



**INTEGRITY
COMMISSION**

**2023-2024
ANNUAL
REPORT**



UNITED AGAINST CORRUPTION



INTEGRITY COMMISSION

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June 24, 2024

The Most Hon. Mrs. Juliet Holness, MP
Speaker of the House of Representatives
Houses of Parliament
Gordon House
81 Duke Street
Kingston

Senator the Hon. Tom Tavares-Finson, OJ, CD, KC, JP
President of the Senate
Houses of Parliament
Gordon House
81 Duke Street
Kingston

Dear Honourable Speaker and Honourable President:

Section 36(2) of the Integrity Commission Act directs as follows:

“The Commission shall, not later than three months after the end of each financial year, or within such longer period as the Parliament may approve, submit to Parliament an annual report relating generally to the execution of the functions of the Commission during the preceding financial year, which shall contain the information set out in the Second Schedule.”

In keeping with this provision, I hereby submit to you three (3) printed copies and an electronic copy of the Sixth Annual Report of the Integrity Commission for the financial year 2023/2024.

Yours respectfully,

The Hon. Mr. Justice (Ret'd) Seymour Panton, OJ, CD.
Chairman

for and on behalf of the Integrity Commission

Copy: Ms. Colleen Lowe, Clerk to the Houses of Parliament

6th Annual Report

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Chapter 1 - Messages

Chairman's Remarks

During the past year, the Integrity Commission continued to do what it was established to do. I commend the staff for their continued diligence and commitment in carrying out the duties assigned to them.

Ethics

The Commission was established *"to promote and enhance standards of ethical conduct for parliamentarians, public officials and other persons"*. In keeping with this mandate, the Commission wrote to the Honourable Speaker in March of this year in respect of a statement made by a parliamentarian shortly after the municipal elections held in February of this year. To date, there has not been an acknowledgment of the Commission's letter. I should like to think that this has been an oversight on the part of the Speaker, as I refuse to think that she would have deliberately ignored such an important communication. The Commission is watching to see what action will be taken.

Staff

From time-to-time, reference is made to the sum of money voted by Parliament for the operations of the Commission. It needs to be stated that notwithstanding the budgeted amount, the fact is that the Commission's staffing is not at the desired level. This understaffing is due, in part, to restrictions imposed by the Ministry of Finance as regards the level at which the Commission can place an employee within the approved salary scales. Consequently, the Commission is at a disadvantage in the recruitment market.

Statutory Declarations and Investigations

The legislation specifies that certain persons are to make annual declarations of their income, assets and liabilities, and it provides penalties for those who do not comply. Certain statutory posts, called Directors, are created, and powers granted to the holders thereof to make queries, conduct investigations and prosecute where breaches occur. Acts of corruption, as defined in the Integrity Commission Act (the Act), also fall under the purview of the Commission.

The Commission has an Executive Director, who is responsible for the day-to-day management of the affairs of the Commission other than those assigned to a Director under the Act.

The Commissioners are to see to the proper execution by the relevant officers of the various tasks prescribed in the legislation.

The law restricts the Commission from making any report or public statement in relation to the initiation or conduct of an investigation by the Director of Investigation prior to the tabling of a report in Parliament. In so far as statutory declarations, government contracts, and prescribed licences are concerned, the law states that every person having an official duty under the Act shall regard such matters as secret and confidential. Penalties of fines and imprisonment are prescribed for any breach.

Given the state of the legislation, it is irritatingly unfair and unreasonable for persons (some of whom know better) to be requesting that the Commission speak on matters relating to statutory declarations or investigations. In my view, Jamaicans are quite low on the ladder of compliance as regards the various laws passed by Parliament. The Commission ought not to be, and indeed will not be, in such company. We await the amendments that we have suggested. Of course, there is nothing to prevent declarants or persons under investigation from speaking on the situation as it relates to them.

The Prime Minister's Statutory Declarations

Much has been written and said in respect of the non-certification of the Prime Minister's statutory declarations.

The Act makes special provisions for the statutory declarations of the Prime Minister and Leader of the Opposition. The Director of Information and Complaints is required to examine their declarations and, where he is satisfied, that it has been duly completed, he is to inform the Commission. Upon being so informed, the Commission is to publish a summary of the declaration in a form that is set out in the 3rd Schedule of the Act.

It must be remembered that to satisfy himself of the due completion of a statutory declaration, the Director of Information and Complaints "shall make such enquiries as he considers necessary". The enquiries are aimed at determining accuracy.

Given the restrictions imposed by the Act as regards statutory declarations generally, and matters related thereto, I may only say that the processes of the Commission are nearing completion in respect of the Prime Minister's declarations.

Obstacles

The Director of Information and Complaints is empowered to *"make such enquiries as he considers necessary in order to certify or determine the accuracy of a statutory declaration"*. The Director of Investigation has a duty to *"investigate...any allegation that involves or may involve an act of corruption or any allegation relating to non-compliance with the provisions of (the) Act."*

It should not be assumed that there is smooth going in the execution of these roles by the two Directors mentioned. They face significant resistance from time to time by some individuals as well as some institutions. Those who follow proceedings in the Courts would have noted that the Commission had to go to the Supreme Court to get an Order for Barita Investments Limited (Barita) to comply with a request for information.

Barita is not the only institution that has hesitated to comply with the Commission's legitimate requests. There is one other institution that has not been as cooperative as the Commission would have liked. I wish to use this medium to urge financial institutions to respond positively and truthfully when the Commission comes calling. It is unwise for them to endanger their licences or their relationships with internal or external bodies. As indicated in an earlier message, it cannot be business as usual.

Delays in investigating matters are also caused by lawyers for declarants who seek multiple adjournments when the Director of Investigation has had occasion to summon a declarant for a judicial hearing.

There is also the fear factor on the part of witnesses; fear that they may be physically harmed if they cooperate with the Commission in its investigations.

I do not for one moment query the veracity of declarants, but I have noted that the Director of Information and Complaints has received responses indicating gifts having been made by individuals who have died. These gifts are without a paper trail, and of course the donors are no longer able to verify same. It is perhaps something worth watching. The Commission is not keen on investigating matters relating to donations by persons who have died.

Illicit Enrichment

The Act provides that any person may orally or in writing make a complaint, give information, or notify the Integrity Commission about a matter which involves or may involve an act of corruption or non-compliance with the Act.

When a person approaches the Commission in this way, the Director of Information and Complaints is compelled to record the complaint or information and submit it to the appropriate Director of the Commission for action.

The Act also provides that the Annual Report must contain a general description of the matters that were referred to the Commission and a general description of the matters being investigated by the Commission.

The Commission has no control over the complaints and allegations it receives. It must, however, investigate them and make a note of the fact of the receipt and the investigation in the Annual Report. That is what the legislation passed by Parliament requires.

The police receive numerous complaints and allegations of various crimes that, when investigated, are found to be without merit. So does the Integrity Commission which has no control over speculations, rumours or mischief-making in the society.

Misunderstanding of the law

Misunderstanding of the law by some continues. Recently, two declarants were before the Parish Court for breaches of the Act.

One declarant, in keeping with the law, was given the opportunity to discharge his liability by providing certain information, AND paying a fine of \$250,000. That would have resulted in the declarant avoiding a Court appearance. He chose to provide the information, but DID NOT PAY THE FINE. Having supplied the outstanding information, he was then entitled to have his declaration certified. However, there could be no discharge of the liability as he had not paid the fine. It was painful to hear the Commission being wrongly accused of committing an error. Any error was on the part of the declarant who had committed a breach in the first place and had not done all that he should have done to avoid liability.

In the other matter, a declarant, despite many urgings by the Commission, simply refused to file his statutory declarations. He went to the Parish Court and quite properly pleaded guilty. Having eventually filed his statutory declarations, he was now compliant. That does not mean that he was not guilty. Yet, there were comments to the effect that he had been cleared by the Commission and so the Commission should have publicly vindicated him. There was no “clearing” by the Commission, and he, by committing the offences, had only himself to blame for the attendant publicity. There was nothing more for the Commission to do.

Shooting of a Director

During September 2023, a serious criminal act was committed in the vicinity of the office of the Commission. One of its Directors was shot and robbed. That crime remains unsolved. I imagine that investigations are taking place. However, neither the Director nor the Commission has received any update since the incident. The police ought to be very concerned that this happened in the New Kingston business district where there are no zinc fences, no bushes, and very few side roads, yet the perpetrator was able to disappear without trace in the clear morning light.

Cooperation by citizens

The Commission, in response to a complaint by a citizen's association, investigated the activities of a developer in the Kingston 6 area. On completion of the investigation, a report was tabled in Parliament. It revealed that the developer had deviated significantly from the approval that had been granted. The Commission was very impressed by the level of cooperation it received from the citizens. The parties involved in the development are very fortunate to have escaped prosecution so far. I say this because where permission is granted for the building of one-bedroom apartments, and three persons collude to build two and three bedrooms instead, there is, in my opinion, a *prima facie* case of the common law offence of conspiracy with intent to defraud.

I urge citizens to take a leaf from the book of the Kingston 6 citizens' association and complain to the Commission when they see developmental breaches taking place in their communities and the municipalities have refused to act. Citizens are being hereby advised that it is no longer business as usual.

Hon. Seymour Panton, OJ, CD
Chairman

Executive Director's Remarks

Commendable Review of Integrity Commission's 2022/2023 Annual Report by Parliament Oversight Committee

The Integrity Commission's 5th Annual Report for the year 2022/2023 was formally reviewed by the Integrity Commission Parliament Oversight Committee at its sitting on Tuesday, July 25, 2023. The Report was submitted to the Parliament for tabling on June 29, 2023.

During the Committee's sitting, the work of the Commission received positive reviews and commendations.

The Oversight Committee's Chairman, the Hon. Edmund Bartlett, who is also the Leader of Government Business in the House of Representatives, had this to say: "The analysis of the case statistics that has been presented to us ... is a good indication of how the Commission has been actually pursuing its work ... There is good work being done."

Oversight Committee Government Member, and Minister of Justice, the Hon. Delroy Chuck, was also unequivocal in his comments: "It's a very comprehensive document. Nearly 200 pages. And it sets out all the different activities of the different departments and also indicates the financial report and the number of reports that have been sent in ... The Commission is working," he said.

The Commission's 2023/2024 Annual Report Discloses that the Commission has Generally Maintained its Record of Acknowledged 'Good Work'

As we present the Commission's 6th Annual Report for 2023/2024, I am therefore privileged and happy to say that, despite facing several challenges throughout the year, and although there are areas which require improvement, the Commission has continued to stay the course, and has generally maintained its track record of acknowledged 'good work.'

This Annual Report of the Commission, for 2023/2024, provides a comprehensive account of the performance of the Commission's four independent Statutory Operating Divisions - Information and Complaints; Investigation; Corruption Prosecution; and Corruption Prevention. These are the four Divisions of the Commission that discharge the Commission's functions that are outlined in Section 6(1) of the Integrity Commission Act (ICA).

The Report also outlines the work product of the Commission's Administrative and Support functions, which, by the mandates of Section 29 of the ICA, and subject to the Commissioners, fall under the superintendence of the Executive Director.

These functions include Information Technology and Business Processes; Corporate Services; Finance and Accounts; Legal Affairs and Compliance; Communications; Data Protection; Strategic Planning; and Support for the Commissioners.

I would encourage everyone to carefully read the entire Report so that you can be informed and come to your own considered and guided positions about the Commission's work.

Commendations to Staff of the Commission

Commendations are unquestionably due, first and foremost, to the general staff of the Commission. They are our key asset and the backbone of the Commission. Once again, they have stood true, throughout the year, to their Statutory Oath of Office which requires them to faithfully discharge their functions.

Those in our director and management groups, who have acquitted themselves of strong and productive leadership throughout the reporting period, must also be acknowledged and recognized. And so too must our Chairman and Commissioners, who have continued to guide the work of the Commission with their wise, balanced and considered counsel, and their steady, judicious and discerning hands.

Inculcating at the Integrity Commission a Work Ethic of Service in the Public Interest

As in all Public Bodies in Jamaica, the Integrity Commission is fortunate to have its fair share of committed, honest, conscientious and hard-working employees. However, having regard to its over-arching statutory anti-corruption mandate, more is arguably required of it. As the Commission's Executive Director, I, therefore, consider it to be my duty, as well as an obligation of leadership, to emphasize, and to exhibit, among other things, service in the public interest above all else.

This value and work ethic, which is the very antithesis of corruption, though seemingly simple on the face of it, is critically important when one gives it serious thought.

This year, I will therefore depart from the tenor of my usual message to speak briefly about it. I will do so in an effort to ensure that we will continue to inculcate this value here at the Integrity Commission. I will also do so with the hope that we will sensitize others in the Jamaica Public Sector to the importance of holding ourselves accountable to this standard.

The effort to inculcate the ideal of serving the public interest, among its Officers, begins in earnest with the recruitment process for all of the Commission's staff. All applicants for vacant positions at the Commission are alerted to it by the 'Employment Opportunities' section on our website.

Applicants who are 'short-short-listed' for positions, after having participated in a first-round interview, are then required to attend a second-round interview that is chaired by me.

It is during this second-round interview, that the Oath of Office, and what it requires, are extensively discussed. Applicants are asked to focus upon our primary workplace requirements, should they be hired. Their feedback is then solicited. Our key requirements are as follows:

- (1) To generally commit to integrity and ethical conduct;
- (2) To eschew mediocrity and strive for excellence in the day-to-day discharge of our job responsibilities;
- (3) To keep secret and confidential any matter, thing, document or information that is disclosed or revealed to us in the performance of our job functions; and, very importantly;
- (4) To "faithfully perform" our job functions and, at all times, to place the service of the public interest at the very forefront of our work and its objectives.

It is also instructive to note that the foregoing exhortations are elaborated upon by me, again, during the official Swearing-in Ceremony that all prospective staff members are required to submit themselves to in order to be lawfully contracted by the Commission.

The Integrity Commission Act (ICA) – Concerns

The ICA has vested in the Commission the anti-corruption responsibility, among other things, to ensure that those who are privileged to discharge public functions in Jamaica do so in compliance with the highest standards of integrity, good governance and accountability. That is our charge, and it is one that we take seriously.

The ICA was not written by the Commission. It was written by our Lawmakers. We have, therefore, proceeded on the assumption that Parliament was sincere in its expressed intent.

However, it has since become evident that there are provisions of the Act that some do not like, and it appears that there is a desire to weaken it. The Commission hopes this does not happen.

There are also two provisions of the ICA – Sections 53(3) and 56 – that require special mention, particularly because they have now led to unwanted outcomes that many did not anticipate.

The Sections, by gagging the Commission, have provided a cover for corruption, stifled transparency on a wide range of matters of public interest, fueled harmful speculation, undermined public trust, and caused grave damage to the integrity of key officials and institutions of the state because of the inability of the Commission to provide public clarifications and information on critical issues.

Be that as it may, and until the ICA is revised, the Commission is however obliged to enforce the Act and steadfastly abide by its terms. That, in essence, is also what the Rule of Law requires. The Commission will, therefore, continue to be guided, in particular, by Section 6(3)(a) and (b) of the ICA, which provides as follows:

“6(3) In the exercise of its powers and performance of its functions under this Act, the Commission –

- (a) shall not be subject to the direction or control of any other person or authority, other than the Court by way of judicial review; and
- (b) shall act independently, impartially, fairly and in the public interest.”

The Consequences of Unchallenged Corruption

The Commission’s Officers are reminded that grand corruption, should it go unchallenged, will obstruct sustainable foreign investment and national economic development and, by extension, the attainment of prosperity for all. To believe in any other outcome would be misguided and illusory.

The Commission’s staff are also acutely aware of the fact that should we fail in our charge, corruption will, over time, entrench poverty; deepen threats to national and personal security; further erode the rule of law; undermine the integrity and work of critical state institutions; impede our fellow citizens from attaining their full socio-economic potential; and, in the end, prevent us all from realizing opportunities and enjoying benefits that we would otherwise have.

The Ideal Integrity Commission Employee

It goes without saying, therefore, that the Commission's job offerings are not meant for the faint of heart, or for those who can be easily pushed aside, adversely influenced, or frightened. What we seek are ethical, competent, hard-working, apolitical and professionally disposed Jamaicans - a few good men and women if you will - who are desirous of being true patriots for their country, and who will make the sacrifices that such an undertaking will necessarily involve.

We ask for men and women who understand that if they do their jobs right – i.e. diligently, fairly, fearlessly, vigorously and dispassionately, to faithfully discharge the anti-corruption mandates of the Commission – they will very likely be attacked by some, notwithstanding that they would be merely doing precisely what our Lawmakers have sworn us to do.

They will appreciate that when you fight corruption, it will fight back. For, in some countries, if the corrupt feels that your quest is to separate him from his ill-gotten gains, or disrupt a status quo that fuels the corruption from which he has been deriving substantial benefits, or that you are bent on bringing him to justice for his abuse of his public office, then he is likely to go to the extremes to fight you or, otherwise, to render your efforts ineffective.

I, therefore, warn our incoming staff, and I must remind all of our Officers again, that you will gain enemies and lose friends! No one whose job it is to do battle against corruption, should expect to be liked by those who are its architects or purveyors. Neither will we find favor with their abettors, associates, supporters, or those who stand to benefit from the fruits of their criminal conduct. Plain logic suggests this.

