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## **Report of Investigation**

**Concerning Allegations of Impropriety and Irregularities in  
Relation to the Unknown Whereabouts of Certain  
Government of Jamaica Motor Vehicles belonging to the  
Ministry of Transport and Mining (MTM)**

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**INTEGRITY COMMISSION  
January 2024**



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.

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INTEGRITY COMMISSION



## Table of Contents

<b>Chapter 1 – Introduction .....</b>	<b>4</b>
<b>Chapter 2 – Background .....</b>	<b>5</b>
<i>Points for Clarification .....</i>	<i>5</i>
<i>Jurisdiction .....</i>	<i>6</i>
<i>Allegations .....</i>	<i>6</i>
<i>Individuals Pertinent to the Investigation .....</i>	<i>7</i>
<b>Chapter 3 – Terms of Reference .....</b>	<b>8</b>
<b>Chapter 4 – The Investigation .....</b>	<b>10</b>
<b>Chapter 5 – Law, Policies, Evidence and Discussion of the Findings.....</b>	<b>12</b>
<b><i>The Details Surrounding the Motor Vehicle Loan Arrangement Between the then Ministry of Transport and Mining (MTM) and the Caribbean Maritime University (CMU).</i></b> .....	<b>12</b>
<b>Custody of the vehicles .....</b>	<b>20</b>
<b><i>The Details Surrounding the Current Location of the Motor Vehicles Under the Motor Vehicle Loan Arrangement between the MTM and the CMU. ....</i></b>	<b>28</b>
<b>Chapter 6 – Conclusions .....</b>	<b>38</b>
<b>Chapter 7 – Recommendations .....</b>	<b>41</b>
<b>Appendices.....</b>	<b>43</b>



## Chapter 1 – Introduction

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### 1.0 Executive Summary

- 1.1 This Investigation Report concerns allegations of impropriety and irregularities in relation to certain Government of Jamaica motor vehicles that are unaccounted for at the then Ministry of Transport and Mining (MTM).
  
- 1.2 The Report outlines an arrangement between the MTM and the Caribbean Maritime University (CMU) for the loan of fifteen (15) motor vehicles to the CMU from the MTM. During the course of the investigation, the Director of Investigation (DI) uncovered issues of mismanagement of the Government of Jamaica's assets and the MTM and CMU's inability to account for four (4) Government of Jamaica motor vehicles. The necessary recommendations towards mitigating reoccurrence of the issues identified are outlined herein.



## Chapter 2 – Background

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2.1 This chapter sets out the background information concerning the investigation, jurisdiction, allegations and a profile of the individuals pertinent to the investigation.

### Initiation of Investigation

2.2 On February 10, 2022, the Director of Investigation (DI) commenced an investigation, into allegations concerning impropriety, and irregularities in relation to certain Government of Jamaica motor vehicles that are unaccounted for at the then Ministry of Transport and Mining (MTM).

### Points for Clarification

2.3 By virtue of the repeal of the Caribbean Maritime Institute Act, the Caribbean Maritime University Act which received Royal Assent on May 30, 2017, *inter alia*, changed the name of the entity from the Caribbean Maritime Institute to the Caribbean Maritime University. The now defunct Caribbean Maritime Institute (CMI) will hereinafter be referred to as 'the Caribbean Maritime University' (CMU).

2.4 The Ministry of Transport and Mining underwent several name changes over the period of the DI's investigation. For ease and simplicity, any reference made to the Ministry of Transport and Mining (MTM), in this report includes



the Ministry of Transport and Works and the Ministry of Housing, Transport, Water and Works.

### **Jurisdiction**

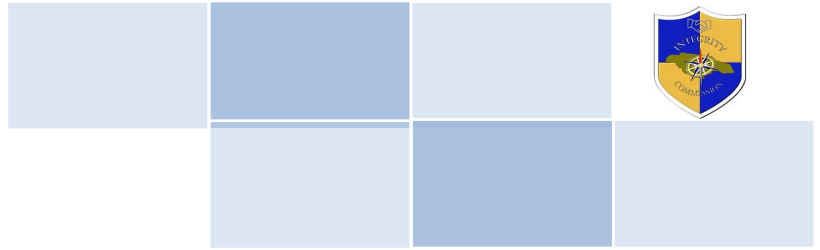
- 2.5 Sections 33 and 51 of the Integrity Commission Act empowers the DI to, *inter alia*, investigate allegations involving acts of corruption or non-compliance with the provisions of the legislation. The referenced section is outlined in greater detail in Appendix 1.

### **Allegations**

- 2.6 By way of a media article entitled “*Transport Ministry under fire over vehicles sent to CMU*”<sup>1</sup> published on January 12, 2022, by the Jamaica Gleaner, which reported on the findings of the Auditor General’s Department Annual Report 2021, it was revealed that:
- a) “... *the transport ministry’s failure to obtain the required approval and to maintain appropriate information, including the condition and date when the 15 vehicles were sent to the CMU*”;
  - b) “... *seven of the vehicles were still at CMU, but not in working condition.*”;
  - c) “... *two vehicles were currently in use at CMU. The remaining two were returned to MTM*”; and
  - d) “... *improper record keeping and the failure of the Ministry to proactively manage the vehicles under its control may have resulted*

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<sup>1</sup> Jamaica Gleaner article entitled “Transport Ministry under fire over vehicles sent to CMU” retrieved from <https://jamaica-gleaner.com/article/news/20220112/transport-ministry-under-fire-over-vehicles-sent-cmu>



*in the poor administration of another 10 vehicles, one of which cannot be located.”*

## **Individuals Pertinent to the Investigation**

2.7 The following persons were considered pertinent to the investigation:

1. Dr. Alwin Hales, former Permanent Secretary, Ministry of Transport and Mining (MTM);
2. Dr. Eron McLean, Director, Planning and Development, Caribbean Maritime University (CMU);
3. Ms. Elaine Hayden, Former Director of Projects and Strategic Initiatives, Caribbean Maritime University (CMU); and
4. Professor. Fritz Pinnock, Former Executive Director, Caribbean Maritime Institute (CMI) and Former President, Caribbean Maritime University (CMU).



