce, Agriculture and Fisheries (MICAFA).

5.2 The DI concludes that Mr. Byron Lawrence, then Chief Technical Director and Project Coordinator, Dairy Sector Revitalization Project (DSRP), JDDDB and the Hon. Mr. Karl Samuda, then Minister of Industry, Commerce, Agriculture and Fisheries (MICAFA) entered into a verbal agreement for the JDDDB to establish a demonstration plot of Mombasa grass on the Minister’s property in Knollis, St. Catherine, under the referenced entity’s Forage Intervention Programme (FIP).

5.3 The DI further concludes that the establishment of a 14.2 acre plot of Mombasa grass by the JDDDB, on property owned by the Hon. Minister Karl Samuda, clearly constituted a personal benefit to him. The DI further concludes that Mr. Samuda’s acceptance of a personal benefit from an



agency which fell within the remit of his Ministerial responsibility, gave rise to an actual conflict of interest, the implications of which were not mitigated by the justifications provided by neither Mr. Byron Lawrence nor Minister Karl Samuda.

- 5.4 The DI concludes that the Jamaica Dairy Development Board (JDDDB) failed to provide information regarding the process and/or procedure utilized in the selection of candidates to receive assistance in the form of Mombasa Grass seeds under the Forage Intervention Programme.

The DI further concludes that the JDDDB was unable to identify a specific metric by which it measured the impact of the seeds on the farmers' milk production, relative to the program's overall objectives. The JDDDB's management of the Forage Intervention Programme was antithetical to the principles of transparency and the responsible allocation of public resources.

- 5.5 The DI concludes that the amount of \$546,000.00, which Mr. Byron Lawrence indicated was the aggregate value of the work executed by the JDDDB on Minister Karl Samuda's property, was not inclusive of the cost of the Mombasa grass seeds. Furthermore, the other invoices for labour and equipment provided by the St. Catherine Parish Office of the Rural Agricultural Development Authority (RADA) were not an accurate representation of the total cost of the establishment of the demonstration plot.



- 5.6 The DI concludes that at this time, there is no evidence to support a finding that the cultivation of Mombasa Grass by the JDDB on property owned by the Hon. Minister Karl Samuda, under its Forage Intervention Programme amounted to an offence under Section 14 of the Corruption Prevention Act.

The DI's conclusion is grounded upon the paucity of evidence indicating that the Hon. Minister Karl Samuda corruptly solicited the benefit he received from the JDDB, in return for doing any act, or omitting to do any act in the performance of his public functions, as required under Section 14.

The Circumstances Regarding the Grant of a Milk Powder Importation Permit to Wisynco Group Limited

- 5.7 The DI concludes that Minister Karl Samuda acted in accordance with Section 27(7) (d) of the Jamaica Dairy Development Board Act, 2012 in his decision to allow an appeal made by Wisynco Group Limited and thereafter, to direct that the matter be reconsidered by the JDDB. Section 27(7)(d) states, inter alia, that:

“On hearing an appeal under this section. The Minister may –

...

- (d) allow the appeal and direct that the matter be determined afresh by the Board.”*



- 5.8 The DI concludes that subsequent to the aforementioned appeal, Minister Karl Samuda overturned the JDDB's decision, and verbally instructed the JDDB to grant the referenced import permit to Wisynco Group Limited.
- 5.9 The DI further concludes that, by way of letter dated April 18, 2017, the JDDB reconsidered the application submitted by Wisynco Group Limited for a licence to import milk powder and granted 'conditional approval' of a licence to Wisynco Group Limited, for the importation of milk powder *"from a country to which the Chief Veterinary Officer has no objection"*.

The Erection of a Sign at Bodles Research Station in Bodles, Old Harbour, St. Catherine

- 5.10 The DI concludes that there is no evidence at this time to substantiate the allegation that a sign/billboard was erected by the JDDB at Bodles Research Station in Old Harbour in St. Catherine or that a contract was awarded by the JDDB for the construction of same.



Chapter 5 – Recommendations

6.0 This chapter outlines the recommendations and corruption prevention initiatives identified by the Director of Investigation (DI) based upon the findings and conclusions of this investigation.

Recommendations to the Jamaica Dairy Development Board (JDDB) regarding the Establishment of a Demonstration Plot of Mombasa Grass on Minister Karl Samuda's Property in Knollis, St. Catheirne

6.1 The DI recommends that the Jamaica Dairy Development Board develop and implement measures aimed at structuring the activities/sub-programs under the Dairy Sector Revitalization Programme (DSRP) with a view to achieving the following objectives:

- a) Documenting the selection process for beneficiaries under the referenced program;
- b) Monitoring the progress of activities executed and producing periodic status reports;
- c) Establishing internal policies to monitor and determine the specific value of public resources expended in the execution of similar programs, as well as the resulting beneficial outcome from the referenced programs. Concomitantly, the DI recommends that the total benefit received by Hon. Minister Samuda under the DRSA be valued and that he be billed for the balance to cover the



full cost. The DI's recommendation is premised upon the finding that the Hon. Minister was not billed for the full cost of the 14.2 acres of Mombasa grass cultivated on his lands by the JDDDB, his acceptance of which was improper, irregular and resulted in a conflict of interest; and

- d) Establishing criteria to manage real and/or perceived conflict(s) of interest involving beneficiaries under the referenced programs.