It also needs to be said that we should never strive to be populists, nor seek to appease or to bow to special interests. Rather, our Oath requires us to wear an armor of steel and to simply do that which we know is right by our country, or what is in the public interest, irrespective of who criticizes us or, for that matter, irrespective of who agrees with us.

But there is a big and unique pay-off to be derived from working with the Integrity Commission. It is the wholesome and rewarding experience of being placed in the privileged position to change the direction of your country by confronting corruption and, in so doing, to make it a better place for ourselves, our fellow citizens and the generations of Jamaicans to come.

The Man at the Half Way Tree Bus Stop

Quite recently, the Integrity Commission's Leadership Team was reminded by me that we are here to serve the interests of the man who is standing at the Half Way Tree Bus Stop. Figuratively, my reference was to the average, honest, hard-working Jamaican citizen.

That citizen's primary desire is to get ahead in life, and to do so by (a) making an honest living, (b) seeing to the needs of himself and his family, and (c) securing certain opportunities, benefits, and material things, which one should reasonably come to expect in any egalitarian society that rewards honest effort, and governs itself to advance the well-being and security of its members.

But, alas, there are many Jamaican citizens, like the Man at the Half Way Tree Bus Stop, who live in despair and hopelessness. They perceive that the scourge of corruption, and the masterminds behind it, have denied them their reasonable aspirations. But the truth is that they are entitled to look to us, here at the Integrity Commission, and rightfully so, to set things right.

Recommittal to the Undertaking to Serve the Public Interest

And it is precisely for this reason why the Integrity Commission was established by our Parliament – To set things right! We, the Officers of the Commission, must therefore recommit ourselves to ensuring that the purposes of the Commission will be fulfilled, irrespective of the challenges we will face. In particular, we should undertake to recommit to the following:

- (1) We must be forthright, diligent and unswerving in our service and commitment to the public interest, remembering always that we are first and foremost public servants;
- (2) We must ensure that the taxpayer gets optimum value for his hard-earned tax dollar – that it is not wasted, mis-directed, or treated as if it were the personal funds of unscrupulous Public Officials; and
- (3) We must ensure that anyone who steals public money, or otherwise abuses his public office, irrespective of who he is, or what his standing may be, must be brought to book and made to account.

Closing Remark

In closing, I must, as I did in last year's Annual Report, express my and the Commission's heartfelt appreciation to all those who, in one way or the other, have conveyed prayers and good wishes for the Commission, its Officers, and our work.

We are grateful to all of you, as well as to all right-thinking Jamaicans who understand the value and the role of a strong and independent national anti-corruption institution in building a better Jamaica.

Greg Christie
Executive Director

Chapter 2 - Executive Summary

EXECUTIVE SUMMARY

The Integrity Commission, during the financial year 2023-2024, continued to make progress in the undertaking of its mandate, guided by its established strategic priorities. The year 2023/2024 was a very extraordinary year for the Commission, one in which the entity achieved an overall creditable performance in its statutory and operational activities. The overall performance of the Commission is detailed herein, though same was not without challenges.

Notwithstanding, the Commission forged ahead in meeting most of its objectives for the 2023-2024 period.

CORPORATE GOVERNANCE

Pursuant to Section 5(4) of the Integrity Commission Act, 2017, the Commission is headed by Commissioners who are responsible for the governance and oversight of the organization.

In the performance of its functions under Sections 17 and 25 of the Act, the Commission, during the reporting period, convened the following:

- 14 meetings of the Commissioners;
- 16 Audit, Finance and Technology Committee meetings;
- 11 Corruption Prevention Committee meetings;
- 7 Human Resource and Corporate Governance meetings;
- 17 Information and Complaints Committee meetings; and
- 14 Investigation and Corruption Prosecution Committee meetings.

At the executive level, a total of 25 Leadership Team Meetings were convened during the reporting period, whereas five (5) general staff meetings were held.

ANTI-CORRUPTION ACTIVITIES

Statutory Declarations: The Commission recorded compliance rates regarding the submission of Statutory Declarations of seventy percent (70%) for Public Officials and eighty-eight percent (88%) for Parliamentarians, for the 2023 Statutory Declaration intake. During the reporting period, the Commission's compliance rates showed increases for all prior Statutory Declaration periods, recording the highest compliance rate of eighty-four percent (84%) for the 2021 Statutory Declaration period. The Commission also examined a total of one thousand, two hundred and sixty-eight (1,268) Statutory Declarations and certified nine hundred and eighty-eight (988) of those Statutory Declarations during the reporting period. Both examination and certification reflected a one hundred and twenty-five percent (125%) increase over the prior period. Seven (7) Declarants were referred for Investigation.

Complaints and Information: One hundred and seventy-two (172) Complaints and Information were received or identified for assessment by the Commission during the reporting period. Nineteen (19) of the complaints/information assessed were referred to the Director of Investigation, eighty-five (85) were closed and seven (7) were kept in view. The Commission prioritized the more serious complaints/information received during the reporting period.

Protected Disclosures: The Commission, as the Designated Authority, continued to focus on the operationalisation of the Protected Disclosures Act, 2011. One hundred and forty-three (143) of the one hundred and sixty-nine (169) Protected Disclosures Procedural Guidelines received from Public Bodies, were approved by the end of the reporting period, March 31, 2024. One hundred and seventeen (117) Public Bodies have

implemented the Protected Disclosures Procedural Guidelines within their organization. Under the Protected Disclosures Work Programme, the Commission, in collaboration with the Management Institute of National Development (MIND), trained and certified one hundred and thirteen (113) Designated Officers. Eleven (11) Protected Disclosures were received by Public Bodies and twenty (20) were received by the Integrity Commission.

Electronic Declaration System (eDS): The planned launch of the eDS for the 2023 Statutory Declaration Intake was postponed due to certain legal issues concerning the requirement of a Justice of the Peace to witness the signature of the declarant on the Statutory Declaration Form (Third Schedule of the Integrity Commission Act). The Commission has written to the Office of the Prime Minister to seek advice from the Solicitor General regarding the Interpretation of a provision in the Electronic Transactions Act. Once same is received, it is hoped that the Commission will be able to launch the System for the 2024 Statutory Declaration Intake period.

Declarations and Financial Investigations and Contract, Procurement & Corruption Investigations: During the 2023/2024 financial year, a total of twenty (20) complaints were advanced for investigation. Nineteen (19) of these investigations were by way of referrals from the Information and Complaints Division, and the other investigation was initiated by the Director of Investigation. Six (6) reports were tabled in the Houses of Parliament over the referenced period.

Of the Twenty (20) complaints referred for investigation by the unit, fourteen (14) matters were pursued. All cases being pursued are ongoing and are at varying stages of the investigation process, pursuant to Section 33 of the Integrity Commission Act.

Overall, at the end of the 2023/2024 financial year, a total of forty-three (43) Contract, Procurement & Corruption Investigations matters were closed.

Including the aforementioned cases that were referred for the period under review, twenty-nine (29) cases were closed in accordance with Section 47 of the Integrity Commission Act, six (6) cases were tabled in Parliament, two (2) cases were terminated after being investigated, five (5) cases were referred internally for monitoring by the monitoring arm of the Investigation Division and; one (1) case was referred externally to a Competent Authority, due to the subject matter being outside the Commission's remit.

At the end of FY 2022/23, the Declarations and Financial Investigations Unit had a total of seventy-four (74) open investigations. In FY 2023/24, the number of open investigations stood at fifty-five (55). Over the last six years from FY 2018/19 to 2023/24, a cumulative total of one hundred and forty-five (145) cases have been referred to the Director of Corruption Prosecution (DCP) by the Unit. Specifically, in FY 2023/24, sixteen (16) new matters were referred to the DCP after investigation

Contract Monitoring: A total of 686 construction contracts at the pre or post contract phase, with a cumulative value of J\$112,112,215,644.83 and US\$717,096,692.99, were monitored during the reporting period. Contract monitoring inspectors completed a total of 228 site visits, attended 79 site meetings, and were involved in 8 practical completion inspections during the period. For non-construction contracts, a total of 493 procurement opportunities/contracts were monitored during the reporting period.

In compliance with the submission of Quarterly Contract Awards Reports (QCAR) for the FY 2023/24 period, a compliance rate of 97.9% was recorded from the 194 Public Bodies required to submit QCARs.

Licencing Asset Divestment/Acquisition (LADA): A total of 214 licence and permit monitoring activities were completed for the 2023-2024 period. During the period, 172 GOJ land divestment processes were monitored, this

in accordance with the Policy Framework and Procedures Manual for the Divestment of Government-Owned Lands, 2015.

Corruption Prosecution: For the reporting period, a total of 16 financial investigation matters were referred for prosecution. Of the 16 matters referred during the period, plus 67 matters from the previous period, prosecution was initiated and concluded in 28 matters, of which 1 matter is ongoing, 3 matters are under review, and 9 matters are scheduled for sentencing within in the first quarter of the upcoming period.

Corruption Prevention, Stakeholder Engagement and Anti-Corruption Strategy: During fiscal year 2023/2024, an estimated 4,000 individuals were exposed to the work of the Integrity Commission by virtue of either presentations or direct training interventions delivered by the Division under its *Anti-Corruption and Good Governance Workshops* and/or via presentations at conferences/retreats and other events, and through its various stakeholder engagement sessions.

The aforementioned engagements included delivery to three (3) Ministries of Government, twenty-three (23) Public Bodies, one (1) Commission of Parliament, two (2) Associations or Other Grouping and two (2) Private Sector Bodies.

In respect of coordinating the development of a National Anti-Corruption Strategy (NAS), as mandated by section 6 (1) (j) of the Integrity Commission Act, 2017, work was intensified during the period under review.

The Commission officially commenced the development of the NAS on April 28, 2023, with the hosting of an Initial Stakeholder Engagement Session that was attended by a wide cross section of representatives from over 30 national entities.

During the year, a London-based international development consultancy firm, Public Administration International (PAI), was contracted by the Foreign, Commonwealth and Development Office [FCDO], to provide the Integrity Commission with support for the development of the NAS. The engagement of PAI commenced in November 2023 and was slated to end by April 2024, but has been extended to the end of July 2024. The NAS Project has 4 phases namely: Phase 1- Preparatory/Inception (Completed); Phase 2-Desk Study (Completed); Phase 3 - Consultation (Ongoing); and Phase 4- Formulation of the National Anti-Corruption Strategy. The final Phase of the project is expected to be completed in FY 2024/2025 and will focus on drafting and finalizing the National Anti-Corruption Strategy.

OPERATIONAL ACTIVITIES

The Commission commenced the 2023-2024 fiscal year with a staff complement of 123 employees, comprising 114 Fixed-Term Contract (FTC) employees, and 9 Temporary employees. During the reporting period, the Commission's organisational structure was increased from 177 to 178 posts.

For the reporting period, the Commission successfully recruited 40 FTC employees and 5 Temporary employees, whilst there were 18 separations from the organization.

The turnover rate for 2023-2024 period was 15%, representing a six-percentage point increase over the 2022-2023 period. The relatively high turnover rate was attributed to unresolved issues with the new MOFPS compensation system, and the Commission being a high-risk working environment.

At the end of the 2023-2024 fiscal year, the Commission ended the year with 137 employees, comprising 123 FTC employees, and 14 Temporary employees, recording a 69% staffing capacity.

INTEGRITY COMMISSION

During the 2023-2024 period, the organization continued its Training & Development Programme to build the capacity and competency of its employees. At the end of the reporting period, 342 participants completed 68 Training Programmes, costing approximately \$16.1M.

FINANCIAL PERFORMANCE

The Commission's approved budget, including Supplementary Estimates for the year, was \$1,532,626,000. Of this amount, \$40,658,000 was allocated for Statutory Expenditures.

At the end of the Fiscal Period, ending March 2024, the Commission recorded expenditures totaling \$1,413,178,345.

OUTLOOK

The Commission, in the short to medium-term, will be seeking to increase and improve its anti-corruption initiatives, its responsiveness and commitment through five (5) strategic objectives for the upcoming period.

The Commission will continue to recruit and onboard competent employees to enhance the execution of its functions, via the stated strategic objectives and priorities for the upcoming period which are to:

1. Establish a culture of results-based performance.
2. Expand the Commission's public sensitization and engagement programme.
3. Strengthen public bodies' awareness and compliance with the law and regulations, by increasing outreach initiatives.
4. Improve the Commission's responsiveness to complaints, notifications and reports.
5. Serve the public interest.

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Chapter 3 - Governance Structure

Governance Structure

The Integrity Commission is headed by five (5) Commissioners who are responsible for the governance and oversight of the Integrity Commission, pursuant to the requirements of the Act.

Section 5(4) of the Integrity Commission Act, 2017, provides as follows:

“The Commission shall –

- (a) subject to sections 34(3) and 36(4), be ultimately responsible and accountable to Parliament for all matters relating to the functions of the Commission[sic]; and*
- (b) monitor and report to Parliament on the operation and effectiveness of the provisions of this Act.”*

Section 8(1) of the Integrity Commission Act, 2017, which is detailed hereunder, provides particulars of the constitution of the Commission and the persons who may be appointed to hold such an appointment, as a Commissioner.

8. - (1) Pursuant to section 5 and subject to subsection (3), the Commission shall consist of the following persons appointed as Commissioners —

- (a) the Auditor-General;**
- (b) four other persons (hereinafter referred to as “appointed Commissioners”) appointed by the Governor-General, by instrument in writing, after consultation with the Prime Minister and the Leader of the Opposition, from any of the following categories of persons—**
 - i. retired Judges of the Court of Appeal or retired Judges of the Supreme Court, from which two persons shall be appointed;**
 - ii. senior retired public officials with knowledge and expertise in the area of finance, accounting or public administration;**
 - iii. persons who represent non-governmental organizations that appear to be well established**

In this regard, the Commission is currently comprised of the following members:

1. The Hon. Mr. Justice (Ret'd) Seymour Panton, OJ, CD (Chairman)
2. Mrs. Pamela Monroe Ellis, FCCA, FCA
3. The Hon. Mr. Justice (Ret'd) Lloyd Hibbert, CD., K.C.
4. Mr. Eric Crawford, CD, FCCA, FCA
5. Mr. H. Wayne Powell, O.D., J.P.

The Commission, in the performance of its functions and duties, is assisted by the Executive Team. The Executive Team of the Commission comprises the Executive Director and four Statutory Directors who are appointed by the Governor General, acting on the recommendation of the Commission, and by a Director of Corporate Services, Director of Information Technology and Business Processes, and a Director of Finance and Accounts. The Executive Team is comprised of the following members:

1. Mr. Greg Christie, Executive Director
2. Mr. Craig Beresford, Director, Information & Complaints
3. Mr. Ryan Evans, Director, Corruption Prevention, Stakeholder Engagement and Anti-Corruption Strategy
4. Mr. Kevon Stephenson, Director of Investigation
5. Mrs. Keisha Prince-Kameka, Director, Corruption Prosecution

INTEGRITY COMMISSION

6. Mr. Rory Ridguard, Director, Information Technology and Business Processes
7. Mr. Ronald Salmon, Director Corporate Services
8. Mr. Brian Taylor, Director, Finance and Accounts

In the performance of its functions under the Act, the Commission, pursuant to Section 25 of the Act, has established several Committees through which oversight is provided. Detailed, below, are particulars of each Committee, inclusive of their membership and the number of meetings convened.

INTEGRITY COMMISSION COMMITTEES AND MEMBERS

COMMISSION MEETINGS

Standing Members:

The Hon. Mr. Justice (Ret'd) Seymour Panton, OJ, CD (Chairman)
The Hon. Mr. Justice (Ret'd) Lloyd Hibbert, CD, K.C. (Commissioner)
Mrs. Pamela Monroe Ellis, FCCA, FCA (Commissioner)
Mr. Eric Crawford, CD, FCCA, FCA (Commissioner)
Mr. H. Wayne Powell, OD, JP (Commissioner)

Executive Director

Meeting Schedule	The 1 st Monday of every month or as required.
No. of Meetings convened for the Reporting Period	14

AUDIT, FINANCE & TECHNOLOGY COMMITTEE

Standing Members:

Mr. Eric Crawford, CD, FCCA, FCA (Committee Chair)
Mrs. Pamela Monroe Ellis, FCCA, FCA
Mr. H. Wayne Powell, OD, JP

Executive Director
Director of Finance & Accounts
Director of Information Technology & Business Processes
Director of Corporate Services
Chief Audit Executive

Meeting Schedule	The 3 rd Tuesday of every month or as required.
No. of Meetings convened for the Reporting Period	16

INTEGRITY COMMISSION

CORRUPTION PREVENTION, STAKEHOLDER ENGAGEMENT & ANTI-CORRUPTION STRATEGY COMMITTEE

Standing Members:

The Hon. Mr. Justice (Ret'd) Seymour Panton, OJ, CD (Committee Chair)
The Hon. Mr. Justice (Ret'd) Lloyd Hibbert, CD, K.C
Mr. H. Wayne Powell, OD, JP
Mr. Greg Christie, Executive Director

Director of Corruption Prevention, Stakeholder Engagement & Anti-corruption Strategy

Meeting Schedule	The 3 rd Monday of every month or as required.
No. of Meetings convened for the Reporting Period	11

HUMAN RESOURCE & CORPORATE GOVERNANCE COMMITTEE

Standing Members:

Mrs. Pamela Monroe Ellis, FCCA, FCA (Committee Chair, Human Resource Component)
Mr. H. Wayne Powell, OD, JP (Committee Chair, Corporate Governance Component)
The Hon. Mr. Justice (Ret'd) Lloyd Hibbert, CD, K.C.