## Chapter 3 – Terms of Reference

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- 3.0 This chapter outlines the scope of the investigation and the issues that were explored. In the conduct of this investigation, the DI sought to establish the following:
- 3.1 The circumstances which led to vehicles being sent to the CMU by the MTM;
  - 3.2 Whether a framework existed, at the material time, between the MTM and the CMU for vehicle repairs and maintenance;
  - 3.3 The guidelines and procedures governing the repair and maintenance of external vehicles at the CMU;
  - 3.4 The names and titles of the officers of the MTM with responsibility for asset and/or fleet management;
  - 3.5 The names and titles of the officers of the CMU or any other person and/or entity acting on its behalf with responsibility for vehicle maintenance and repair;





- 3.6 The veracity of the allegation that four(4) of the fifteen (15) vehicles sent to the CMU for maintenance and repairs cannot be accounted for;
- 3.7 The veracity of the allegation that one other vehicle belonging to the MTM cannot be accounted for;
- 3.8 Whether there were any improprieties and/or irregularities in relation to the Corruption Prevention Act, Integrity Commission Act, and/ or any other applicable legislation or policies; and
- 3.9 Whether recommendations ought to be made in respect of the subject matter.



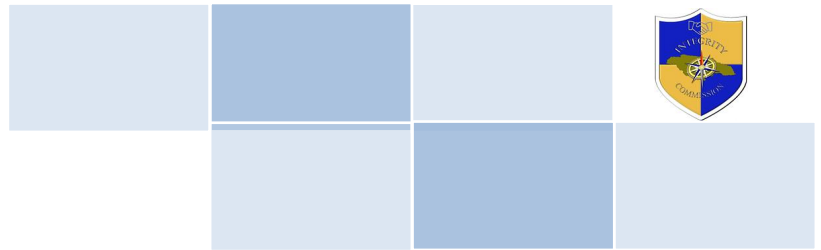
## Chapter 4 – The Investigation

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4.0 This chapter outlines the investigative actions that were undertaken throughout the investigation.

4.1 The following actions were taken during the course of the investigation:

- a) During the period April 06, 2022 to May 16, 2023, five (5) Notices were dispatched to persons who were deemed pertinent to the investigation;
- b) During the period May 12, 2022 to December 18, 2023, eight (8) Statements were recorded and/or received from individuals, who were deemed pertinent to the investigation;
- c) On December 13, 2022, one (1) Judicial Hearing was conducted;
- d) Between May 17, 2022, and August 30, 2023, eight (8) site visits were conducted;
- e) A review of documentation and responses pertaining to matters concerning the allegations; and
- f) The Integrity Commission Act, Corruption Prevention Act, Revised Comprehensive Motor Vehicle Policy for the Public Sector, the



Financial Administration and Audit Act and other relevant legislation and policies were also reviewed.

- 4.2 A review and cross-referencing of the responses and supporting documentation was conducted in order to inform the DI's conclusions and recommendations.



## Chapter 5 – Law, Policies, Evidence and Discussion of the Findings

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5.0 This chapter sets out the applicable law, policies, evidence, findings and discussion in respect of the investigation.

### **The Details Surrounding the Motor Vehicle Loan Arrangement Between the then Ministry of Transport and Mining (MTM) and the Caribbean Maritime University (CMU).**

5.1 In determining the veracity of the allegations, the DI sought to ascertain whether an arrangement existed between the MTM and the CMU, at the material time, for the repairs and/or maintenance of motor vehicles belonging to the MTM.

5.2 Dr. Alwin Hales, Permanent Secretary, Ministry of Transport and Mining (MTM), in his statement to the Integrity Commission, dated May 24, 2022 indicated, *inter alia*, the following:

*“The arrangements with the then Caribbean Maritime Institute (CMI) were for the repair of motor vehicles belonging to the then MTW, and were the outcome of discussions with the entity. As one of the Ministry’s portfolio agencies, the arrangement brokered had a duality of purpose which would see the students of the CMI being provided with practical experience in mechanical and engine*



repairs; as well as the MTW benefitting through repairs to its fleet vehicles at no cost to the Ministry."<sup>2</sup>.

5.2.1 Further to the foregoing, the DI perused a letter dated September 11, 2008, which was addressed to Dr. Alwin Hales, former Permanent Secretary, "Ministry of Transport and Works" from Professor Fritz Pinnock, former Executive Director, CMI. The letter stated, *inter alia*, the following:

**"RE: Vehicle Repair Project between Caribbean Maritime Institute (CMI) and Ministry of Transport & Works"**

*In respect of the captioned subject, kindly find below an outline of the status of motor vehicles given to the Caribbean Maritime Institute to be repaired.*

...

3) 2002 Trooper Reg. No. 5886 DQ – repairs completed

4) 1999 Trooper Reg. No. 20 2592 – awaiting Turbo Charger; repairs scheduled to be completed by September 17, 2008

*For vehicles listed 3 and 4 above, CMI hereby requests internal usage upon completion of repairs with the understanding that the Institute will stand all operating costs associated with the requested vehicles while they are in our possession."<sup>3</sup>*

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<sup>2</sup> Statement of Alwin Hales dated May 24, 2022

<sup>3</sup> Statement of Alwin Hales dated May 24, 2022, Attachment AH1



5.2.2 Consequent on the foregoing, Professor Fritz Pinnock indicated in his statement to the Integrity Commission, *inter alia*, that:

*"I joined the Caribbean Maritime Institute (CMI) in 2006 as the Executive Director.*