Recommendations to the Most Honourable Prime Minister, the Honourable Speaker of the House of Representatives and the Permanent Secretary, Office of the Prime Minister

- 6.2 The DI recommends that Ministers of Government be instructed to desist from accepting personal benefits from programmes implemented by agencies for which they have Ministerial responsibility or otherwise. The acceptance of such benefits creates an actual conflict of interest which undermines public trust in the fair and objective operation of agencies of the Government.
- 6.3 The DI further recommends the introduction of legislation which prohibits the acceptance of benefits from resources over which a Minister of Government or other Public Official has charge. Such prohibition should be accompanied by pecuniary and/or punitive sanctions sufficient to deter this practice and punish the offenders where it occurs.



7.0 Notwithstanding the finding of no criminal conduct herein, the DI finds the Hon. Minister Karl Samuda's conduct in accepting the referenced benefit, ethically reprehensible. Given his current position in Cabinet and as a Member of Parliament, the DI recommends that the Most Hon. Prime Minister and the Hon. Speaker of the House of Representatives take such action as may be necessary and sufficient to acknowledge this and assure the public that such conduct is unacceptable.

Kevon A. Stephenson, J.P.
Director of Investigation

June 2, 2022



Appendices

Appendix 1

Section 15(1) of the Contractor General Act

"15.—(1) Subject to subsection (2), 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 63 of the Integrity Commission Act

"63.—(1) Notwithstanding the amendment or repeal of an Act under this Part, as from the appointed day any legal proceedings or claims pending immediately before the appointed day, which, before the appointed day, were brought, continued or enforced by or against the Commission in the same manner as they would have been brought, continued or enforced before the appointed day.

(2) The Commission established under this Act may—

- (a) commence or assume any investigation, swear any information or commence or conduct any prosecution in*



respect of an offence committed, or alleged to be committed before the appointed day under a provision of either of the amended Acts that has been amended or repealed by this Act, or under the repealed Act, and each such amended or repealed provision and the repealed Act shall be deemed to remain in full force and effect, for the purposes of any such investigation, information and prosecution as it had been immediately before the appointed day; or

- (b) continue to do any act, thing or investigation which was pending before the appointed day.*

(3) The Court shall, in respect of any proceedings instituted following any investigation under subsection (2), have all powers that it could exercise pursuant to the amended Acts and the repealed Act as if they remain in full force and effect.”



Appendix 2

Transcript of hearing dated June 2, 2017, involving Mr. Byron Lawrence, then Project Coordinator, DSRP, JDDDB, Pages 12-18:

Q: *What was the importance of making the Minister a demonstration plot? You couldn't see how the thing was growing in the area?*

A: *... when one uses the term demonstration, you are talking about visibility. You want to see, somebody go and look at the thing and the Minister's place is unique in the sense that it is quite accessible; you can see the thing without having to go on the farm.*

Q: *Accessible to whom? As a demonstration, who is it that will see it where it is?*

A: *Farmers who are interested in it. We are promoting these grasses you know.*

Q: *Did you have a public education programme and say it's being planted at the Minister's farm, go and look at it ?*

A: *If we were to have gone to any activities that we have participated in, you would have seen the grass. We have pictures.*

...

but of course, I cannot put my observation as a demonstration on [sic] the website. So what occurred on the Minister's farm was just a prelude to our constructing or



initiating a design trial and that we are in contact with -- we have started it already at St. Elizabeth at YS Farm ...

...

What we would have observed is, its effectiveness on the Minister's property would have been manifested in a design trial where we can measure outcomes and have farmers use the information as information in making decisions as to how to combat this grass, among other things.

Q: *By planting at the Minister's farm how has your measuring tool assisted you?*

A: *Planting at the Minister's farm is a demonstration plot.*

Q: *What has been the effect of the demonstration?*

A: *It demonstrates that it can combat the ingress and growth of Piano Grass within a pasture.*

Q: *All the other placers [sic] you mentioned where Mombasa Grass is planted [sic] the College, the other parishes, has the demonstration been done there?*

A: *The grass has been planted at many of these places.*

Q: *And what is the effect of the demonstration there?*

A: *It would be demonstrating [sic] a similar effect in terms of the growth habit you wouldn't see it, I wouldn't see it. I would have to go there, definitively go to where it has been planted to observe the impact.*



Q: *Agreed, but what I am asking is what has been the effect?
The intended effect has that been achieved by planting [sic]
at the Minister's farm?*

A: *Yes.*

Q: *What has been established? What has been achieved?*

A: *It has demonstrated the effect of controlling or suppressing
the growth of the Piano Grass.*

Q: *How many other places has this been successful?*

A: *In terms of Piano Grass?*

Q: *Yes, sir.*

...