Executive Director
Director of Corporate Services
Human Resources Manager

Meeting Schedule	The 4 th Friday of every month or as required.
No. of Meetings convened for the Reporting Period	7

INFORMATION & COMPLAINTS COMMITTEE

Standing Members:

Mrs. Pamela Monroe Ellis, FCCA, FCA (Committee Chair)
The Hon. Mr. Justice (Ret'd) Seymour Panton, OJ, CD
Mr. Eric Crawford, CD, FCCA, FCA

Director of Information & Complaints

Meeting Schedule	The 3 rd Wednesday of every month or as required, and the 4 th Thursday of every month or as required
No. of Meetings convened for the Reporting Period	17

INVESTIGATION & CORRUPTION PROSECUTION COMMITTEE

Standing Members:

The Hon. Mr. Justice (Ret'd) Lloyd Hibbert, CD (Committee Chair)
The Hon. Mr. Justice (Ret'd) Seymour Panton, OJ, CD
Mr. Eric Crawford, CD, FCCA, FCA

Director of Investigation
Director of Corruption Prosecution

Meeting Schedule	The 2 nd Friday of every month or as required.
No. of Meetings convened for the Reporting Period	14

EXECUTIVE DIRECTOR/ STATUTORY DIRECTORS LEADERSHIP COMMITTEE

Standing Members:

Executive Director (Committee Chair)
Director of Investigation
Director of Corruption Prosecution
Director of Information and Complaints
Director of Corruption Prevention, Stakeholder Engagement & Anti-corruption Strategy

Meeting Schedule	The 2 nd Wednesday of every month or otherwise as may be determined
No. of Meetings convened for the Reporting Period	8

STATUTORY DIRECTORS' MEETINGS/ INTERDIVISIONAL LEADERSHIP COMMITTEE

Standing Members:

Director of Investigation
Director of Corruption Prosecution
Director of Information and Complaints
Director of Corruption Prevention, Stakeholder Engagement & Anti-corruption Strategy

Meeting Schedule	The last Friday of every month or otherwise as may be determined
No. of Meetings convened for the Reporting Period	8

INTEGRITY COMMISSION

LEADERSHIP TEAM COMMITTEE

Standing Members:

Executive Director (Committee Chair)
Director of Investigation
Director of Corruption Prosecution
Director of Information and Complaints
Director of Corruption Prevention, Stakeholder Engagement & Anti-corruption Strategy
Director of Corporate Services
Director of Finance and Accounts
Director of Information Technology and Business Processes
Legal Counsel
Data Protection Officer
Communications Officer
Chief Accountant
Project Manager, Integrity Commission/Sagicor Relocation Project

Meeting Schedule	The 2nd Wednesday of every month or otherwise as may be determined
No. of Meetings convened for the Reporting Period	9

STAFF MEETINGS

Executive Director (Co-Chair)
Director of Corporate Services (Co-Chair)

Meeting Schedule	Quarterly
No. of Meetings convened for the Reporting Period	3 Plus 2 Special Purpose Staff Meetings

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Chapter 4 - Statutory Requirements for Content of the Annual Report

INTEGRITY COMMISSION

The Integrity Commission, in the preparation and publication of its Annual Report, is bound by the requirements of the law regarding its content and the information which can be made available in the referenced Report. Specifically, Section 36 (2) of the Integrity Commission Act, 2017, provides as follows:

“The Commission shall, not later than three months after the end of each financial year, or within such longer period as the Parliament may approve, submit to Parliament an annual report relating generally to the execution of the functions of the Commission during the preceding financial year, which shall contain the information set out in the Second Schedule.”

Detailed below is the verbatim content of the Second Schedule of the Integrity Commission Act and to which the substance of the Commission’s Annual Report is aligned.

SECOND SCHEDULE (Section 36(2))

Contents of Annual Report of Commission

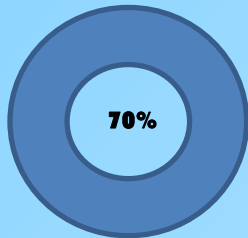
1. *A general description of the matters that were referred to the Commission.*
2. *Subject to section 53(3), a general description of the matters investigated by the Commission.*
3. *The following details with respect to matters investigated by the Commission—*
 - a. the number of investigations commenced but not finally dealt with during the financial year in question;*
 - b. the average time taken to deal with complaints and the actual time taken to investigate any matter in respect of which a report is made.*
4. *Any recommendations for changes in the laws of Jamaica, or for administrative action, that the Commission considers should be made as a result of the exercise of its functions.*
5. *The general nature and extent of any information submitted under this Act by the Commission during the year to the Security Forces or any other public body.*
6. *The number of matters investigated by the Commission which have resulted in prosecutions or disciplinary action in that year.*
7. *A description of its activities during that year in relation to any of its functions.*
8. *The number of convictions and acquittals, and where a charge is laid the time taken to dispose of each matter.*
9. *Such other information as the Commission thinks relevant; however, no details shall be provided by the Commission in relation to any matter under investigation by the Director of Investigation or for which criminal proceedings have been instituted by the Director of Corruption Prosecution.*
10. *The audited financial statements of the Commission for the financial year.*

Chapter 5 - Information and Complaints Division

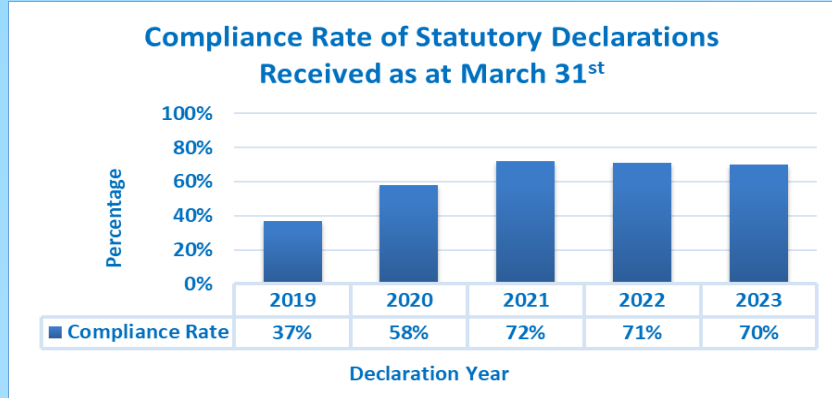
INFORMATION AND COMPLAINTS DIVISION

Statutory Declarations - Compliance

Current Reporting Period
As at March 31st, 2024



Five Year Comparison



Statutory Declarations (SDs) - Examination

Current Reporting Period
As at March 31st, 2024



Matrix of Statutory Declarations Outcomes: 2018/2019 to 2023/2024

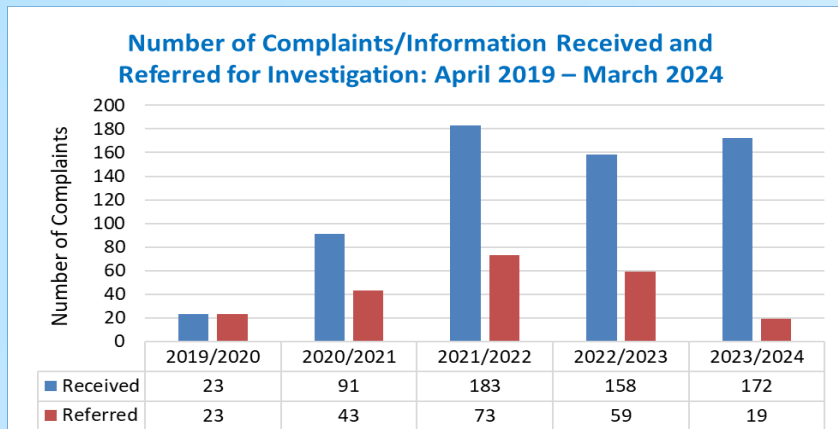
Category	Number of Statutory Declarations Received	Number of Statutory Declarations Examined	Number of Statutory Declarations Certified	Number of Public Officials Referred for Investigation	Examination Work-In-Progress
Parliamentarians	549	374	231	13	67
Councillors	1,149	72	45	3	38
Senior Public Officials	1,050	109	79	8	26
Other Public Officials	162,744	1,769	1,426	35	562
Total	165,492	2,324	1,781	59 (293 SDs)	693

Complaints Management

Current Reporting Period
As at March 31st, 2024



Five Year Comparison



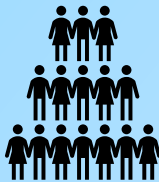
INFORMATION AND COMPLAINTS DIVISION

Protected Disclosures

	Number of Public Bodies that submitted Protected Disclosures Procedural Guidelines	Number of Protected Disclosures Received by Public Sector Entities	Number of Protected Disclosures Received by the Integrity Commission
2021/2022	16 (9%)	1	4
2022/2023	149 (81%)	6	7
2023/2024	169 (94%)	11	20

Human Resource Capacity

Human Resource



93%

[25 Staff Members as at March 31, 2024]

Office of the Director of Information and Complaints	Complaints and Protected Disclosures Unit	Declarations Unit	Financial Analysis Unit
Director of Information and Complaints (1 Filled)	Manager of Complaints and Protected Disclosures (1 Filled)	Manager of Declarations (1 Filled)	Manager of Financial Analysis (1 Filled)
Reporting and Compliance Officer (1 Filled)	Senior Complaints and Protected Disclosure Officer (1 Filled)	Senior Declarations Verification Officer (1 Filled)	Senior Financial Analyst (2 Filled)
Administrative Assistant to the Director of Information and Complaints (1 Filled)	Complaints and Protected Disclosure Officer (5 Filled) [1 Vacant]	Declarations Verification Officer (5 Filled)	Financial Analyst (4 Filled) [1 Vacant]
Administrative Assistant to the Division (1 Filled)		Registry Officer (1 Filled) – <i>Corporate Services Division</i>	
		<u>Data Entry Project Initiative</u> – Temporary Data Entry Officers (14 Filled) [1 Vacant]	

Functions of the Director of Information and Complaints

Section 32(1) of the Integrity Commission Act, 2017, sets out the functions of the Director of Information and Complaints, who heads the Information and Complaints Division of the Integrity Commission. The referenced section provides that:

“The Director of Information and Complaints shall –

- a) receive, keep on record and examine all statutory declarations filed with the Commission;*
- b) make such enquiries as he considers necessary in order to certify or determine the accuracy of a statutory declaration;*
- c) receive and keep proper record of any complaint or information or notification in relation to any or all of the following matters:*
 - (i) any allegation which involves or may involve an act of corruption;*
 - (ii) any allegation regarding impropriety or irregularity with respect to the award, implementation or termination of a government contract or the grant, issue, suspension or revocation of a prescribed licence;*
 - (iii) any allegation in respect of non-compliance with any of the provisions of the Act;*
- d) refer to the appropriate Director, any complaint or information or notification received under paragraph (c), or any other matter, which he considers appropriate for action;*
- e) submit to the Executive Director, Quarterly reports on the activities of the Division; and*
- f) perform such other functions as may be assigned to him by or under this Act or any other enactment.”*

The Information and Complaints Committee

Pursuant to Section 25 of the Integrity Commission Act, 2017, a Committee of this Division was established. The Committee is comprised of three (3) members of the Commission; Pamela Monroe Ellis (Chair), Justice (Ret'd) Seymour Panton, Eric Crawford and the Director of Information and Complaints, Craig Beresford.

The Terms of Reference of the Committee are to:

- (a) review complaints regarding allegations of impropriety as well as non-compliance with any provision of the Integrity Commission Act, 2017;
- (b) advise the Commission on matters of concern that it considers of significance and should be referred to the Director of Investigation; and
- (c) review the summary of Statutory Declarations for the Prime Minister and Leader of the Opposition, for gazette publication approval.

Information and Complaints Committee Meetings

For the period under review, seventeen (17) committee meetings were held, at which important matters were considered and discussed. Some of the matters discussed were:

- a. Review of Net Worth Statements, and identifying apparent breaches of the Act, as well as potential instances where the circumstances indicate assets are disproportionate to lawful earnings, are referred for investigation;
- b. Examination of all Parliamentarians' Statutory Declarations for the period 2018 to 2022;
- c. Certification of Statutory Declarations;
- d. Revision of the prescribed total annual emoluments for the requirement to file Statutory Declarations;
- e. Implementation the Electronic Declaration System (eDS);
- f. Improving the Examination Process, and consequent output;
- g. Statutory Declaration compliance;
- h. Third Party Verification;
- i. Operationalising the Protected Disclosures Act, 2011; and
- j. Complaints Referrals for Investigation.

Information and Complaints Division's Objectives

The Director of Information and Complaints continued to pursue the five (5) broad objectives established in the Financial Year 2020/2021 and refined in 2021/2022, with the aim of continuing to strengthen the Division's core functions, which are:

1. Implementation of the Electronic Declarations System (eDS) to allow for ease of submission on the part of Public Officials and to facilitate a more efficient and effective means of examining Statutory Declarations;
2. Targeting the 100% compliance rate with respect to the submission of Statutory Declarations, by using a dual-pronged approach of engagement and enforcement;
3. Implementation of a mechanism which utilises technology to analyse 100% of Statutory Declarations received from Public Officials;
4. Revision of methodologies, approaches, processes and systems to ensure that all instances where the circumstances indicate assets are disproportionate to lawful earnings are referred for investigation.; and
5. Establishment of a robust mechanism to report corruption, fully operationalising the Protected Disclosures Act, 2011, and creating an environment where complainants feel free to report allegations of corruption and non-compliance with the provisions of the Integrity Commission Act.

INTEGRITY COMMISSION

Information and Complaints Division Referrals

Referrals are made by the Director of Information and Complaints pursuant to Sections 38, 42(4) and 43 of the Integrity Commission Act, 2017, and in keeping with Sections 14 and 15 of the Corruption Prevention Act, 2001.

During the reporting period, the following referrals were made:

Complaints and Protected Disclosures Referred to the Investigation Division for the Financial Year 2023/2024

Allegation	Referrals
Reports on Allegations of Conflict of Interest, Corruption, Fraud, Impropropriety, Contracts and Procurement Breaches – Pursuant to Section 38 of the Integrity Commission Act, 2017	16
Matters identified based on the Director of Information and Complaints' Discretion	3
Protected Disclosures Act, 2011	3

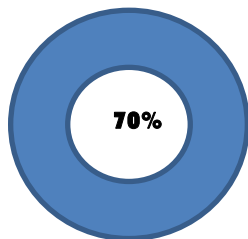
Offences under the Integrity Commission Act, 2017 and the Corruption Prevention Act, 2001 for the Financial Year April 1, 2023 to March 31, 2024

Offences	Parliamentarians	Public Officials
Failure to file a Statutory Declaration - Section 43 (1)(a) of the Integrity Commission, 2017:		
30 Days - Statutory Notice	-	19
Discharge of Liability	3	55
Prosecution	-	-
Failure to provide Information – Section 43 (1)(b) of the Integrity Commission Act, 2017:		
Discharge of Liability	3	1
Prosecution	-	-
Providing False Information – Section 43(2)(a) of the Integrity Commission Act, 2017 and Section 15(2) (b) of the Corruption Prevention Act, 2001:		
Investigation	3	4
Failure to honour opportunity to Discharge Liability - Section 43(3) of the Integrity Commission Act, 2017:		
Prosecution	1	2
Illicit Enrichment – Section 14 and 15 of the Corruption Prevention Act, 2001:		
Investigation	2	4
Other Referrals	-	-

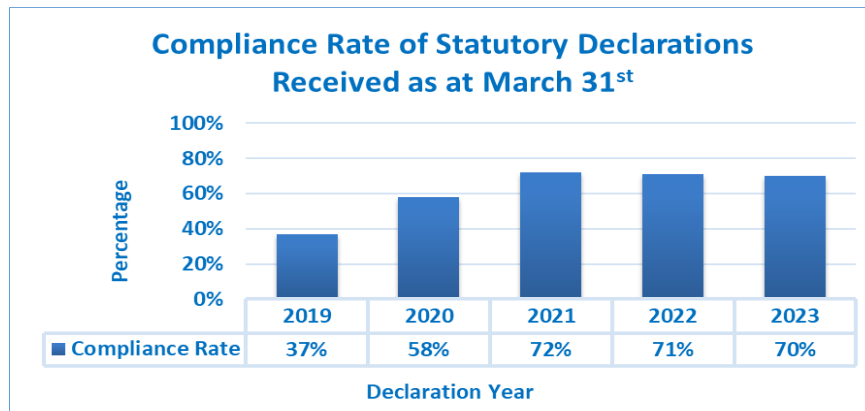
Note: Three (3) declarants that were served Discharge of Liability Notices with respect to non-compliance regarding the submission of outstanding statutory declaration(s) or request for information, but did not pay the Fixed Penalty Fine of Two Hundred and Fifty Thousand Dollars (\$250,000.00), were referred for prosecution. This, notwithstanding their submission of the outstanding statutory declaration(s) or the requested information. These matters are first referred to the Director of Investigation for the undertaking of certain investigative actions, prior to being forwarded to the Director of Corruption Prosecution.