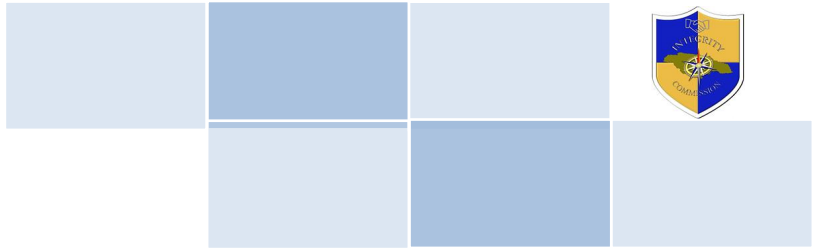
*...*

*Sometime after 2006 the Board of the CMI entered into an agreement with the Ministry of Transport and Mining to see how they could support the CMI in revenue generating activities. The agreement was to offer support of vehicles at two levels. The first is for the Ministry to lend the CMI operational vehicles and the second is for the CMI to take some of their old vehicles to see what we could do with them. By this I mean to use some as parts and some to use as part of the curriculum at the Institute, such as a crash investigation course that was done in conjunction with the Road Safety Unit of the Ministry. Also, an International Institute of Recognised Qualification (IIRQ) Auto Body Repair course in partnership with the University of Technology (Utech) and Sherwin Williams Limited. Most of the vehicles were not in working order. Some were in accidents and others needed mechanical repairs. At least 90% of the vehicles that we received were not operational."*<sup>4</sup>

5.2.3 The DI then sought to ascertain the total number of motor vehicles which were sent to the CMU by the MTM under the referenced vehicle repair

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<sup>4</sup> Statement of Professor Fritz Pinnock dated September 7, 2023



project. In this regard, the DI highlights Table 1 below which was provided by Dr. Alwin Hales, particularising the motor vehicles which were sent to the CMU for repairs.



**Table 1<sup>5</sup>**

NO	MAKE	MODEL	YEAR	ENGINE NO:	CHASSIS NO:	PLATE NO:	COLOUR
1	Mitsubishi	Pajero IO	2002	4G94NL0879	JMYLRH77W2Z000403	203067	Green/Grey
2	Mitsubishi	Pajero IO	2001	4G93ML1588	JMYRH76W1Y000553[sic]	203027	Blue/Grey
3	Mitsubishi	L200	2003	4D56BD3422	MMBJNK6403D003239	303723	Green
4	Toyota	Crown	2001	2JZ0894351	JTDBD794000049808	203813	Blue
5	Honda	Civic	1998	EK332109137[sic]	D15B3244058 [sic]	203019	White
6	Nissan	Frontier	2005	QD32207320	JN1AJUD22Z0034475	304169	Grey
7	Ford	Ranger	2003	WLAT375726	MNBBSFE403W328258	3033298	Grey/Blue
8	Mitsubishi	Montero Sport	2003	6G72QG2837	JMYORK9603J000906	203814	White/Brown
9	Toyota	Hilux	2009	2KD7743588	MR0FR22G790542880	304042	Grey
10	Toyota	Hilux	2009	2KD7742110	MR0FR22G290542673	304279	Brown
11	Isuzu	Trooper	2001	924215	JACUBS6GY7102030	3230DP	White
12	Isuzu	Trooper	2002	818741	JACUBS73G27101299	5886DQ	Black
13	Isuzu	Pick-Up	1998	49445	JAATFR54HW7106032	302584	White
14	Mitsubishi	L200	2002	4D56BB4078	MMJNK7402D039247[sic]	303784	Green
15	Mitsubishi	L200		4D56(partially obscured)	V5MT14875 (partially obscured)	303986	Green

<sup>5</sup> Statement of Alwin Hales dated May 24, 2022, Attachment AH3





5.2.4 The DI highlights here, that efforts were made by the CMU to obtain the requisite vehicle documents relating to the referenced motor vehicles. The DI perused a document dated August 22, 2011 addressed to Barbara Cadogan from Eron McLean, then Director Corporate Planning & Administration, titled “No documents for Vehicles”.<sup>6</sup> The document outlined, *inter alia*, the following:

“202638	Isuzu Trooper (White	WB569GN728153
202546	Isuzu trooper (red)	None
3230DP	Isuzu Trooper	None
203813	Toyota crown	None
20 24000	Suzuki Vitera[sic]	None

*The above vehicles were given to CMI but were never officially transferred neither were the original documents handed to the institute. The fitness and registration on these have expired. Can you lend us theses[sic] documents so we can have them updated...”<sup>7</sup>*

5.2.5 Notwithstanding the foregoing, the DI further highlights the assertions made by Dr. Eron McLean, Vice President Planning and Development, CMU, in his statement dated August 17, 2023. Dr. McLean stated, *inter alia*, the following:

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<sup>6</sup> Statement of Alwin Hales dated May 24, 2022, Attachment AH2

<sup>7</sup> Ibid



“ ...

*Although my Job function was Director Corporate Planning & Development, I was never in total command of the port folio because of the heavy involvement of the Executive Director in the day to day running of the area.*

...

*All vehicles which came to the CMI/CMU were done through the direct involvement of the Executive Director.*

...

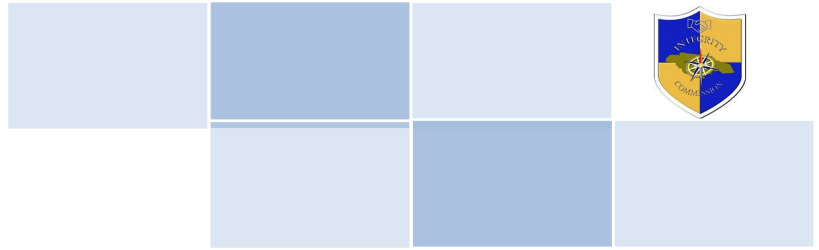
*I have absolutely no knowledge of the arrangement and or agreement between Ministry of Transport and Mining and the CMU concerning repairs and or maintenance of motor vehicles belonging to the MTM.”<sup>8</sup>*

5.2.6 Further to the foregoing, the DI enquired of the CMU, whether an arrangement and/or agreement existed between the MTM and the CMU. Professor Ibrahim Ajagunna, Acting President, CMU indicated in his statement dated October 07, 2022, *inter alia*, the following:

*“Based on checks made, there is no explicit arrangement with the Ministry of Transport and Mining (MTM) for the repair and maintenance of vehicles between MTM and CMU. As former parent to CMI, MTM loaned vehicles to CMI to carry out its functions and it was assumed that CMI would keep and care for the vehicles once in*