*You have any statistics or finding in terms of the demonstration
grass plots throughout Jamaica?*

A: *Demonstration, it is just merely to observe.*

Q: *Do you have – and the purpose of observing is just to see that
it kills – my word – kills the piano and survives?*

A: *Yes.*

Q: *And that demonstration was a success throughout parts of
Jamaica?*

A: *Yes. Well, those farmers that have been utilizing the grass have
commended the Dairy Board for its effort in promoting these
cultivars.*



...

Q: *Do you have any statistics, other than observation, of the success of this programme?*

A: *The cause and effect situation is sort of difficult to ascertain because most of the farmers – and that is something we are trying to correct in their keeping records. But I give you one instance. ...a farmer from St Elizabeth... I took the opportunity of asking him what is his production like and he says that he used to get like eighty litres a day from his herd now he is getting a hundred and fifty."*



Appendix 3



RADA
RURAL AGRICULTURAL
DEVELOPMENT AUTHORITY

ST. CATHERINE PARISH OFFICE, P.O. BOX 12, LINSTAD P.O.
TELEPHONE: 985 - 2265/2290, FAX: 985 - 6325

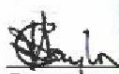
BILL

Date: September 5, 2016
To: Jamaica Dairy Board
Ministry of Agriculture
Hope Road
Kingston

ATTENTION: Mr. Peter Myers

Tractor Service

Qty	Description	Total
1	<i>Work done at Knollis, Riversdale</i> AR To provide tractor service as follows: Ploughing and Harrowing 69.5 hours @ \$3,000.00 per hour Transportation	\$208,500.00 \$ 10,000.00
Total		\$218,500.00


Signature

**RURAL AGRICULTURAL
ST. CATHERINE PARISH OFFICE
DEVELOPMENT AUTHORITY**

*Services rendered satisfactory
Peter Myers 22/9/16*



Appendix 4



RADA
RURAL AGRICULTURAL
DEVELOPMENT AUTHORITY
ST. CATHERINE PARISH OFFICE, P.O. BOX 12, LINSTED P.O.

TELEPHONE: 985 - 2265/2290, FAX: 985 - 6325

BILL

Date: September 15, 2016

To: *Jamaica Dairy Board
Ministry of Agriculture
Hope Road
Kingston*

ATTENTION: *Mr. Peter Myers*

Tractor Service

<i>Qty</i>	<i>Description</i>	<i>Total</i>
	<i>Work done at Riversdale</i>	
1	<i>To provide tractor service as follows:</i>	
	<i>Ploughing and Harrowing</i>	
	<i>72 hours at \$3,000.00 per hour</i>	<i>\$216,000.00</i>
	<i>Transportation</i>	<i>\$ 10,000.00</i>
Total		\$226,000 .00

[Signature]
Signature

RURAL AGRICULTURAL
ST. CATHERINE PARISH OFFICE
DEVELOPMENT AUTHORITY

*Services rendered satisfactory
PM Myers 22/9/16*



Appendix 5



RADA
RURAL AGRICULTURAL
DEVELOPMENT AUTHORITY
ST. CATHERINE PARISH OFFICE, P.O. BOX 12, LINSTEAD P.O.

TELEPHONE: 985 - 2265/2290, FAX: 985 - 6325

INVOICE

Date: December 21, 2016

To: Jamaica Dairy Board
Ministry of Agriculture
Hope Road
Kingston

ATTENTION: Mr. Peter Myers

Tractor Service

Qty	Description	Total
1	<i>Work done at Knollis</i> To provide tractor service as follows: <i>Ploughing and Harrowing</i> <i>31 hours at \$3,000.00 per hour</i> <i>Transportation</i>	 <i>\$93,000.00</i> <i>\$ 5,000.00</i>
Total		\$98,000.00

PARISH AGRICULTURAL MANAGER
RURAL AGRICULTURAL
DEVELOPMENT AUTHORITY
ST. CATHERINE

[Signature]
Signature

[Signature]
[Signature]

Services rendered satisfactorily
PMyers 28/12/16



Appendix 6

INVOICE

Date: December 28, 2016

TO: Jamaica Dairy Development Board
Ministry of Agriculture and Fisheries
Hope Gardens, Kgn.6