Statutory Declarations - Compliance

Current Reporting Period
As at March 31st, 2024



Five Year Comparison



The Table below summarizes the Compliance rates for each declaration period from December 31, 2019 through to December 31, 2023:

Statutory Declaration Period Ended	Number of Declarants required to file Statutory Declarations	Number of Statutory Declarations received as at the relevant declaration deadline March 31 st , each year	Compliance Rate
December 31, 2019	39,919	13,498	37%
December 31, 2020	40,449	23,532	58%
December 31, 2021	40,347	29,207	72%
December 31, 2022	44,348	31,535	71%
December 31, 2023	22,523	15,849	70%

The Integrity Commission received fifteen thousand, six hundred and eighty-six (15,686) fewer Statutory Declarations as at March 31, 2024, than in March 2023. The decrease was anticipated, given the forty-nine percent (49%) reduction in the number of public officials required to file Statutory Declarations when compared to the amount required for the prior period. The Integrity Commission requested and received legislative approval for the increase in the prescribed income threshold for filing a Statutory Declaration, from Three Million, Five Hundred Thousand Dollars (J\$3,500,000.00) to Twelve Million Dollars (J\$12,000,000.00). The Information and Complaints Division, however, noted a 1% reduction in the compliance rate when compared to the prior period.

At the time of preparing this report, the Division received 17,595 (78%) of the Statutory Declarations that were required for the period ended December 31, 2023.

Pursuant to the Integrity Commission Act, 2017, the Commission hereby advises that electronic mail (e-mail) is not an acceptable modality for the submission of a Statutory Declaration. The accepted modalities are stated in the revised Third Schedule of the Act.

INTEGRITY COMMISSION

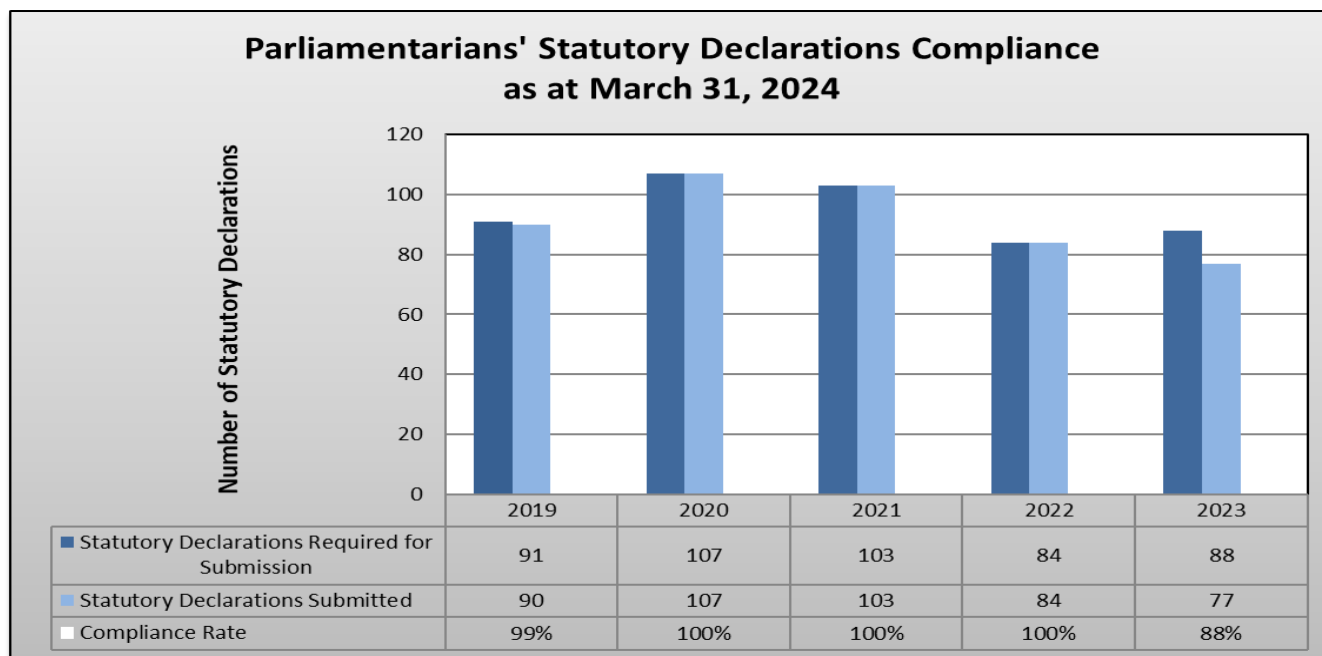
The Division will commence its Zero Tolerance initiative in the first quarter of the financial year 2024/2025, and all Declarants with outstanding Statutory Declaration(s) will be referred for prosecution.

Parliamentarians

Seventy-seven (77) of the eighty-eight (88) Parliamentarians who were required to file a Statutory Declaration, submitted their Statutory Declaration on or before the applicable deadline date, August 31, 2023 and March 31, 2024¹. Following the deadline date, ten (10) Parliamentarians submitted their Statutory Declarations, and one (1) remained outstanding. The table below details the 2023 submissions received from the respective groups:

Declarants	Declaration Date	Deadline for Submission	Number of Statutory Declarations Due for the year 2023	Statutory Declarations Submitted as at the Deadline Date	Late Submissions	Outstanding Statutory Declarations
New Members of the Senate	May 12, 2023	August 31, 2023	2	2	0	0
Members of Parliament	December 31, 2023	March 31, 2024	63	55	7	1
Members of the Senate	December 31, 2023	March 31, 2024	21	19	2	0
Former Members of the Senate	December 31, 2023	March 31, 2024	2	1	1	0
Total Statutory Declarations			88	77	10	1

The Graph below shows Parliamentarians' compliance for the years 2019, 2020, 2021, 2022 and 2023 as at March 31, 2024:



¹ The 2023 Statutory Declaration deadline date was observed as April 2, 2024, as a result of March 31st, being on the Weekend before a Public Holiday.

Public Officials

The Division received twenty-two thousand, nine hundred and sixty-six (22,966) Statutory Declarations for varied declaration periods, during the period April 1, 2023 to March 31, 2024. The foregoing is fourteen thousand two hundred and sixty-nine (14,269) fewer than the thirty-seven thousand, two hundred and thirty-five (37,235) Statutory Declarations received during the previous period. The decrease was occasioned by the change in the prescribed total annual emoluments threshold, which required twenty-one thousand, eight hundred and twenty-five (21,825) fewer declarants to file a Statutory Declaration as at December 31, 2023.

The table below shows the number of Statutory Declarations received during April 1, 2023 to March 31, 2024:

Number of Statutory Declarations Received during the period April 1, 2023 to March 31, 2024

Statutory Declaration Period Ended	Number of Statutory Declarations Received as at March 31, 2023	Number of Statutory Declarations Received as at March 31, 2024	Number of Statutory Declarations Received during 2023/2024
December 31, 2003-2017	258,137	258,198	61
December 31, 2018	22,378	22,655	277
December 31, 2019	24,045	24,602	557
December 31, 2020	31,631	32,187	556
December 31, 2021	32,998	33,811	813
December 31 2022	31,535	36,388	4,853
December 31, 2023		15,849	15,849
Total Statutory Declarations received for the period 2023/2024			22,966

The continuous submission of outstanding Statutory Declarations can be attributed to the Commission's sustained stakeholder engagement initiatives, notifications sent to the Heads of Entities detailing compliance levels, issuing of Statutory and Discharge of Liability Notices, as well as the prosecution of non-compliant Declarants.

Overall Compliance Rates

The Division continues to experience steady growth over prior years' compliance rates for the submission of Statutory Declarations. The table below summarizes the compliance rates for the declaration submission periods ended March 31, 2022, March 31, 2023 and March 31, 2024:

Statutory Declaration Period Ended	Number of Statutory Declarations Received as at March 31, 2022	Number of Statutory Declarations Received as at March 31, 2023	Number of Statutory Declarations Received as at March 31, 2024	Number of Statutory Declarations Expected	Compliance Rate as at March 31, 2022	Compliance Rate as at March 31, 2023	Compliance Rate as at March 31, 2024
December 31, 2018	22,011	22,378	22,655	35,000	63%	64%	65%
December 31, 2019	23,409	24,045	24,602	36,919	63%	65%	67%
December 31, 2020	30,943	31,631	32,187	40,449	76%	78%	80%
December 31, 2021	29,207	32,998	33,811	40,347	72%	82%	84%
December 31, 2022	-	31,535	36,388	44,348	-	71%	82%
December 31, 2023	-	-	15,849	22,523			70%

INTEGRITY COMMISSION

Compliance rates, though modest, reflect an increase for all prior periods. The number of Statutory Declarations received for the period ended December 31, 2023, as at the deadline date April 2, 2024, reflects a one percent (1%) reduction when compared to the prior year 2022. An eleven percent (11%) increase was noted for the period ended December 31, 2022, which brought the compliance rate for that period to eighty-two percent (82%), and the highest compliance rate achieved since the Commission has been in operation is eighty-four percent (84%) for the period ended December 31, 2021.

Compliance Rates for Senior and other Public Officials

The compliance rate for Public Officials in varied leadership categories is detailed in the table below:

Public Official Category	Estimated Number of Statutory Declarations required for the period ended December 31, 2023	Statutory Declarations Received as at March 31, 2024	Compliance Rate as at March 31, 2023	Compliance Rate as at March 31, 2024.
Judiciary Officers	110	88	77%	80%
Councillors	214	159	72%	74%
Permanent Secretaries	18	17	94%	94%
Head of Entities	172	150	85%	87%
Other Public Officials	21,921	15,358	71%	70%

The above table demonstrates improvement in the compliance rates of public officials in leadership. The leadership category has again demonstrated the commitment to comply with the requirement of the Integrity Commission Act, 2017.

Data Entry Project

The Data Entry Project was implemented in 2020 to digitise Statutory Declaration information to support the Electronic Declaration System (eDS); which will improve the processes for the receipt and management of Statutory Declarations.

The Data Entry Project continued with the assumption that the Data Entry Officers would have been entering details from the Statutory Declaration Forms consistently throughout the year and the eDS would have been launched in the last quarter of 2023 to facilitate the submission of statutory declarations electronically for the 2023 Statutory Declarations Intake. However, both variables did not materialize as the scheduled launch for eDS was postponed due to legal issues concerning the requirement for a Justice of the Peace to witness the declarant's signature on the Statutory Declaration Form (Third Schedule of the Integrity Commission Act); and the human resource for the Data Entry Project was reallocated to facilitate the reorganization of the Statutory Declarations Registry as well as to assist with the 2023 Statutory Declaration Intake process.

The table overleaf details the progress of the Project:

INTEGRITY COMMISSION

Posting of Details from Statutory Declarations (Data Entry Project)

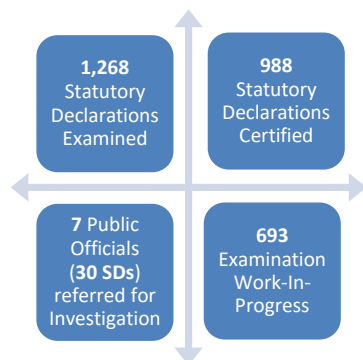
Number of Statutory Declarations Posted for the period April 1, 2023 to March 31, 2024	Number of Statutory Declarations Posted as at March 31, 2024	Number of Statutory Declarations Postings Outstanding as at March 31, 2024
36,882	121,000	42,848

During the Financial Year 2022/2023, a policy decision was taken to focus only on entering data for statutory declarations since the establishment of the Integrity Commission. Therefore, data entry continued with the new Policy directive, for the financial years 2018/2019 through to 2023/2024. The Division also commenced the reorganization of the Registry which entails the establishment of individual Declarant's file. This reorganization of the Statutory Declaration Registry will make the task of scanning of statutory declarations and their supporting documents more structured and efficient.

The Project, in its current form, is slated to end in December 2024. The Project contributed significantly to decreasing the data entry backlog for statutory declarations and the reorganization of the Statutory Declaration Registry. Of the approximately one hundred and sixty-five thousand, four hundred and ninety-two (165,492) statutory declarations which were received for the periods ended December 31, 2018 to December 31, 2023, one hundred and twenty-one thousand (121,000) or seventy-three percent (73%) have been entered on eDS to-date. The creation of files for declarants is approximately twenty-four thousand five hundred (24,500) of seventy thousand (70,000) or thirty-five percent (35%), complete.

Statutory Declarations (SDs) - Examination

**Current Reporting Period
As at March 31st, 2024**



Matrix of Statutory Declaration Outcomes: 2018/2019 – 2023/2024

Category	Number of Statutory Declarations Received	Number of Statutory Declarations Examined	Number of Statutory Declarations Certified	Number of Public Officials Referred for Investigation	Examination Work-In-Progress
Parliamentarians	549	374	231	13	67
Councillors	1,149	72	45	3	38
Senior Public Officials	1,050	109	79	8	26
Other Public Officials	162,744	1,769	1,426	35	562
Total	165,492	2,324	1,781	59 (293 SDs)	693

Examination and Certification of Statutory Declarations

During the reporting period, the Commission examined one thousand, two hundred and sixty-eight (1,268) Statutory Declarations, one hundred and twenty-five percent (125%) more than the previous period. The Commission also certified nine hundred and eighty-eight (988) of those Statutory Declarations, one hundred and twenty-five percent (125%) more than the previous period.

The table below details the Declaration periods for which examinations and certifications were undertaken:

Statutory Declarations Examined and Certified during 2023/2024	Parliamentarians		Public Officials	
	Examined	Certified	Examined	Certified
2018	17	7	190	147
2019	22	13	228	179
2020	40	24	238	196
2021	46	32	238	191
2022	51	34	186	153
2023	2	2	10	10
Total Statutory Declarations	178	112	1,090	876

The process for the Examination of Statutory Declarations is time-consuming, highly intensive and analytical. The process includes the review of Statutory Declarations submitted by the Declarant, and the request for information to complete the Examination (an iterative process). This iterative process can sometimes take several months, since in most instances, the information required emanates from institutions, over which the Declarant has no control. Further, the Commission remains considerate of the exigencies which may be experienced by Public Officials, that at times occasion several requests for extension. The process also includes other actions, such as the request for information by the Integrity Commission from multiple third-party entities, both local and overseas, to enable independent verification of relevant information. Upon receipt of the requisite information from Declarants and third-party entities, as well as the conclusion of other actions, a rigorous analysis is conducted and then a recommendation is made to the Commissioners for certification or investigation.

INTEGRITY COMMISSION

The Director of Information and Complaints, pursuant to Section 42(1) of the Integrity Commission Act, 2017, is required to examine or caused to be examined all statutory declarations filed with the Commission in order to ensure that they comply with the requirements of the Act. Further, the Integrity Commission, at the request of the Integrity Commission Oversight Committee of Parliament, was required to develop strategies to reduce the backlog of statutory declarations to be examined. Currently, there are approximately one hundred and sixty-three thousand, one hundred and sixty-eight (163,168) statutory declarations for the periods ended December 31, 2018 to December 31, 2023, to be examined.

The Information and Complaints Division will be seeking to significantly reduce the backlog of statutory declarations to be examined over the next three (3) years. The scope of the backlog is not anticipated to be a constant for the Division and will depend on the uptake of electronic submissions, once the Electronic Declaration System is launched for utilization by Declarants. Accordingly, the support of the Data Entry Team to reduce the number of examinations to a level that can be efficiently managed by the Division, is prudent.

In the foregoing regard, the scope of work of the Data Entry Team will be revamped by the Director, to provide support for the examination of statutory declarations, by focusing primarily on the document management aspect of Examinations, so that the Declarations Verification Officers can focus on analysis using the Electronic Declaration Systems and the Financial Analysis software.

Matrix of Statutory Declarations' Examination and Outcomes

The table below provides details of the Matrix of Statutory Declarations Examination and Outcomes during the period April 1, 2018 to March 31, 2024:

DECLARANT CATEGORIES	Number of Statutory Declarations Received	Number of Statutory Declaration Examined	Number of Statutory Declarations Certified	Number of Public Officials referred to the Director of Corruption Prosecution for failure to provide Information	Number of Public Officials referred to the Director of Investigation for Illicit Enrichment and/or False Information	Number of Work-In-Progress Examination
MEMBERS OF PARLIAMENT	416	278	168	9	13	35
MEMBERS OF THE SENATE	133	96	63	1	-	32
COUNCILLORS	1149	72	45	7	2	38
PERMANENT SECRETARIES	115	28	20	2	1	3
HEADS OF ENTITIES	935	108	71	1	5	23
OTHER PUBLIC OFFICIALS	162,744	1,706	1,414	4	40	562
TOTAL	165,492	2,288	1,781	24	61²	693

² Some Public Officials were referred for multiple Statutory Declaration periods, a total of two hundred and seventy-nine (279) Statutory Declarations.