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<sup>8</sup> Statement of Eron McLean dated August 17, 2023



*our possession. We have no paperwork regarding any vehicles loaned to CMI.*

*There is no physical agreement/documentation in existence to substantial[sic] an agreement.”<sup>9</sup>*

5.2.7 The DI highlights here, Section C.6 of the April 2003, Revised Comprehensive Motor Vehicle Policy which, *inter alia*, addresses the creation of fleet vehicle log records: The referenced policy stated, *inter alia*, the following:

*“C.6. Assignment of Fleet Vehicles/Authority*

*(I) The responsibility for fleet of vehicles resides with the Permanent Secretary/Head of Department. He or she is therefore empowered to assign vehicles to officers or other public officials.*

*...*

*(iv) Assignee of fleet vehicle shall:  
maintain the prescribed log book;”<sup>10</sup>*

5.2.8 The DI sought to ascertain whether a policy and/or document exists within the CMU that governs the repair and/or maintenance of motor vehicles. Professor Ibrahim Ajagunna indicated, *inter alia*, the following:

*“There is no written policy document or guidelines of the CMU that governs the repairs and/or maintenance of motor vehicles in relation to MTM vehicles. CMU is governed by the practices of the Ministry of*

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<sup>9</sup> Statement of Ibrahim Ajagunna dated October 7, 2022

<sup>10</sup> Circular No.8 Revised Comprehensive Motor Vehicle Policy for the Public Sector, April 24, 2003



*Finance and the Public Service (MoFPS) and the Ministry of Education and Youth (MoEY).”<sup>11</sup>*

### **Custody of the vehicles**

5.2.9 In relation to the motor vehicles which were provided to the CMU by the MTM, the DI sought to ascertain the names and titles of the officers of the CMU with responsibility for asset and/or fleet management at the material time.

5.2.10 As it relates to the management and operation of government fleet vehicles, the DI examined the applicable April 24, 2003, Ministry of Finance and Planning Circular No.8, entitled “*Revised Comprehensive Motor Vehicle Policy for the Public Sector*”<sup>12</sup>. The referenced policy outlined a definition for a para-statal entity. The policy states, *inter alia*, that:

*“Para-statal means any Statutory Body, Board or Council, Commission, Society or other entity which is wholly financed by the revenues, or other income or receipt of the Government and any Company, Corporation or Commercial Enterprise, wholly owned by the government or in which the Government has a majority shareholding.”<sup>13</sup>*

By the preceding definition, the DI notes that the CMU is considered a para-statal entity.

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<sup>11</sup> Statement of Ibrahim Ajagunna dated October 7, 2022

<sup>12</sup> Circular No.8 Revised Comprehensive Motor Vehicle Policy for the Public Sector, April 24, 2003

<sup>13</sup> Circular No.8 Revised Comprehensive Motor Vehicle Policy for the Public Sector, April 24, 2003



5.2.11 The referenced Revised Comprehensive Motor Vehicle Policy further stipulates the following:

**“C. Management and Operation of Fleet Vehicles**

**C.1. Description**

*With the exception of assigned vehicles, all other vehicles owned and operated by a Ministry, Department, Executive Agency, Kingston and Saint Andrew Corporation, Parish Council or Para-statal agency, however acquired (whether by way of gifts, purchases from funds provided from externally funded projects etc, or Government of Jamaica) shall be classified as fleet vehicles.*

...

**C.5. Appointment of Transport Manager**

*Permanent Secretaries and Heads of departments shall appoint a Transport Manager with responsibility for the management of the fleet. The Transport Manager shall be appointed an “Accountable Officer” in accordance with Sections 2 and 24F of the Financial Administration and Audit (Amendment) Act, 1992.*

**C.6. Assignment of Fleet Vehicles/Authority**

*(I) The responsibility for fleet of vehicles resides with the Permanent Secretary/Head of Department. He or she is therefore empowered to assign vehicles to officers or other public officials.*

...

*(iv) Assignee of fleet vehicle shall:*



*(a) maintain the prescribed log book;"<sup>14</sup>*

5.2.12 Further, the DI highlights Section 2 of the Financial Administration and Audit Act which defines the accountable officer as *"any public officer, including an accounting officer, concerned in or responsible for the collection, receipt, custody, issue or payment of public moneys or other public property".<sup>15</sup>*

5.2.13 The Financial Administration and Audit Act, Financial Management Regulations, 2011, identifies one of the duties of the accountable officer as *"proper management and accounting of assets, including stores, equipment, and transport vehicles".<sup>16</sup>*

5.2.14 In furtherance of the foregoing, reference is made to Section 16(2) of the referenced Act, which further specifies the duties of an Accounting Officer.

*"An accounting officer shall be responsible for the financial administration of the department specified in a designation under subsection (1) and shall be accountable to the Minister for –*

...

*(d) the custody and proper use of all materials, equipment or other public property administered by him;"<sup>17</sup>*

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<sup>14</sup> Circular No.8 Revised Comprehensive Motor Vehicle Policy for the Public Sector, April 24, 2003

<sup>15</sup> Financial Administration and Audit Act

<sup>16</sup> Financial Administration and Audit Act, Financial Management Regulations, 2011, Schedule C

<sup>17</sup> Financial Administration and Audit Act



5.2.15 Consequent on the foregoing, the DI notes here, the statement made by Professor Fritz Pinnock regarding the management of the referenced vehicles. Professor Pinnock indicated, *inter alia*, that:

*“During my tenure as Executive Director of the CMI, vehicle management was handled by the maintenance department. I was never involved in the day to day operations and maintenance of the vehicles and I have never seen any of the documents for those vehicles. There were managers and departments that handled that aspect and I cannot recall their names at this moment. However, the information should be at the school.”<sup>18</sup>*

5.2.16 Professor Ibrahim Ajagunna indicated in his statement dated October 07, 2022, *inter alia*, that *“During the period in question, the fleet vehicles were managed by the then Director, Special Projects, Miss Elaine Hayden”*.<sup>19</sup>