TRN #


FROM: Marvin Beckford
Riversdale,
St. Catherine

Description	Rate	Number Days	Total Cost	
Pasture establishment at farm in Knollis, Saint Catherine on Saturday November 19, and Sunday November 20, 2016.	2000 / Day	2	4,000	00
<i>Approved for payment</i> <i>[Signature]</i> <i>2016/12/28</i>			4,000	00

Signature Marvin Beckford



Appendix 7



RADA
RURAL AGRICULTURAL
DEVELOPMENT AUTHORITY
ST. CATHERINE PARISH OFFICE, P.O. BOX 12, LINSTEAD P.O.
TELEPHONE: 985 - 2265/2290, FAX: 985 - 6325

Bill

Date: May 31, 2017

*To: Jamaica Dairy Board
Ministry of Agriculture
Hope Road
Kingston*

ATTENTION: Mr. B.Lawrence

Tractor Service

<i>Qty</i>	<i>Description</i>	<i>Total</i>
1	<i>Work done at Knollis</i> <i>To provide tractor service as follows:</i> <i>Ploughing and Harrowing</i> <i>59.5 hours at \$3,000.00 per hour</i> <i>Transportation</i>	 <i>\$178,500.00</i> <i>\$ 10,000.00</i>
Total		\$188,500 .00

PARISH AGRICULTURAL MANAGER
RURAL AGRICULTURAL
DEVELOPMENT AUTHORITY
ST. CATHERINE

[Signature]
Signature



Appendix 8

Transcript of hearing dated February 6, 2018, involving Mr. Byron Lawrence, then Project Coordinator, DSRP, JDDDB and Mr. Cecil Taylor, then Parish Manager, RADA St. Catherine, Pages 83-87:

Chairman: ...what I referred to as May 31, 2017 bill... have you ever seen that document before?

...

Mr. Lawrence: No, sir. We started having this investigation, I can't recall when, but certainly before May, I think.

Chairman: Yes, I think so.

A: And we could not in all reasonableness engage ourselves in activities anywhere like this since then, so I am a [sic] bit taken back that these things would have presented to me right now because I don't know anything about them.

Chairman: But to put things into perspective though, I think we agreed that there is evidence that work has been done since the time that our investigation started, more work has been done at the Minister's farm, are you aware of that?

A: By Jamaica Dairy Development Board?

Chairman: Yes.

A: No, sir.



Chairman: *That has come out at this hearing that work has been done since the time, after the payment by Minister of the \$546,500, further work has been done at the Minister's farm. Mr. Taylor you want to say something?*

(Mr. Taylor now answering)

Mr. Taylor: *Yes, sir. That bill ...*

Chairman: *What bill?*

A: *The bill that you are speaking.*

Chairman: *Exhibit 20.*

A: *This is the bill that I told you that I was called to do the work on the Minister's farm and this is the one that I sent, this is the only bill, this is the only work I can tell you was done on the Minister's farm because I was called and I was told where I should prepare the invoice for, so when I prepared the invoice and they came here and I sent it to Mr. B. Lawrence, Mr. Reynolds came to my office, my auditor was there and he asked me to put the bill in the Minister's name...*

I said to him, the Minister did not ask me to prepare anything, so I cannot, me and the Minister was not involved in any discussion re no work, is the Dairy Board, so I have to put the bill in Dairy [sic] Board, and it is Dairy [sic] Board's prerogative, they can discuss with the Minister. My auditor said to me that Mr. Taylor, make it stay like that.



...

A: *...up to now there are two bills that are outstanding. I understand from my CEO, last week that he was discussing it with Mr. Lawrence and Mr. Lawrence a tell him say him nah get pay fi the one, so I said ...*

Chairman: *For \$188,000.*

A: *Yes..."*



Appendix 9

Transcript of Hearing dated February 6, 2018, involving Mr. Byron Lawrence, then Project Coordinator, DSRP, JDDDB and Mr. Cecil Taylor, then Parish Manager, RADA St. Catherine, Pages 70-71:

Chairman: ...the Minister asked you to write an invoice for him, did you acquiesce to the Minister Karl Samuda?

A: Yes, I did because the Minister wanted to pay the amount that was spent on his place.

Chairman: But my recollection, that he didn't know how much was spent?

A: The letter said he requested to be billed for the work that was done.

Chairman: And you left out the seeds.

A: Yes, because... ..two things, we have never assessed anybody for seeds and secondly, if we were to put the seeds in this, you are talking about somewhere in the region of almost \$700,000 for 14 acres, how do you reconcile that?

Chairman: You send the bill to him and let the tax payers determine, sir, it is taxpayers' money, that is what we are trying to deal with in terms of taxpayers' money to pay for the seeds, so as much as it seems lighthearted he has asked for a bill, that is why I am



asking why is it that the cost of the seeds was not included in it.

A: *I just couldn't justify that."*