INTEGRITY COMMISSION

Given the concerns raised above by the Integrity Commission Oversight Committee about the pace of the Examination of Statutory Declarations received from Declarants, the Commission will be implementing the following additional strategies during the Financial Year 2024/2025, to improve Examination output:

1. Commence the registration of Declarants for their utilization of the Electronic Declaration System (eDS);
2. Utilise the eDS for the Declarants' uploading and submission of supporting documents; and
3. Develop and implement a Data Analytics System to Profile Declarants, for ease of Examinations.

It is anticipated that if these strategies are implemented, together with the repurposing of the staff of the Data Entry Project, much greater efficiencies will be achieved.

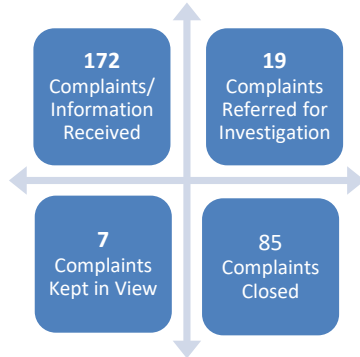
The Commission also embarked on an initiative in September 2023, to examine the Statutory Declarations submitted by all Parliamentarians (Members of Parliament and the Senate) for the declaration periods ended December 31, 2018 through to December 31, 2022, in the first instance. Statutory Declarations for the period ended December 31, 2023, will follow during the Financial Year 2024/2025.

During the implementation of the initiative, the Commission experienced significant delays in completing the Examinations given the multiple extensions requested by some Parliamentarians. The Commission granted the several extensions, given the volume of supporting documents requested, as a result of the five (5) year period.

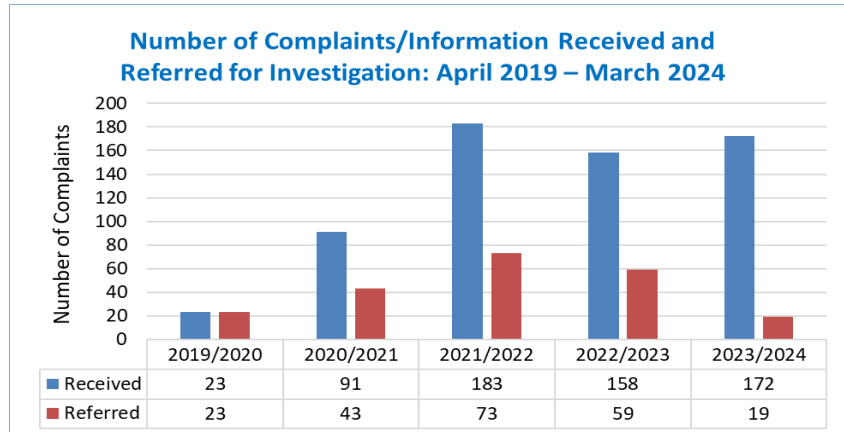
Notwithstanding, the Commission has now completed the Examination of three hundred and seventy-four (374) of the five hundred and forty-nine (549) Statutory Declarations received from Parliamentarians, as at December 31st, 2023, representing sixty-eight percent (68%). The Commission is optimistic that all Statutory Declarations submitted for the periods ended December 31, 2022 and December 31st, 2023, by the Parliamentarian group, will be completed by March 2025 so as to obviate the need to request explanations pertaining to declarations of several years earlier.

Complaints Management

Current Reporting Period As at March 31st, 2024



Five Year Comparison



For the period under review, one hundred and seventy-two (172) complaints and information were received or identified for Assessment by the Division. These came through various media such as: the Integrity Commission's web portal, Information Gathering Framework, letters, via telephone calls, emails and walk-ins.

The complaints and information received, assessed and referred by the Division during April 1, 2023 to March 31, 2024, are detailed in the table below:

Description of Information	Complaints/ Information Received	Number of Referrals	Number of Closure	Number of Matters in Keep-In- View Status	Number of Matters in Work- In-Progress Status
Complaints	129	16	63	6	67
Director's Discretion	43	3	22	1	34
Total	172	19	85	7	101

The average time taken to process a complaint is dependent on the information presented to the Integrity Commission. Information received is sometimes vague and necessitates further verification to validate its authenticity, in order to determine the required steps and actions necessary to resolve such matters.

On average, the process of receiving, logging, acknowledging, assessing and referring a complaint can take approximately five (5) to twenty (20) business days. However, there are others that have exceeded the established timelines due to their complexity and the level of research required.

INTEGRITY COMMISSION

Categories of Complaints Received by the Integrity Commission

The number of Complaints/Information received for the period was one hundred and seventy-two (172). However, the nature of some matters falls within more than one category, as shown in the table below.

Categories of Complaints	Number
Corruption/Fraud	41
Irregularity/Impropriety	63
Conflict of Interest	30
Contract/Procurement Breach	29
License/Permit	5
Other	62

Referrals

Following the assessment of complaints and information, and upon the approval by the Director of Information and Complaints, the matters are referred to the Director of Investigation for action pursuant to Section 38(1)(d) of the Integrity Commission Act, 2017.

For the period under review, nineteen (19) matters were referred to the Director of Investigation, eighty-five (85) matters were closed³ and seven (7) matters are being kept-in-view.

³ These matters include those not in the Integrity Commission's jurisdiction, instances where there is insufficient information, and the assessment concluded that such allegation was inaccurate.

Protected Disclosures

	Number of Public Bodies that submitted Protected Disclosures Procedural Guidelines	Number of Protected Disclosures Received by Public Sector Entities	Number of Protected Disclosures Received by the Integrity Commission
2021/2022	16 [9%]	1	4
2022/2023	149 [81%]	6	7
2023/2024	169 [94%]	11	20

The Information and Complaints Division focused on the operationalisation of the Protected Disclosures Act, 2011. The Protected Disclosures Work Programme was approved by the Information and Complaints Committee in 2021 and implementation continued during the period April 1, 2023 to March 31, 2024.

The Work Programme includes: the establishment and staffing of a Protected Disclosure Section, Internal Capacity Building and finalisation of the Protected Disclosure Process, Engagement with Prescribed Persons, Publication of the Protected Disclosures Procedural Guidelines Gazette, Requisition of Public Bodies to submit draft Protected Disclosures Procedural Guidelines, Development of a Technology Platform, Capacity Building for Designated Officers, Public Education Campaign, and Monitoring and Reporting.

1. On November 13, 2023, the Ministry of Finance and the Public Service approved the reclassification and retitling of positions within the established Complaints and Protected Disclosures Unit. As at March 31, 2024, the Unit's staff complement was seven (7) of the eight (8) employees approved on the Organizational Structure.
2. One hundred and ninety-seven (197) Public Bodies were requisitioned to prepare their Protected Disclosures Procedural Guidelines (PDPG) in accordance with the Act. Of the 197 Public Bodies, only 180 are required to submit PDPG. As at March 31, 2024, a total of one hundred and sixty-nine (169) Public Bodies submitted their draft PDPGs. The Integrity Commission has approved the PDPGs for one hundred and forty-three (143) Public Bodies⁴.
3. The Integrity Commission acquired a Complaints and Protected Disclosures Management System (CPDMS) to manage the Complaints and Protected Disclosures processes. The public will be sensitized on the utilization of the CPDMS through the Complaints and Protected Disclosures Public Relations Campaign, during the financial year 2024/2025.

⁴ The Protected Disclosures Annual Report for the period January 1, 2023 to December 31, 2023, will be submitted to the Minister of Justice prior to June 30, 2024, which will provide more details regarding the operations of the Designated Authority.

INTEGRITY COMMISSION

4. The training of Designated Officers within the Public Sector commenced as scheduled on April 17, 2023. The Management Institute for National Development (MIND) facilitated the training of five (5) cohorts of one hundred and sixteen (116) Designated Officers during the year 2023/2024. A total of one hundred and thirteen (113) Designated Officers successfully completed the training and were eligible for certification. The next Protected Disclosures Act – Designated Officer Training will be scheduled in the new financial year 2024/2025, as MIND will include the course in its Programmes' List for 2024. There are approximately two hundred and seventeen (217) Designated Officers to be trained.
5. The Division facilitated a total of one hundred and thirty-three (133) Protected Disclosure Engagements, which include twenty-six (26) with Senior Management of Public Bodies, one hundred and five (105) Sensitisation sessions were held with the general staff of Public Bodies and two (2) with Private Sector Entities.
6. A Public Relations Campaign was initiated in March 2023 and three (3) Billboards were strategically placed in Half way Tree, on Washington Boulevard and in Sam Sharpe Square, Montego Bay. Under this Initiative, other public education programmes will be launched to raise awareness of the Protected Disclosures Act, 2011.
7. One hundred and seventeen (117) Public Bodies have commenced the operationalisation of their Protected Disclosures Procedural Guidelines, pursuant to the Protected Disclosures Act. These Public Bodies have submitted their Monthly Reports in keeping with the requirement of the Protected Disclosures Act, 2011.

Protected Disclosure Annual Report for the period January 1, 2022 to December 31, 2022

On June 30, 2023, the Integrity Commission submitted the Protected Disclosures Annual Report to the Minister of Justice, for the period January 1, 2022 to December 31, 2022. As at the date of preparing this Report, the previous report has not been tabled in the House of Representative and the Senate, pursuant to Section 21(5) of the Protected Disclosures Act, 2011.

Protected Disclosures Received by the Designated Authority

For the period under review, twenty (20) Disclosures were received by the Division, and seven (7) Protected Disclosures matters were carried forward from the previous period. Nine (9) of these Disclosures were reviewed and assessed; of which six (6) matters were closed, and three (3) were referred to the Director of Investigation. Therefore, eighteen (18) matters are work-in-progress.

Information and Complaints Division Major Initiatives and the Way Forward

Electronic Declaration System (eDS)

It was anticipated that the Electronic Declaration System (eDS) would have been launched in time for the 2023 Statutory Declaration Intake. However, the launch was postponed due to legal issues concerning the requirement of a Justice of the Peace to witness the signature of the declarant on the Statutory Declaration Form (Third Schedule of the Integrity Commission Act). The Commission has written to the Office of the Prime Minister to seek advice from the Solicitor General regarding the Interpretation of a provision in the Electronic Transactions Act. Once same is received, it is hoped that the Commission will be able to launch the System for the 2024 Statutory Declaration Intake period.

Upon full implementation of the eDS, it is anticipated that the Division will achieve significant efficiencies and improvement with respect to the following:

1. The turnaround time for the Examination and Analysis of Statutory Declarations;
2. Compliance Rate for the Filing of Statutory Declarations;
3. The process for the identification of non-compliant Declarants;
4. Electronic Storage and security of Statutory Declaration Information; and
5. The use of automated means to communicate with Declarants.

Regulations – Amendment to the Third Schedule of the Integrity Commission Act, 2017

Section 64 of the Integrity Commission Act, 2017, states, *inter alia*, that the Commission may make regulations to amend the Third Schedule, for which “...*Regulations made... shall be subject to affirmative resolution*”

The primary objective of preparing the draft regulations to the Third Schedule is to strengthen the Commission's analysis process, clarify certain ambiguous sections and to incorporate feedback received from Declarants over the years.

The Third Schedule was amended in 2020 to provide for the electronic submission of statutory declarations by Public Officials (Declarants).

The Third Schedule is the Commission's primary data collection tool which aids with the determination of a Declarant's Net Worth; to ensure that all increases in asset holdings and/or reduction(s) in liabilities are sufficiently supported by the public official's legitimate income.

The legitimacy of the assets, liabilities and income declared by Declarants must be validated by the Commission's research and Third-Party verification processes, in the first instance, to ensure that there is no concealment.

In effect, the true and complete disclosures made by Declarants, coupled with the Commission's research and Third-Party verifications, will inform its analysis and consequent findings.

Succinctly put, the Commission seeks to ensure that there is no Illicit Enrichment, prior to certifying a Statutory Declaration.

Some of the recommended inclusions are: disclosure of other financial assets such as cryptocurrency and digital currency, financial statements for any company which the declarant is a beneficial owner, cost of property

improvements, trust property and blind trusts, Government contracts or subcontracts, Board memberships, and whether the declarant is a politically exposed person.

By way of letter, dated August 25, 2021, the Office of the Prime Minister wrote to the Integrity Commission advising that the Regulations regarding the Third Schedule of the Integrity Commission Act have been reviewed by the Integrity Commission Parliamentary Oversight Committee. The Commission was invited to a Parliamentary Oversight Committee Meeting on October 14, 2021, to provide clarification on the changes made in the amendment of the Third Schedule.

The Chair of the Integrity Commission Parliamentary Oversight Committee advised that a meeting would be convened in early 2022. However, as at the date of this Report, no communication has been received regarding the date of a meeting.

Revision of Total Annual Emoluments – Requirement to File a Statutory Declaration

On December 20, 2023, by virtue of the Jamaica Gazette Supplement, the Integrity Commission (Total Annual Emoluments Exempt from Statutory Declaration Requirements) Order, 2023, was cited as affirmed by the Prime Minister, Andrew Holness, on December 18, 2023, that *“Twelve million dollars is the amount hereby prescribed for the purposes of section 39(2) of the Act shall not apply to a public official who is in receipt of total annual emoluments of less than twelve million dollars, and section 39(2) of the Act shall be read and construed accordingly.”*

Partnership and Relationship Building

Partnership and Relationship Building remains at the core of every activity undertaken by the Information and Complaints Division. The Division continued its effort through engagements with Public Bodies and other key stakeholders during the period April 1, 2023 to March 31, 2024. The Division facilitated a total of one hundred and thirty-three (133) Protected Disclosures Engagements, which includes twenty-six (26) with Senior Management of Public Bodies, one hundred and five (105) Sensitisation sessions with the general staff of Public Bodies and two (2) with Private Sector Entities. Eight (8) Statutory Declaration presentations were delivered to specific target groups within the Public Sector.

Assessment of Declarants' Compliance

The Division continued its 100% Compliance Initiative embarked upon in 2021, by assessing the compliance of Declarants employed to approximately one hundred and ninety (190) Public Bodies. A multi-faceted approach was utilized to encourage compliance during the reporting period. Where possible, Public Officials were notified of their obligation to file prior to the statutory deadline, Public Bodies were notified of the collective performance of public officials assigned to their organizations, and non-compliant declarants were advised of outstanding obligations through emails.

The foregoing contributed to an average two percent (2%) increase in the compliance rates for the periods ended December 31, 2019, December 31, 2020 and December 31, 2021. An eleven percent (11%) increase was observed for the period ended December 31, 2022. During the reporting period, nineteen (19) Statutory Notices and fifty-eight (58) Discharge of Liability Notices were served to Declarants with outstanding Statutory Declaration(s). The Division will continue this initiative until full compliance is achieved.

2023 Gazette - Positions and functions required to file a Statutory Declaration

As a result of the increase in the prescribed total annual emoluments threshold for the requirement to file Statutory Declarations, some established positions and functions within Public Bodies were reviewed and selected for inclusion in the list of positions and/or functions required to file statutory declarations, notwithstanding the increase in the prescribed annual emoluments amount.

The Division has commenced the development of a risk-based framework which is being informed by a consultative process with Public Bodies and other key stakeholders. The consultation is geared towards determining the positions and functions within the Public Sector to be included in the 2024 Gazette of position/functions to file statutory declarations.

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Chapter 6 - Investigation Division

INVESTIGATION DIVISION DASHBOARD⁵

Investigation Arm - Units: CPCI/ DFI/ FAAU

Current Reporting Period 2023/2024

Current Reporting Period



29
Complaints/Referrals
Received

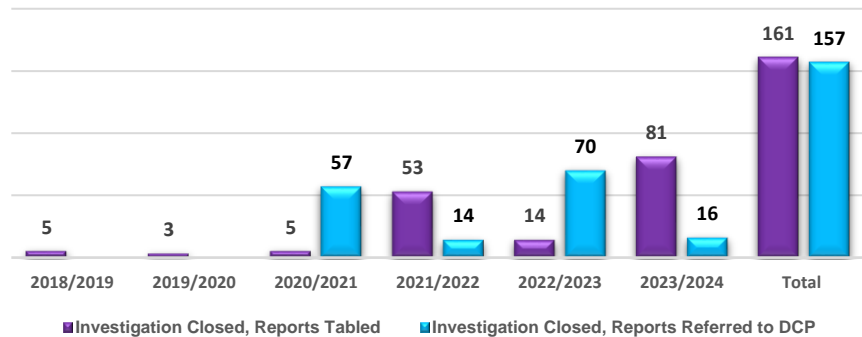
81 Investigations
Closed, Reports
Tabled

38 Cases Closed on
Preliminary Enquiries

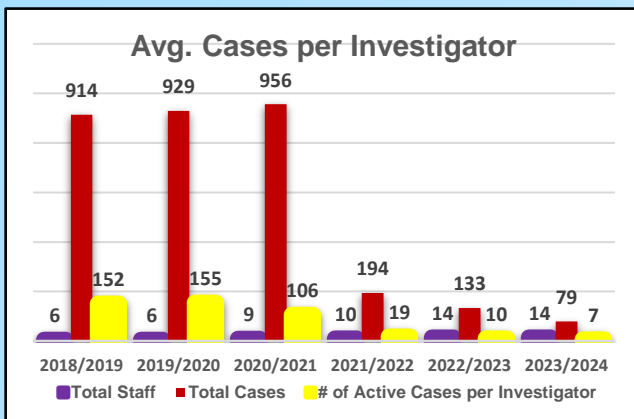
Investigation Arm – Six Year Comparison



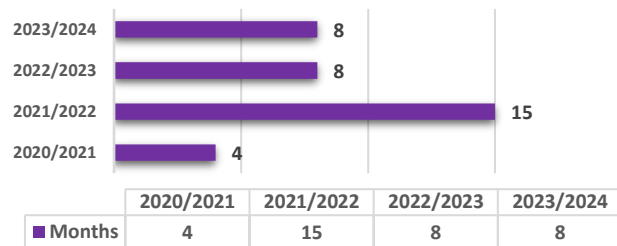
Completion of Complaints & Referrals, 2018-2024



Investigation Arm – Six Year Comparison



Turnaround Time for Non-Legacy Cases Commencing May 2020 & Beyond (In Months)



⁵ Investigation Arm – CPCI- Contract, Procurement and Corruption Investigations; FAAU - Forensic Audit &Accounting Unit; DFI -Declarations and Financial Investigations, IWM- Intelligence & Witness Management

In calculating the average cases per Investigator for the 2023/2024 period, 2 new Investigators who joined in March 2024, were not included. These persons were not assigned any cases for the referenced period due to onboarding.