5.2.17 As it relates to Professor Ajagunna's assertions, the DI highlights here, an excerpt from a Judicial Hearing, held on December 13, 2022, with Ms. Elaine Hayden, former Director of Projects, CMU. Ms. Hayden stated, *inter alia*, the following:

*“Q: ... As the Manager of the Special Projects and Strategic Initiatives Unit and subsequent Director of that said unit, were you ever in charge of any motor vehicles on behalf of the CMU?”*

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<sup>18</sup> Statement of Professor Fritz Pinnock dated September 7, 2023

<sup>19</sup> Statement of Ibrahim Ajagunna dated October 7, 2022



A: ... So, as part of the project team, vehicles would have been assigned to us at some point in time, yes. So, whilst they were being used by the project team, yes. At one point in time, I had -- I drove one of CMU's vehicles, which is a Pajero iO or something, and to be exact, I would have gone with Professor Pinnock to the Ministry of Transport and Mining in terms of finding vehicles that could be on loan to the CMU, but those vehicles, once they got to the CMU, would have been the responsibility of Corporate Planning and Administration, and the name of the unit has changed over time."<sup>20</sup>

5.2.18 Ms. Hayden further advised the DI by way of her Judicial Hearing the following:

"Q: ... Were there any vehicles that were identified?

A: Yes. So, I recall at least a Ford Ranger, a Toyota Hilux, which was - - so, the Ford Ranger and the Hilux were later used by the Project team as part of our duties. There were other vehicles; I just can't recall exactly, but I do recall those two specifically."<sup>21</sup>

5.2.19 As it relates to the last known whereabouts of the vehicles assigned to the Special Projects Unit, Ms. Hayden advised the DI of the following:

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<sup>20</sup> Judicial Hearing of Ms. Elaine Hayden, held on December 13, 2022, p16-17

<sup>21</sup> Judicial Hearing of Ms. Elaine Hayden, held on December 13, 2022, p18





*“CHAIRMAN: ... Up to the time when you left the CMU, the vehicles that you mentioned that were identified at the Ministry of Transport and Mining, were those vehicles accounted for?”*

*A: When I left -- so, prior to my leaving the CMU, we would have been going through working-from-home arrangements, but prior to that, the vehicles that were assigned to the Project Department were returned to -- which would now have been called the University Advancement and something else, we were asked to return those vehicles, and they were returned. There was one vehicle that had developed mechanical problems one day -- I don't even remember which year -- one day when the team was coming back to CMU, and that vehicle was at a garage. The University Advancement team was made aware of its location, and they were asked to retrieve the university's property. So, at the time I left, no vehicles were under my control or purview.*

*CHAIRMAN: ... So, you mentioned that the vehicles were returned to University Advancement et cetera. What is this University Advancement?*

*A: It is a department under the university. I can't remember the exact name of it; we called it the University Advancement, which in some government organisations would be called Administration and Planning.*



CHAIRMAN: Okay, and who was in charge of the unit at the time when you returned the vehicle?

A: Dr. Eron McLean.”<sup>22</sup>

5.2.20 The DI highlights here, the assertions of Dr. Eron McLean in relation to whether his department had responsibility for asset and/or fleet/vehicle management. Dr. McLean in his statement to the Commission indicated the following:

*“I. Yes, to an extent. The Facilities Unit had responsibility for some fleet vehicles, mainly the busses. However, fleet vehicles did not reside in one place. For example, fleet vehicles were controlled by the Executive Director, Deputy Executive Director, School of Advanced Skills, Special Projects Unit and other individuals whom the Executive Director may choose, often without my knowledge or input. All vehicles which came to the CMI/CMU were done through direct involvement of the Executive Director. The assignment of these vehicles were not done through the Facilities Unit but by the Executive Director or his nominee.*

*II. Two persons whom the Executive Director empowered to manage the fleet of vehicles were: Leon McNeil (the then Facilities Manager who reported directly to the ED although on paper he should have reported to me) and Elaine Hayden (the then Director of Projects &*

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<sup>22</sup> Judicial Hearing of Ms. Elaine Hayden, held on December 13, 2022, p22-23



*Strategic Initiatives) she too reported directly to the Executive Director.”<sup>23</sup>*

5.2.21 The DI notes here, the inconsistencies in the statements made by the above-mentioned officers in respect of, who has responsibility for fleet management and ultimately the safe custody of the referenced motor vehicles. The DI reiterates here Section C.5 and C.6 of the Revised Comprehensive Motor Vehicle Policy which states, *inter alia*, that:

*C.5. Appointment of Transport Manager*

*Permanent Secretaries and Heads of departments shall appoint a Transport Manager with responsibility for the management of the fleet. The Transport Manager shall be appointed an “Accountable Officer” in accordance with Sections 2 and 24F of the Financial Administration and Audit (Amendment) Act, 1992.*

*C.6. Assignment of Fleet Vehicles/Authority*

*(I) The responsibility for fleet of vehicles resides with the Permanent Secretary/Head of Department. He or she is therefore empowered to assign vehicles to officers or other public officials.<sup>24</sup>*

5.2.22 The DI sought to obtain a copy of all movement logs relating to the referenced motor vehicles. Dr. Alwin Hales indicated in his statement, *inter alia*, that the “Ministry has not located logs for any of the vehicles among its records”<sup>25</sup>.

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<sup>23</sup> Statement of Eron McLean dated August 17, 2023

<sup>24</sup> Circular No.8 Revised Comprehensive Motor Vehicle Policy for the Public Sector, April 24, 2003

<sup>25</sup> Statement of Alwin Hales dated May 24, 2022



5.2.23 Further to the forgoing, Professor Ibrahim Ajagunna also indicated in his statement that:

*“There are no movement logs relating to the operation of the referenced vehicles.”<sup>26</sup>*

### **The Details Surrounding the Current Location of the Motor Vehicles Under the Motor Vehicle Loan Arrangement between the MTM and the CMU.**

5.3 In relation to the motor vehicles which were provided to the CMU by the MTM under the referenced arrangement, the DI sought to ascertain their current location, condition and operational readiness.