INVESTIGATION DIVISION DASHBOARD⁶

Monitoring Arm - Units: CMU/ LADA

Contracts/Projects Monitored

Reporting Period – 2023/2024

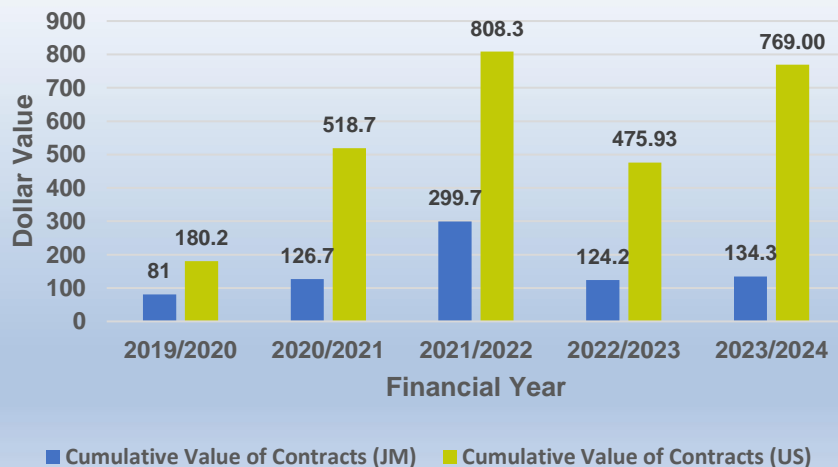
Five Year Comparative Chart



Total Contracts/Projects Monitored

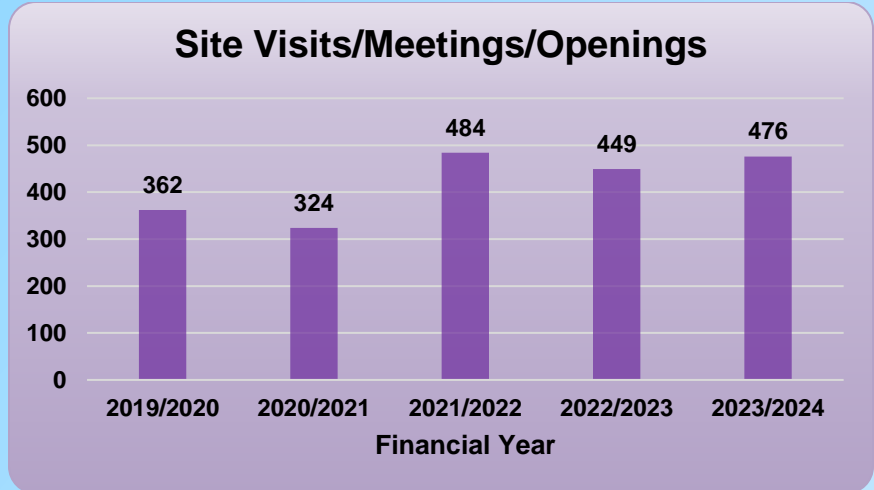


Total Value of Contracts Being Monitored

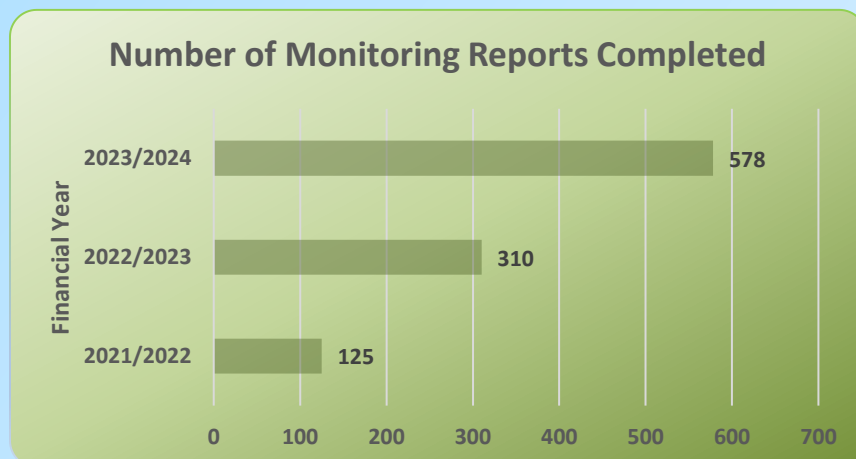
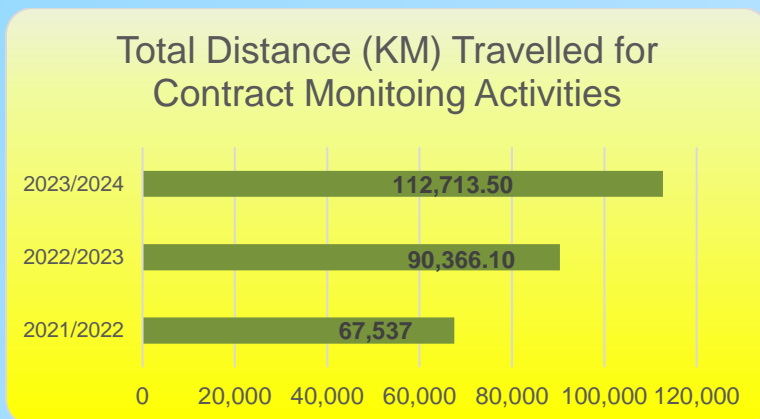


⁶ Investigation Arm – CPCI- Contract, Procurement and Corruption Investigations; FAAU - Forensic Audit &Accounting Unit; DFI -Declarations and Financial Investigations, IWM- Intelligence & Witness Management
the 2023/2024 period included 2 new Investigators that joined in March 2024. These persons were not assigned any cases for the financial period due to onboarding. They were not calculated in the average. *

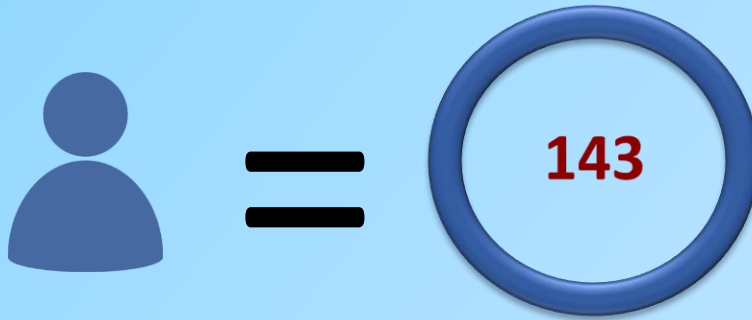
*Avg. Cases Per Investigator for



Three Year Comparative Chart



Ratio of Cases to Inspector

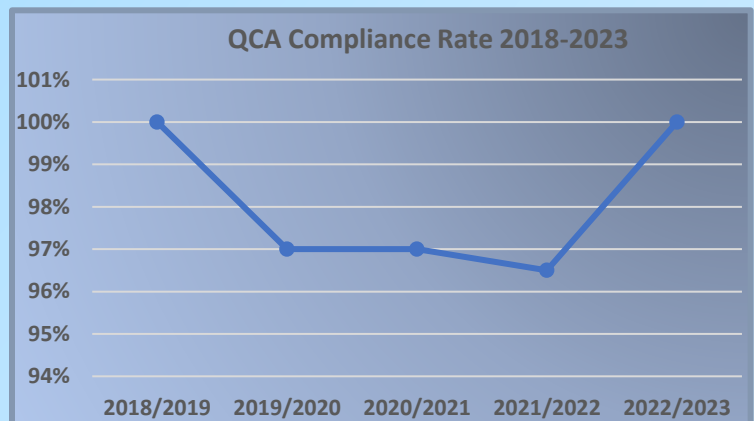


Quarterly Contracts Award Report - Compliance

Reporting Period 2023/2024



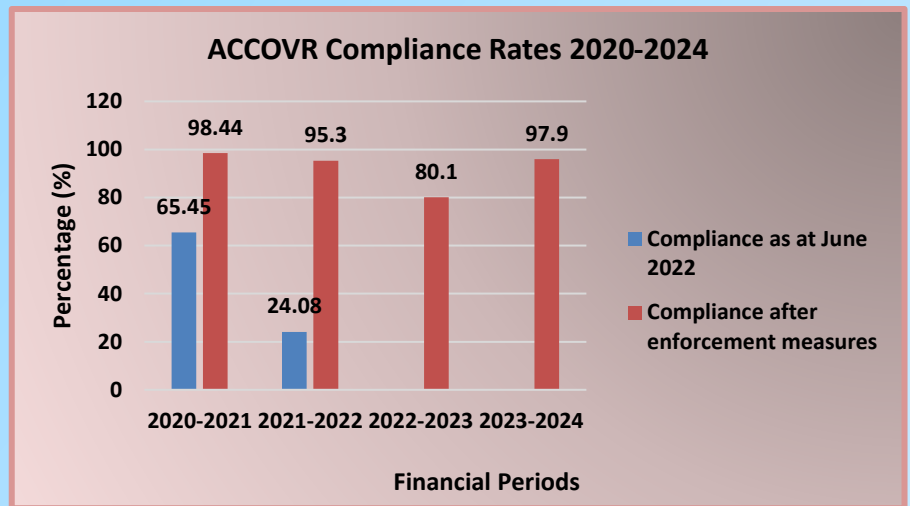
Five Year Comparative Chart



Annual Contract Cost Overrun and Variation Report - Compliance

Reporting Period 2023/2024

Three Year Comparative Chart



Activities undertaken during the reporting period

- Launch of new monitoring initiative in respect of Less Competitive Procurement Methodologies.
- Launch of the Enforcement Programme for the ACCOVR and QCAR7.
- Launch of Prescribed Licensing Database and Monitoring Programme.

Constraints

- Units which are yet to achieve the full staff complement as per the approved structure.
- Delays in case completion due to resistance from Public Officials.
- Reluctance of witnesses to participate in the investigation process due to fear.

Going Forward

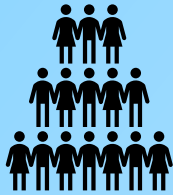
- Reduction in turnaround time in complex and less complex cases to under 14 months and 12 months, respectively.
- Launch of online platform in respect to Land and other Asset Divestment/Acquisition.

⁷ ACCOVR – Annual Contracts Cost Overruns and Variations Report, QCAR – Quarterly Contract Award Report

⁸

Human Resource Capacity

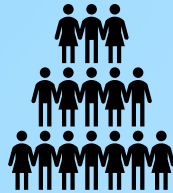
Overall Human Resource



65%

(37/57 Staff Members)

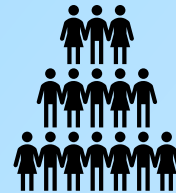
Investigation Arm Human Resource



54%

**(22 Staff
Members)**

Monitoring Arm Human Resource



80%

**(15 Staff
Members)**

⁸ Overall Human Resource - Percentage of the Division's establishment

STATISTICAL PERFORMANCE – MATTERS INVESTIGATED

Contract, Procurement & Corruption Investigation (CPCI) Unit

During the 2023/2024 financial year, a total of twenty (20) complaints were advanced for investigation. Nineteen (19) of these investigations were by way of referrals from the Information and Complaints Division, and the other investigation was initiated by the Director of Investigation. The matters related to, inter alia, (a) allegations of impropriety and irregularity in the award of GOJ contracts, (b) allegations of conflict of interest and nepotism in the award and implementation of Government of Jamaica (GoJ) contracts, (c) allegations of corruption and breaches of the Corruption Prevention Act, (d) allegations of abuse and misuse of public funds, (e) breaches in the approval process in relation to Building Permits by the Municipal Corporations (f) breaches of the GoJ procurement procedures, the Public Bodies Management and Accountability Act and the Financial Administration and Audit Act and other Financial Irregularities in the implementation and administration of GOJ contracts by Public Bodies; (f) allegations of conflicts of interest, and corruption involving Directors of Public Boards; (g) allegations of corruption in the award of GOJ contracts and grant of prescribed licences, and impropriety in the management and governance of Public Bodies.

Of the Twenty (20) complaints referred for investigation by the unit, fourteen (14) matters were pursued. All cases being pursued are ongoing and are at varying stages of the investigation process, pursuant to Section 33 of the Integrity Commission Act.

Including the aforementioned cases referred for the period under review, twenty-nine (29) cases were closed in accordance with Section 47, of the Integrity Commission Act, six (6) cases were tabled in the Houses of Parliament (refer to *'Table 1 – Particulars of Reports Tabled over the Reporting Period'*), two (2) cases were terminated after being investigated, five (5) cases were referred internally for monitoring by the monitoring arm of the Investigation Division and; one (1) case was referred externally to a Competent Authority, due to the subject matter being outside the Commission's remit.

Overall, at the end of the 2023/2024 financial year, a total of forty-three (43) matters were closed. A breakdown of the closed matters is provided below:

Completed/Closed Matters Over the Period 2023/2024	
Matters Tabled in Parliament	6
Matters Closed on preliminary enquiries	29
Matters Referred to Competent Agencies	1
Matters Terminated	2
Matters Referred Internally	5
Total Completed Matters Over the Period	43

TABLE 1 - PARTICULARS OF REPORTS TABLED OVER THE REPORTING PERIOD.

No.	Investigation	Commencement Date	Date Investigation was Completed	Date of Tabling in House of House of Representatives ⁹
1.	Report of Investigation Conducted into the Circumstances Surrounding Procurement Activities Undertaken in the Renovation of the Spanish Town High School	November 27, 2014	April 20, 2023	May 02, 2023
2.	Report of Investigation - Concerning the Allegations of Impropropriety, Irregularities and Conflict of Interest at the Factories Corporation of Jamaica Limited (FCJ)	2016	May 12, 2023	May 30, 2023
3.	Report of Investigation - Concerning Allegations of Conflict of Interest and Breaches of Government of Jamaica Staff Orders and or Germane Policies at the Bureau of Standards Jamaica	June 10, 2022	January 27, 2023	May 31, 2023
4.	Report of Investigation - Concerning Allegations of Conflict of Interest, Corruption and Irregularities in Relation to the Acquisition of Shares in FirstRock Capital Holdings Limited, by the Airport Authority of Jamaica (AAJ) and the Norman Manley International Airport Limited (NMIAL)	July 1, 2021	May 24, 2023	June 30, 2023 ^{*10}
5.	Report of Investigation - Concerning Allegations of Irregularities in the Approval Processes which led to the Construction of a Residential Development Located at #11 Charlemont Drive, Kingston 6	September 5, 2022	September 29, 2023	October 10, 2023
6.	Report of Investigation- Concerning Allegations of Impropropriety and Irregularities in Relation to the Unknown Whereabouts of Certain Government of Jamaica Motor Vehicles belonging to the MTM	February 10, 2022	January 5, 2024	February 6, 2024

⁹ Reflects the date on which the report was tabled in the House of Representative.

¹⁰ Report was re-submitted to Parliament after initial tabling date.

Figure 1 below shows the time taken to complete cases which were tabled in the Houses of Parliament for the current financial year (2023/2024).

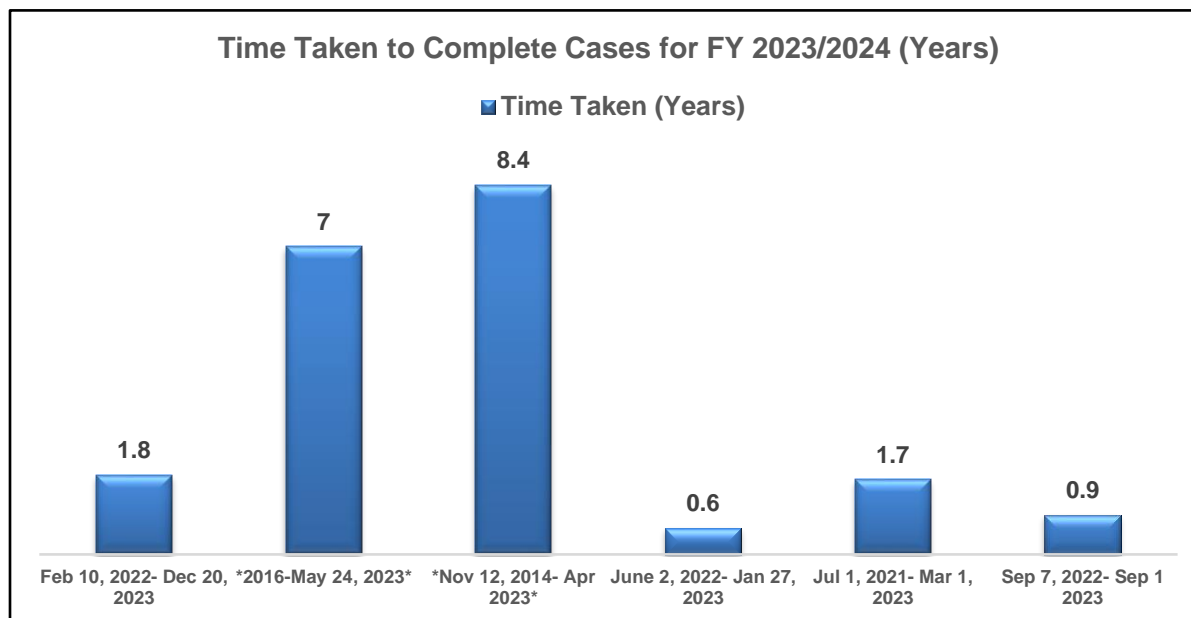


Figure 1: Time taken to complete cases.

***Cases represented with an asterisk in the chart above are legacy cases. ***

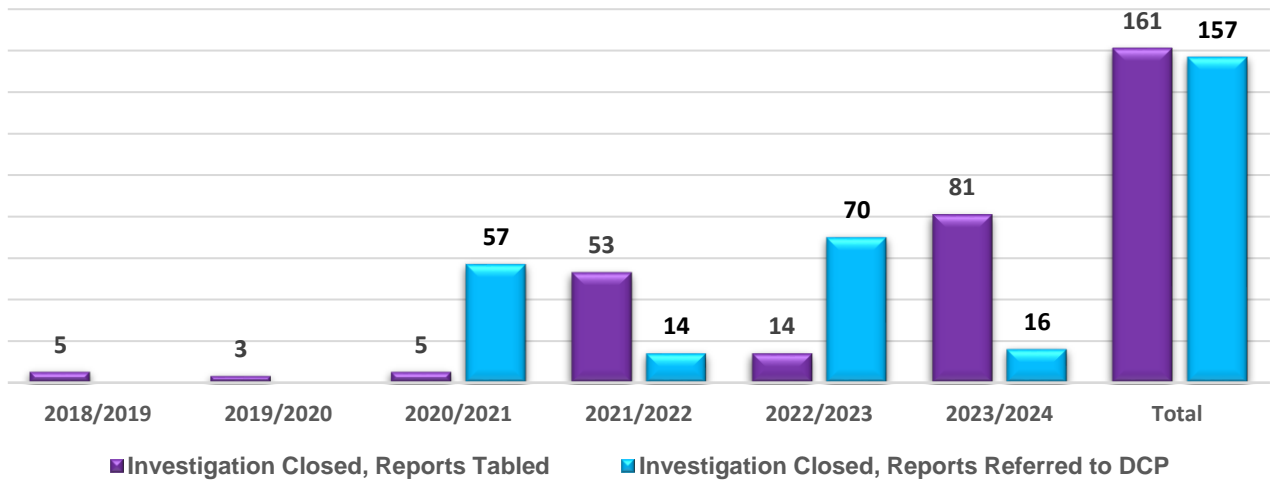
Historical Comparison of Cases Investigated for the Period April 2018 – March 2024

Since the inception of the Integrity Commission, the Contract, Procurement & Corruption Investigation Unit received 246 complaints. Of this number, 155 cases were pursued. Of the cases enquired into, 148 or 95% were completed. The table below provides a breakdown of the cases over the period April 2018 – March 2024.

Table Showing CPCI Case Status Over a Certain Period

Cases	Legacy Cases	2018/2019	2019/2020	2020/2021	2021/2022	2022/2023	2023/2024	Total
Complaints Received	20	8	23	43	73	59	20	246
Complaints Pursued	20	7	3	24	41	46	14	155
Matters Referred to DCP (included in the number of Reports tabled)				6	4	2	0	12
Referred Internally	0	0	0	0	3	5	5	13
Referred Externally	0	0	0	0	1	6	1	8
Closed on Preliminary Enquiries (not pursued)	0	0	0	0	1	52	29	82

Completion of Complaints & Referrals, 2018-2024



Historical Comparison of Cases Investigated for the Period April 2018 – March 2024

Since the establishment of the Integrity Commission, the Investigation Division has completed and tabled over 160 reports. Additionally, more than 150 cases have been referred to the Director of Corruption Prosecution. A breakdown is provided in the table and graph below:

***See Appendix 1 for days taken to complete the investigation of complaints and referrals.**

Status/Disposal of Complaints and Referrals

Cases	Legacy Cases	2018/2019	2019/2020	2020/2021	2021/2022	2022/2023	2023/2024	Total
Investigation Closed, Reports Tabled	0	5	3	5	53	14	81	161
Investigation Closed, Reports Referred to DCP	0	0	0	57	14	70	16	157

Declarations and Financial Investigations Unit

The Declarations and Financial Investigations Unit, inter alia, conducts investigations pursuant to Section 43 of the Integrity Commission Act and Section 14 of the Corruption Prevention Act, into the Statutory Declarations filed by public officials. These investigations include matters of non-compliance such as Failure to File Statutory Declarations, or Failure to Comply with a Request for Information, Making a False Statement in a Statutory Declaration and Illicit Enrichment allegations.

At the end of FY 2022/23, the Unit had a total of seventy-four (74) open investigations. In FY 2023/24, the number of open investigations stood at fifty-five (55). Over the last six years from FY 2018/19 to 2023/24, a total of one hundred and forty-five (145) cases have been referred to the Director of Corruption Prosecution (DCP) by the Unit. Specifically, in FY 2023/24, sixteen (16) new matters were referred to the DCP after investigation.

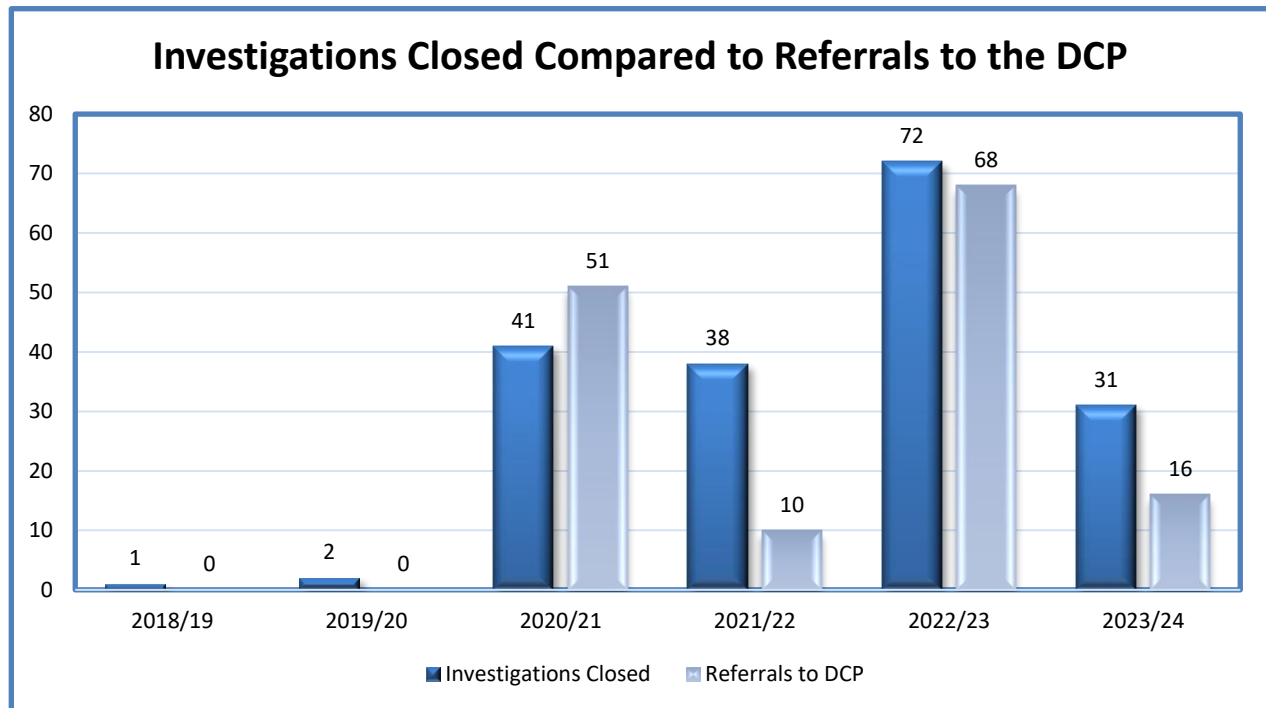
The tables and figures below portray the particulars of the Declarations and Financial Investigations Unit portfolio over the period 2018 - 2023:

Declarations and Financial Investigations 2018 - 2024							
	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	Totals
Total Investigations/ Referrals received	906	906	913	121	74	55	2975
Investigations Closed	1	2	41	38	72	31	185
Average Days to Complete Investigations	2244	1851	756	2404	329	391	1329
Matters Closed on Preliminary Enquiry				847	2	9	858
Matters Referred to DCP	0	0	51	10	68	16	145

In FY 2023/24, the Unit closed thirty-one (31) investigations, with six (6) cases being completed within six months. Additionally, the average time taken for cases referred to the DCP during the FY 2023/24 was 419 days.

Over the last six years, the Unit has tabled a total of one hundred and sixteen (116) investigation reports in both Houses of Parliament, with seventy-five (75) reports being tabled in FY 2023/24 alone.

DFI unit Investigations Conducted and the Cases referred to the DCP:



In 2023/24, almost half (16 out of 31) of the unit's closed investigations resulted in referrals to the Director of Corruption Prosecution.

CONTRACT MONITORING UNIT

The Contract Monitoring Unit is one of the key components of the Investigation Division and is responsible for the monitoring of the award, implementation and termination of Government Contracts. The Unit is comprised of two (2) sub-units, namely, (i) the Construction Contracts Inspectorate (CCI) sub-unit and (ii) the Non-Construction Contracts Inspectorate (NCCI) sub-unit. Overall, the Unit currently has a complement of one (1) Manager, four (4) Senior Inspectors and six (6) Inspectors. However, at full capacity the Unit will include three (3) additional Inspectors, bringing the total number of staff members in the Unit to thirteen (13).

On the whole, government contracts are awarded on merit and are completed within time and budget. Value for money is also more often than not, achieved. Notwithstanding, there are instances where, *inter alia*, poor procurement planning, faulty preparation of bidding documents, poor contractor performance and a lack of vigilance on the part of procuring entities in the project management phase, result in cost overruns, delays and value for money not being achieved. In these instances, the Director of Investigation (DI) brings this to the attention of the concerned procuring entities, encouraging them to implement remedial steps, this is usually done by way of advice, caution and/or warning.

As it relates to contractor performance, the DI notes a general reluctance on the part of public bodies to engage the raft of remedies available to them for breach of contract, particular liquidated damages. This reluctance contributes significantly to inefficiencies and loss to the public purse. The existence of this state of affairs makes it all the more important for a national strategy to be implemented to ensure that only contractors who perform well benefit from government contracts. Such a strategy however, requires a joined-up approach, involving all stakeholders and the tearing down of information silos and other barriers.

The issue of conflict of interest continues to bedevil public procurement in Jamaica. Ways must be found to standardise the approach to appropriately treat with this malady. The mishandling of conflicts of interest often corrupts what would otherwise be a legitimate process/undertaking.

The activities of the respective sub-units over the reporting period are detailed below.

Monitoring of Construction Contracts

The categories of projects that are monitored include Public Infrastructure, Housing, Mechanical and Electrical contracts/projects being implemented by various Ministries, Departments and Agencies of the Government of Jamaica (GOJ) or any authorized personnel acting on behalf of the GOJ. Additionally, the unit provides advice on procurement matters to these entities.

Monitoring of a project may commence at the pre or post contract phase. Generally, it commences when GOJ entities place advertisements in the various news media, after which an Inspector is assigned to monitor the project until final completion. On average, each Inspector monitors just over one hundred and forty (140) projects.

The monitoring process includes the attendance of CCI representatives at tender openings, site meetings/visits and the compiling of monitoring reports. In circumstances where an issue is identified during the pre or post contract phase of a project, the procuring entity is engaged on the matter either verbally or by way of a formal letter in order for a resolution to be found at the earliest stage of the process, consistent with the applicable procurement and contract guidelines, policies and legislation.

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During the period April 1, 2023 to March 31, 2024, the Construction Contracts Inspectorate monitored the Pre and/or Post Contract phases for Six Hundred and Eighty-Six (686) contracts. The cumulative value of the construction contracts that were monitored was J\$112,112,215,644.83 and US\$717,096,692.99.

During the same period, the Construction Inspectors made a total of Two Hundred and Twenty-Eight (228) site visits.

The Construction Contracts Inspectors attended seventy-nine (79) site meetings and were involved in the monitoring of eight (8) Practical Completion Inspections. At the end of the reporting period, the Inspectors travelled a total of 69,535.4 kilometres for the purpose of discharging their monitoring duties island-wide.

The table below details the statistics relating to the performance and activities of the CCI for the reporting period juxtaposed with data from previous years.

Table 1: Construction Contracts Unit Key Statistics

Data April 1, 2018 – March 31, 2023					
Activity/Item	2019/2020	2020/2021	2021/2022	2022/2023	2023/2024
Number of Man hours of training/presentation delivered to Public Bodies	0	152	76	264	407
Number of monthly Construction Unit meetings held	5	12	7	9	11
Number of training programmes attended by the Construction Unit	2	4	7	9	16
Number of Construction Projects monitored	332	536	601	662	686
Number of Tender Openings attended	25	6	4	0	0
Number of Site meetings attended	115	57	99	113	79
Number of site visits attended	208	216	311	272	228
Number of Final Completion Reports	0	0	0	113	30
Number of Practical Completion inspections attended	14	3	19	9	8
Cumulative Value of Construction Contracts monitored, awarded in Jamaican Dollar (J\$)	J\$42.98 B	J\$89.65 B	J\$99.74 B	J\$91.68 B	J\$112.11 B
Cumulative Value of Construction Contracts monitored, awarded in United States Dollar (US\$)	US\$180.22 M	US\$518.72 M	US\$808.30 M	US\$620.20 M	US\$717.10 M
Total distance travelled by Inspectors	-	58,194 Km	67,537 Km	90, 689 Km	69,535.4 Km