5.3.1 In light of the foregoing, the DI perused a letter dated April 11, 2022, directed to Miss Darlene Morrison, Financial Secretary, Ministry of Finance and the Public Service from Ms. Michelle Muir, Director, Corporate Services, MTM. The letter outlined that four (4) vehicles that *“were sent to the Caribbean Maritime University (formerly Caribbean Maritime Institute) on a rolling basis for use in its training programmes and to carry out repairs”<sup>27</sup>* are missing. The letter also indicated that these vehicles *“were part of a set of old vehicles that were returned to the Ministry from completed works projects and were not in good condition.”<sup>28</sup>* Table 2 below provides certain particulars in respect of the referenced missing vehicles.

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<sup>26</sup> Statement of Ibrahim Ajagunna dated October 7, 2022

<sup>27</sup> Statement of Alwin Hales dated May 24, 2022, Attachment AH4

<sup>28</sup> Ibid



**Table 2**<sup>29</sup>

VEHICLE	YEAR	REG. NO:	CHASSIS NO:
Isuzu Pick up	1998	302584	JAATFR54HW7106032
Isuzu Trooper	2001	3230DP	JACUBS26GY7102030
Isuzu Trooper	2002	5886DQ	JACUBS73G27101299
Mitsubishi L200	2002	303784	MMBJNK6402D042471 [sic]

5.3.2 The DI highlights here, an inconsistency between the chassis numbers provided in respect of the 2002 Mitsubishi L200 bearing registration number 303784 in Dr. Hales' statement. In his statement, dated May 24, 2022, Dr. Hales provided the chassis number for the said 2002 Mitsubishi L200 bearing registration number 303784, as 'MMJNK7402D039247'. However, in said Statement,(see attachment AH4), Ms. Michelle Muir, in her letter to the Financial Secretary advised, *inter alia*, that the said 2002 Mitsubishi L200 bearing registration number 303784, is assigned chassis number 'MMBJNK6402D042471'.

5.3.3 Consequent on the foregoing, the DI sought to ascertain the correct chassis number for the referenced vehicle. By way of statement dated December 18, 2023, Ms. Michelle Muir, former Director, Corporate Services, MTM stated, *inter alia*, the following:

*"With regards to letter dated April 11, 2022, that I sent to the Financial Secretary, Ms. Darlene Morrison, I recognized that an error was made*

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<sup>29</sup> Statement of Alwin Hales dated May 24, 2022, Attachment AH4



in conveying the chassis number for the 2002 Mitsubishi L200  
Registration No. 303784.

...

I hereby state that the correct chassis number is  
MMBJNK7402D039247."<sup>30</sup>

5.3.4 As it relates to the location of the missing vehicles, Professor Ibrahim  
Ajagunna indicated by way of his statement to the DI, *inter alia*, the  
following:

*"b) 2001 White Isuzu Trooper, Engine number 924215, Chassis number  
JACUBS6GY7102030 and plate number 3230DP;*

*We are not aware of the location of this vehicle*

*c) 2002 Black Isuzu Trooper, Engine Number 818741; Chassis number  
JACUBS73G27101299 and plate number 5886DQ;*

*We are not aware of the location of this vehicle*

*d) 1998 White Isuzu Pick-up, Engine number 49445, Chassis number  
JAATFR54HW7106032, and plate number 302584; and*

*Vehicle was last registered in Montego Bay in April 2021*

*e) 2002 Green Mitsubishi L200, Engine number 4D56BB4078, Chassis  
number MMJNK7402D039247[sic] and plate number 303784.*

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<sup>30</sup> Statement of Ms. Michelle Muir, dated December 18, 2023



*Currently on CMU Main Campus, Palisadoes Park, but was sold at a public auction and is to be collected at any time.”<sup>31</sup>*

5.3.5 Further to his assertions, Professor Ibrahim Ajagunna also provided the findings of an internal investigation conducted by Mr. Dennis Brown, former Logistics Officer, CMU. The following representations were made by Professor Ajagunna in Table 3 below:

**Table 3**<sup>32</sup>

	Make	Model	Chassis Number	License Plate	Details
1	Isuzu	Trooper (Black)	JACUBS73G27101299	5886DQ	An internal report dated 15 <sup>th</sup> June 2017 by the then Facilities Supervisor, Patricia McKoy indicated that the vehicle was not in use and was parked on the Main Campus of the CMU and was in need of repair. The Fitness expired in May 2010. The vehicle is no longer on the premises of the CMU, and I am

<sup>31</sup> Statement of Ibrahim Ajagunna dated October 7, 2022

<sup>32</sup> Ibid



					unaware of its current location.
2	Isuzu	Trooper	JTDBD794000049808	3230DP	An internal report dated 15 <sup>th</sup> June 2017 by the then Facilities Supervisor, Patricia McKoy indicated that the vehicle was not in use and was parked on the Main Campus and was in need of repair. The registration for this vehicle expired 1 <sup>st</sup> May 2011 and the fitness expired on 1 <sup>st</sup> July 2011 and the last service date was 11 <sup>th</sup> August 2011. The vehicle is no longer on the premises of the CMU, and I am unaware of its current location.
3	Isuzu	Pick-Up (White)		3025 84	From the investigation carried out by our then Logistic Officer, the Isuzu 1998 Pick-Up (White) is believed to be located in





					Montego Bay because of an alleged registration of that said vehicle, at the Montego Bay Tax Office in April 2021...
4	2003 Gray/blue Ford Ranger	WLAT375726	MNBBSFE403W328258	3033298	Investigation reveal that this vehicle is located at 1 Featherbed Lane, Spanish Town at a garage.
5	Mitsubishi	L200	MMJNK7402D039247[sic]	303784	Currently on CMU Main Campus, Palisadoes Park, but was sold at a public auction and is to be collected at any time.

5.3.6 The DI highlights here, that the investigation revealed that the Registration relating the vehicle listed at item three **(3)** in the table above (White Isuzu Pick-Up 302584) expired in February 2011, and was not renewed, contrary to the pronouncement of Professor Ibrahim Ajagunna.

5.3.7 Intelligence led the DI to conduct a site visit at Jam Gas, Denbigh, Clarendon on January 27, 2023. Mr. Egbert Rhoden, Operator of Jam Gas, indicated by way of his statement dated January 27, 2023, *inter alia*, the following:



“Sometime between 2013 and 2017, I can recall that two Isuzu Trooper SUV came to the junkyard on a wrecker. They were brought in by [redacted] who told me that they were to be stored. ...[redacted] told me that the vehicles were from the Caribbean Maritime Institute. In 2017, I migrated to the United States of America and left my nephew [redacted] in charge of the junkyard. About 2019, I returned to Jamaica and on my return I realized that [redacted] had cleared most of the Junkyard of the items there.

...

I can remember that the vehicles were old and rotting and not in working condition. I said to myself that these vehicles must be coming from a seaside. The windshields were broken out and I remember that one of them had either the engine or the transmission on the backseat.... I also remember that one of them was white”<sup>33</sup>

5.3.8 The DI examined a letter dated April 20, 2022, addressed to the Permanent Secretary, MTM from Mr. Richard Campbell, for the Financial Secretary, Ministry of Finance and the Public Service. The letter indicated that “boarded motor vehicles and miscellaneous items will be disposed of by Public Auction on Tuesday, May 17, 2022.”<sup>34</sup> Table 4 below provides particulars of the motor vehicles listed in the referenced letter that are germane to the investigation.

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<sup>33</sup> Statement of Egbert Rhoden dated January 27, 2023

<sup>34</sup> Statement of Alwin Hales dated May 24, 2022, Attachment AH3D



**Table 4<sup>35</sup>**

Lot No.	Year	Reg. No.	Make and Model	Chassis No.	Location
22	2002	20 3067	Mitsubishi IO	JMYLRH77W2Z000403	Palisades Park
23	2003	30 3723	Mitsubishi L200	MMBJNK6403D003239	Palisades Park
24	2001	20 3813	Toyota Crown	JTDBD794000049808	Palisades Park
26	1998	20 3019	Honda Civic	EK3-3210937	Palisades Park
27	2005	30 4169	Nissan Frontier	JN1AJUD22Z0034475	Palisades Park

5.3.9 In light of the foregoing, the DI highlights here the results of eight (8) site visits which were conducted between May 17, 2022 and August 30, 2023 (see table 5 below).

**Table 5**

No	Make	Model	Year	Engine #	Chassis #	Plate #	Location
1	Mitsubishi	Pajero IO	2002	4G94NL0879	JMYLRH77W2Z000403	203067	CMU Palisadoes Park, See <b>Appendix 2</b>
2	Mitsubishi	Pajero IO	2001	4G93ML1588	JMYLRH76W1Y000553	203027	CMU Palisadoes Park, See <b>Appendix 3</b>

<sup>35</sup> Ibid



3	Mitsubishi	L200	2003	4D56BD3422	MMBJNK6403D003239	303723	CMU Palisadoes Park, See <b>Appendix 4</b>
4	Toyota	Crown	2001	2JZ0894351	JTDBD794000049808	203813	CMU Palisadoes Park, See <b>Appendix 5</b>
5	Honda	Civic	1998	D15B3244058	EK332109137	203019	CMU Palisadoes Park, See <b>Appendix 6</b>
6	Nissan	Frontier	2005	QD32207320	JN1AJUD22Z0034475	304169	MTM, See <b>Appendix 7</b>
7	Ford	Ranger	2003	WLAT375726	MNBBSFE403W328258	303329 8	Francis Auto Repair, 1 Featherbed Lane, Spanish Town St. Catherine, See <b>Appendix 8</b>
8	Mitsubishi	Montero Sport	2003	6G72QG2837	JMY0RK9603J000906	203814	CMU Palisadoes Park, See <b>Appendix 9</b>



9	Toyota	Hilux	2009	2KD7743588	MR0FR22G790542880	304042	MTM, See <b>Appendix 10</b>
10	Toyota	Hilux	2009	2KD7742110	MR0FR22G290542673	304279	MTM, See <b>Appendix 11</b>
11	Mitsubishi	L200		4D56(partially obscured)	V5MT14875 (partially obscured)	303986	CMU Palisadoes Park, See <b>Appendix 12</b>

5.3.10 The DI further highlights here, that four (4) of the motor vehicles that formed part of the referenced arrangement between the MTM and the CMU were not located in any of the above-mentioned site visits. Table 6 below particularises the motor vehicles that remain unaccounted for.

**Table 6**

Make	Model	Year	Engine #	Chassis #	Plate #	Location
Isuzu	Trooper	2001	924215	JACUBS6GY7102030	3230DP	Location Unknown
Isuzu	Trooper	2002	818741	JACUBS73G27101299	5866DQ	Location Unknown
Isuzu	Pick-Up	1998	49445	JAATFR54HW7106032	302584	Location Unknown
Mitsubishi	L200	2002	4D56BB4078	MMBJNK7402D039247	303784	Location Unknown



## Chapter 6 – Conclusions

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6.0 This chapter outlines the conclusions drawn by the DI.

6.1 The DI concludes that, subsequent to the appointment of Professor Fritz Pinnock as the Head of the CMU, the Ministry of Transport and Mining (MTM) and the CMU entered into an agreement for the CMU to repair motor vehicles belonging to the MTM.

The DI further concludes that as a result of the referenced agreement, the MTM loaned operational vehicles to the CMU for use in its daily activities as well as non-operational vehicles to be used as parts to effect repairs on other operational vehicles and as a part of the CMU's Crash Investigation and Autobody Repair curriculum.

6.2 The DI concludes that four (4) Government of Jamaica motor vehicles belonging to the MTM that were loaned to the CMU cannot be accounted for by either the MTM and/or the current Caribbean Maritime University (CMU). More particularly, a 2001 Isuzu Trooper, engine number 924215, chassis number JACUBS6GY7102030, registration number 3230DP; a 2002 Isuzu Trooper, engine number 818741, chassis number JACUBS73G27101299, registration number 5866DQ; a 1998 Isuzu Pick-Up, engine number 49445, chassis number JAATFR54HW7106032, registration number 302584; and a 2002 Mitsubishi



L200, engine number 4D56BB4078, chassis number MMBJNK7402D039247, registration number 303784.

The DI further concludes that the current location of the referenced vehicles remains unknown.

- 6.3 The DI concludes that Dr. Alwin Hales, Permanent Secretary, former Ministry of Transport and Mining was the Accountable Officer of the MTM at the material time and was responsible for the proper management and accounting of the Ministry's assets, to include transport vehicles. The DI's conclusion is made on the basis that the applicable Revised Comprehensive Motor Vehicle Policy clearly stipulates that the ultimate responsibility for fleet vehicle management fell within the remit of the Permanent Secretary/Head of Department.
- 6.4 The DI further concludes that the Permanent Secretary Dr. Alwin Hales, in his capacity as the Accounting and/or Accountable Officer of the MTM failed to discharge the obligations imposed upon him by Section 16(2) and Schedule C of the Financial Administration and Audit Act and Regulations respectively. Under the referenced provisions, Dr. Hales was accountable to the Minister at the material time for the "*custody and proper use of all materials, equipment or other public property administered by him*"<sup>36</sup> as well as to ensure "*proper management and accounting of assets, including stores, equipment, and transport vehicles*"<sup>37</sup>. The DI's conclusion is based

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<sup>36</sup> The Financial Administration and Audit Act, Section 16(2)(d)

<sup>37</sup> The Financial Administration and Audit Act Regulations, Schedule C



on the MTM's inability to account for the whereabouts of four (4) Government of Jamaica motor vehicles, within the meaning of the relevant sections.

- 6.5 The DI concludes that Professor Fritz Pinnock, former Head, CMU, Dr. Eron McLean, Director, Planning and Development, CMU and Ms. Elaine Hayden, former Director of Projects and Strategic Initiatives, CMU, were Accountable Officers of the CMU at the material time and were responsible for the proper management and accounting of the CMU's assets, to include transport vehicles. The DI's conclusion is premised on Section 2 of the Financial Administration and Audit Act.
- 6.6 DI further concludes that Professor Fritz Pinnock, Dr. Eron McLean and Ms. Elaine Hayden in their capacity as Accountable Officers of the CMU at the material time, failed to maintain adequate records regarding the use and safe keeping of Government of Jamaica motor vehicles in accordance with their legal responsibilities under the Financial Administration and Audit Act and the Revised Comprehensive Motor Vehicle Policy for the Public Sector. The DI's conclusion is premised on the CMU's inability to satisfy the requirements under Section 16(2) and Schedule C of the Financial Administration and Audit Act and Regulations, respectively as well as Section C of the Revised Comprehensive Motor Vehicle Policy, 2003.





## Chapter 7 – Recommendations

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7.0 This chapter outlines the DI's recommendations having regard to the findings outlined herein.

### **Recommendations to the Financial Secretary, Ministry of Finance and the Public Service (MoFPS)**

7.1 Having regard to the DI's finding that four motor vehicles that were in the custody of the MTM and CMU cannot be accounted for, it is recommended that, if not yet done, the MoFPS conducts a review to determine the extent of the loss to the government occasioned by the negligence of the officers involved, and thereafter take such action as maybe necessary and appropriate to recover said loss.

### **Recommendations to the Caribbean Maritime University (CMU)**

7.2 The DI recommends that, if not yet implemented, the CMU implements a policy which addresses the acquisition, maintenance and disposal of motor vehicles and other Government of Jamaica assets consistent with the Financial Administration and Audit Act (FAAA) and the Government of Jamaica Revised Comprehensive Motor Vehicle Policy for the Public Sector. Additionally, the CMU should ensure that the policy provides clear and unambiguous instructions regarding the maintenance and disposal of motor vehicles.



The DI's recommendation is grounded in the fact that, at the material time, there were no internal policy documents or procedures within the CMU treating with the acquisition, maintenance or disposal of motor vehicles. Notwithstanding the foregoing, the CMU's inability to account for the whereabouts of four (4) Government of Jamaica motor vehicles under its control is inexcusable.

**Recommendation to the Permanent Secretary, Ministry of Science, Energy Telecommunications and Transport (MSETT)**

- 7.3 Being cognizant of the fact that the transport portfolio recently merged with the Science, Energy and Telecommunication portfolios to form the new MSETT, the DI recommends that, if not yet done, the MSETT should create, implement and strictly adhere to formal processes which govern arrangements regarding the movement of assets (transferred and/or loaned) amongst the agencies or departments under its stewardship. The implementation of these processes will allow for the transparent and responsible allocation of public resources, as well as, to prevent the loss of assets on the part of the government, as has occurred in the instant case.

Kevon A. Stephenson, J.P  
Director of Investigation

January 5, 2023  
Date



## Appendices

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### Appendix 1

#### **Section 33(1)(a) of the Integrity Commission Act**

"33.— (1) The Director of Investigation shall—

(a) without prejudice to the provisions of any other enactment, and subject to any general or specific direction of the Commission, investigate, in the manner specified by or under this Act, any allegation that involves or may involve an act of corruption or any allegation relating to non-compliance with the provisions of this Act, on the basis of any complaint, information or notification referred to him by the decision of the Commission or by the Director of Information and Complaints;"

## Appendix 2

### 2002 Mitsubishi IO



## Appendix 3

### 2001 Mitsubishi IO





## Appendix 4

### 2003 Mitsubishi L200



## Appendix 5

### 2001 Toyota Crown





## Appendix 6

### 1998 Honda Civic





## Appendix 7

### 2005 Nissan Frontier



## Appendix 8

### 2003 Ford Ranger





Report of Investigation Concerning Allegations of Impropriety and Irregularities in Relation to the Unknown Whereabouts of Certain Government of Jamaica Motor Vehicles belonging to the Ministry of Transport and Mining (MTM)

INTEGRITY COMMISSION



## Appendix 9

### 2003 Mitsubishi Montero Sport





## Appendix 10

### 2009 Toyota Hilux





## Appendix 11 2009 Toyota Hilux





## Appendix 12

### Mitsubishi L200