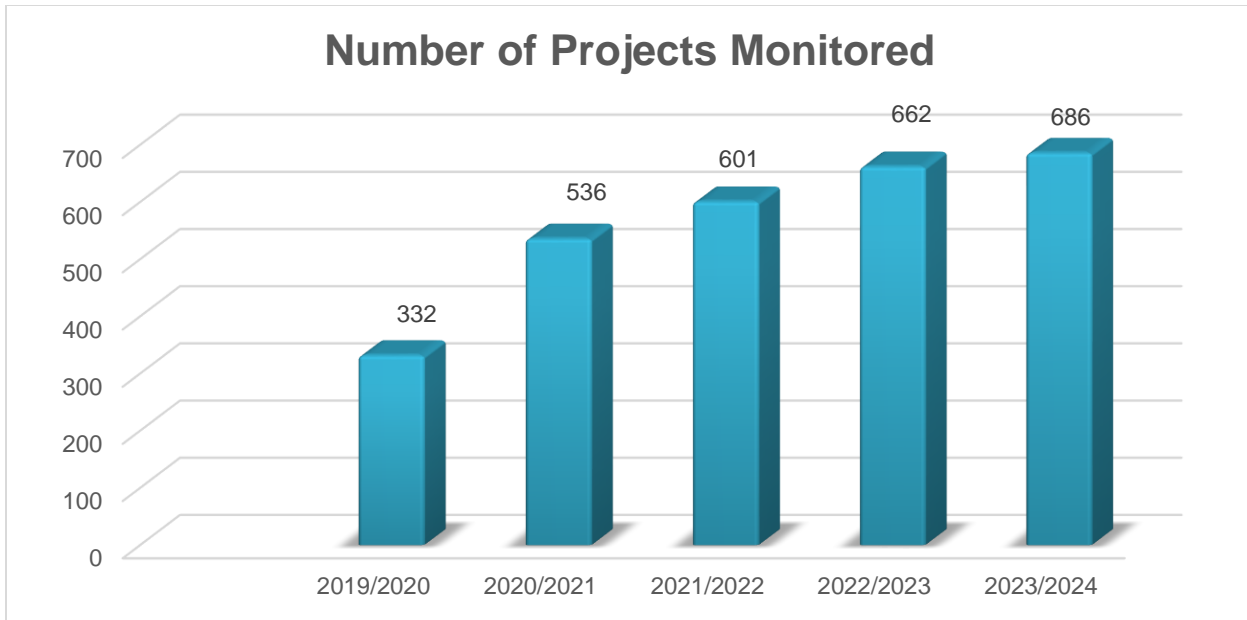


Figure 5: Number of Projects Monitored

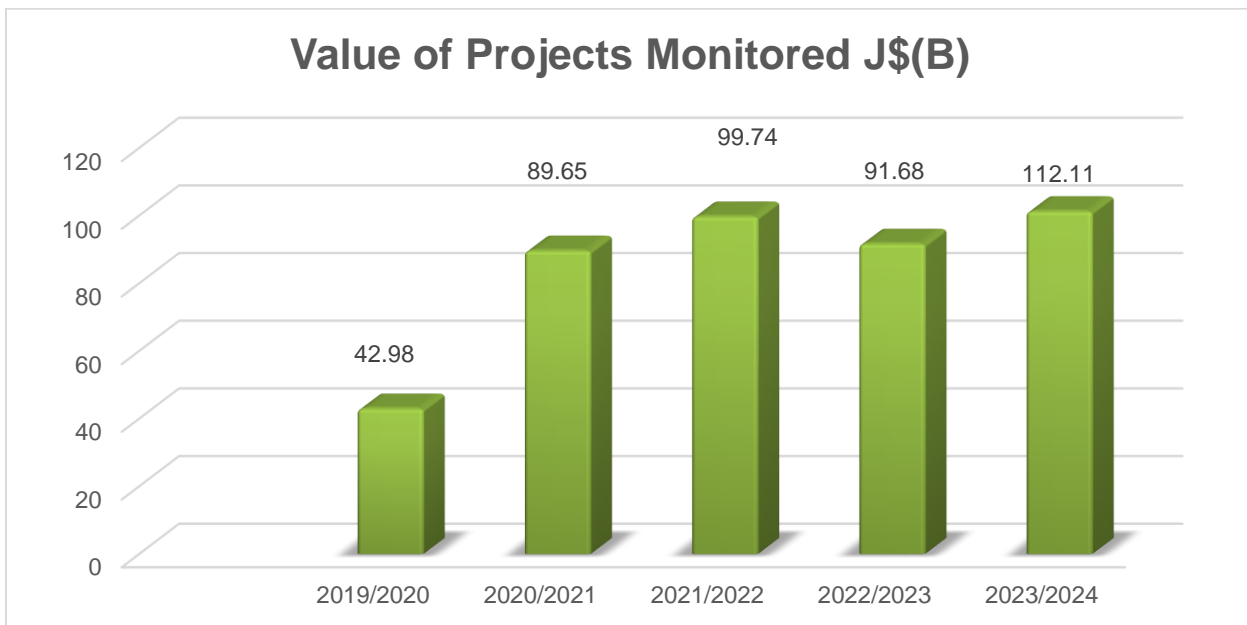


Figure 6: Value of projects monitored.

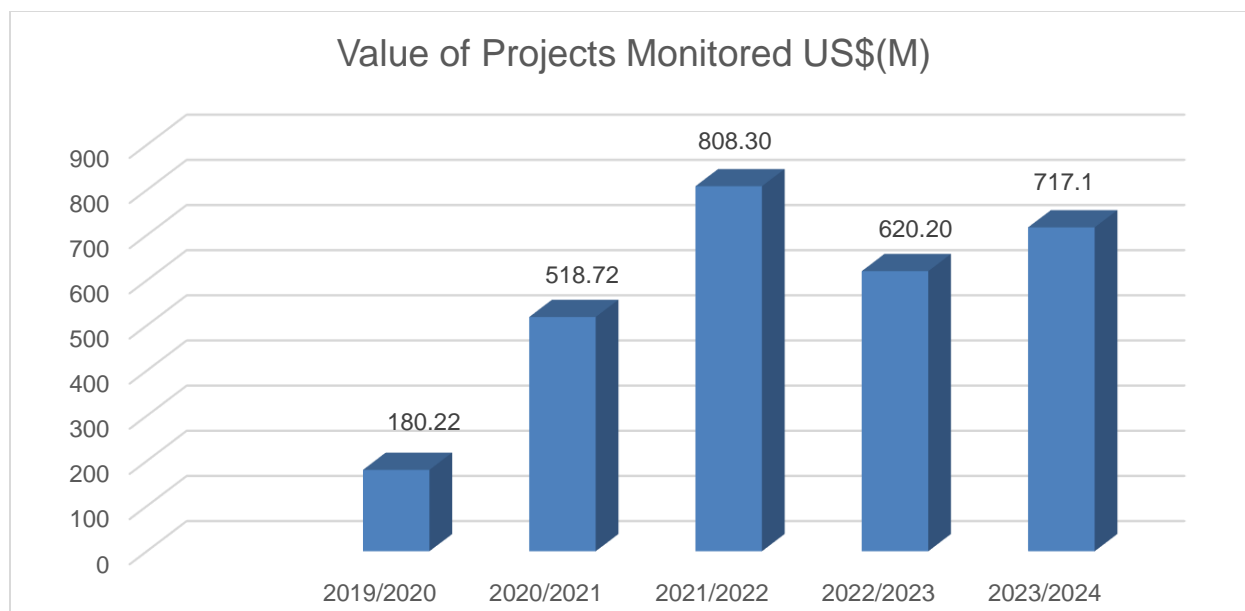


Figure 7: Value of projects monitored.

Annual Contracts Cost Overruns and Variations Report (ACCOVR)

The GOJ Handbook of Public Procurement Procedures defines a Cost Overrun as “...an increase in the contract sum resulting from escalation in the price of labour and/or material.”, while a Variation is defined as “...a change to the deliverable(s) under a contract caused by an increase or decrease in the scope of work to be performed, amount/type of goods to be supplied or services to be provided, and must be directly related to the specific contract.”

For example, pre-contract activities, if not executed efficiently by the MDAs, may lead to contract variations in the following circumstances, amongst others:

1. Late commencement of procurement process;
2. Use of incorrect procurement process/documents;
3. Selection of unsuitable bidder; and
4. Utilization of incorrect tender methodology.

ACCOVR Data

Please note that the following figures represent the raw data received from the Public Bodies as at June 21, 2024.

After the close of the 2023-2024 financial year, the Director of Investigation requisitioned one hundred and ninety-four (194) Public Bodies, of which one hundred and ninety (190) Public Bodies submitted made submissions.

The information requested was relevant to all projects of value greater than J\$500,000.00, for which monetary disbursements for Cost Overruns, Variations, and/or Any Other Price Adjustments were made during the financial period 2023-2024. In this regard, the ACCOVR data which was submitted by the Public Bodies indicated that the combined goods, works and services contracts valued approximately J\$322.60 billion. The values of cost overruns,

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variations and any other price adjustments for the financial period were approximately J\$786.77 million, J\$4.54 billion, J\$1.03 billion, respectively.

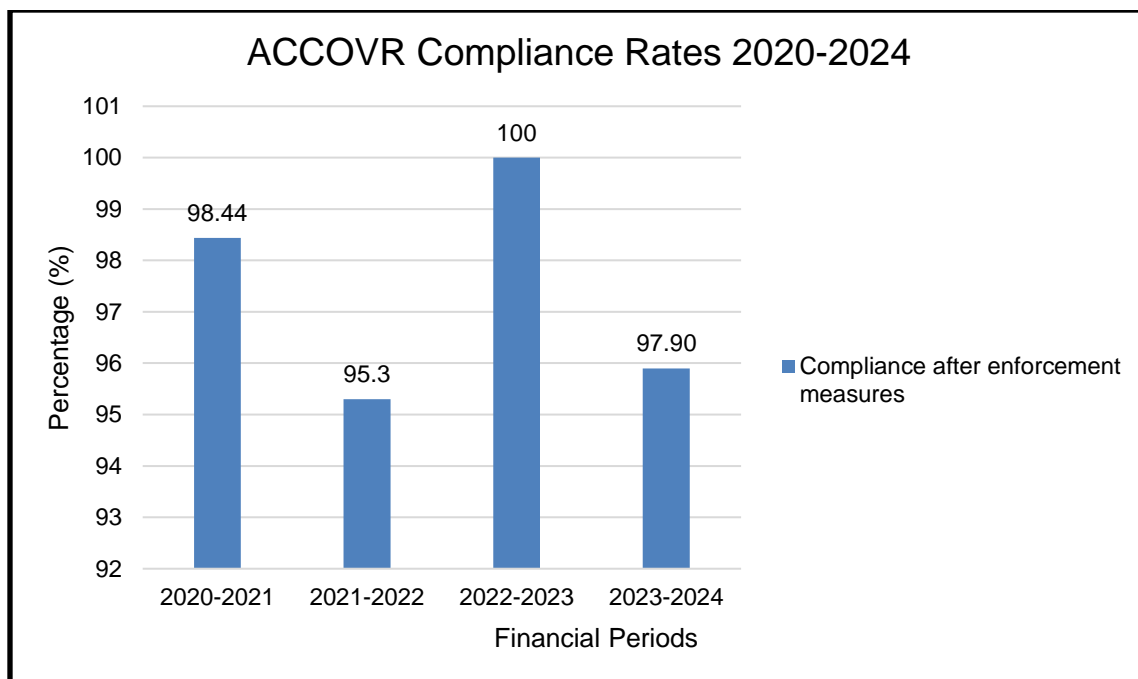
The Integrity Commission achieved a compliance rate of 97.90% for the 2023-2024 financial period, the highest for any year at first instance in the history of the Commission.

Update re ACCOVR for Financial Year 2022-2023

As at December 8, 2023, the Integrity Commission achieved a compliance rate of 100% (191 responsive Public Bodies) for the 2022-2023 financial period. It is to be noted that the compliance rate of the submission of ACCOVRs for the 2022-2023 financial period was achieved following an initiative by the Director of Investigation which involved, inter alia, reminders, warning letters and the serving of summonses to delinquent Head of Entities.

The Compliance Chart below which shows a comparison of the ACCOVR compliance rates for the periods 2020-2024 (after implementation of compliance measures for each respective period):

ACCOVR Compliance Rates 2020-2024



The data analysis below is representative of the electronic submissions received for the relevant financial period. The results of the submissions are as follows:

Contracts Cost Overruns, Variations and Any Other Price Adjustments (AOPA) for Financial Period 2023-2024

Type of Contract	Total Contract Value (J\$)	Total Value Cost Overrun (J\$)	Total Value Variation (J\$)	Total Value Any Other Price Adj. (J\$)	% Cost Overrun	% Variation	% Any Other Price Adjustment (AOPA)
Goods	251.62B	11.55M	4.06B	658.69M	0	1.61	0.26
Works	35.33B	33.64M	334.83M	-1.48M	0.10	0.89	0
Services	35.65B	741.58M	140.10M	376.24M	2.08	0.39	1.06
Goods/Works/Services	322.60B	786.77M	4.54B	1.03B	0.24	1.41	0.32

Goods contracts represent the highest value of contracts awarded, being approximately J\$251.62B or 78%, while Works was J\$35.33B or 10.95% and Services was J\$35.65B or 11.05%. The procurement of Services with 2.08% had the highest percentage of cost overruns followed by Works and Goods with 0.10% and 0% respectively. Goods contracts had the highest variations, with approximately 1.61%, followed by Works, then Goods with 0.89% and 0.39%, respectively. Services contracts had the highest percentage of price adjustments with approximately 1.06%, followed by Goods, then Works with approximately 0.26% and 0%, respectively.

During the period under review, the data indicated that Goods contracts were the highest quantity of contracts awarded and represented the highest value of contracts awarded, followed by the value of Services contracts awarded. Works contracts were the least number of contracts awarded over the period, with 10.95%.

The data also indicates that the percentage of cost overruns and variations during the period under review is between 0% to 2.08% which remains low.

List of Non-Complaint Public Bodies for 2023-2024

The following entities have not submitted their CCOV for the year 2023/2024.

MDAs	
1	Council of Community Colleges of Jamaica
2	Ministry of Justice
3	Office of Disaster Preparedness and Emergency Management (ODPEM)
4	University of Technology, Jamaica (UTECH)

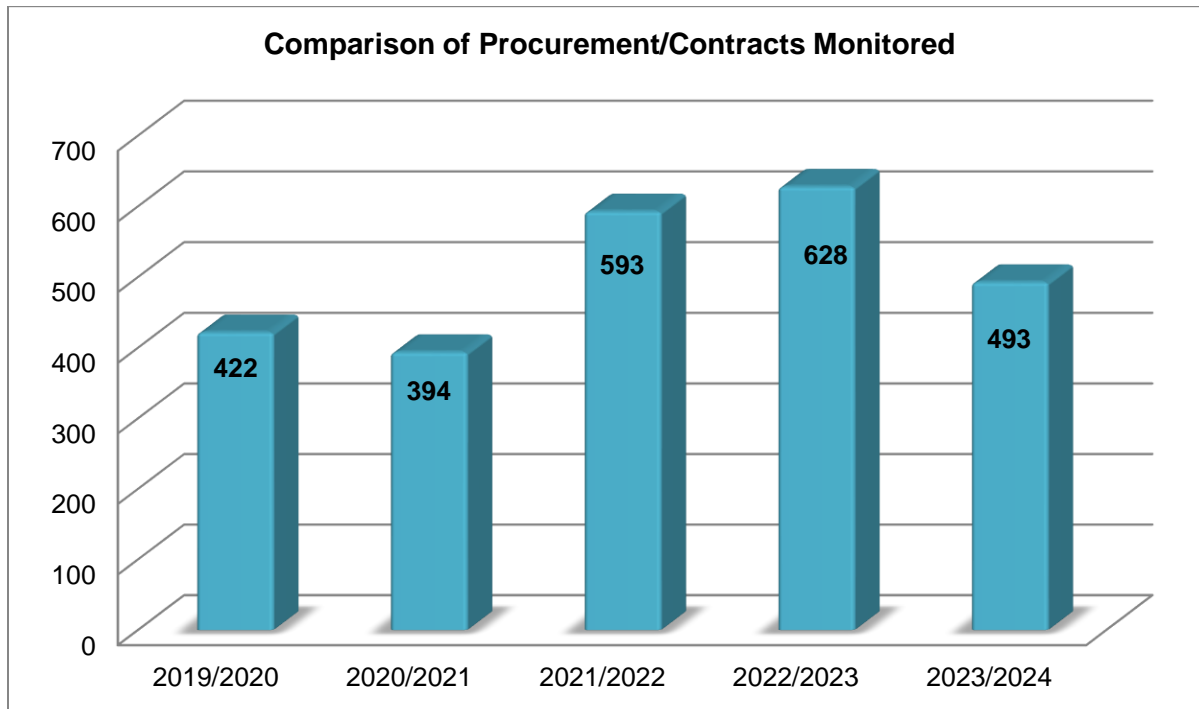
Monitoring of Non-Construction Contracts

The Non-Construction Contracts Inspectorate (NCCI), pursuant to Section 33 of the Integrity Commission Act, monitors the award, implementation and termination of Goods and Services Contracts. During the course of the NCCI's monitoring activities, Inspectors are expected to attend, where required, Pre-bid Meetings and procurement-related meetings as well as to conduct verifications of procured items.

The NCCI is further tasked with the management/monitoring of several critical portfolios and where required, provides guidance to Public Bodies with respect to the procurement process.

The structure of the NCCI allows for a complement of four (4) Inspectors, two (2) Senior Inspectors, whose role is Supervisory, an Administrative Assistant and a Manager. The NCCI, however, operated with only two (2) Inspectors and two (2) Senior Inspectors.

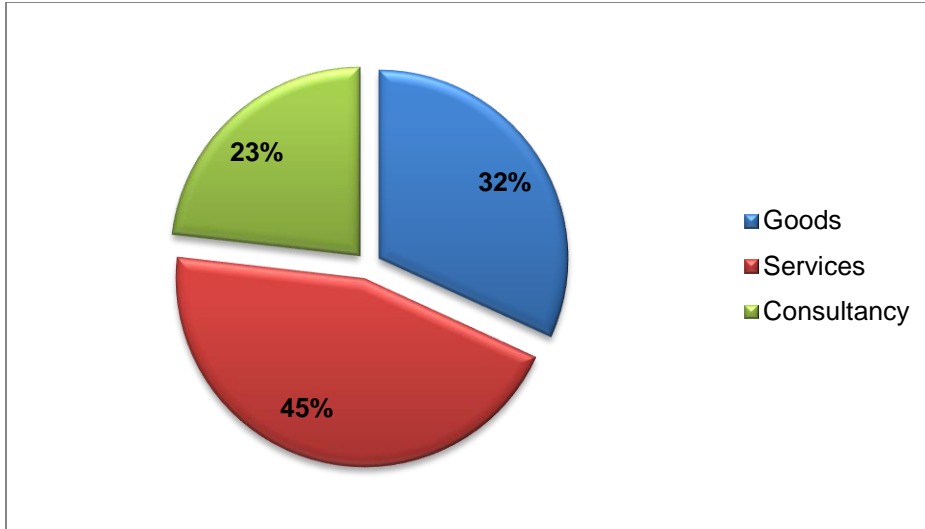
The Unit monitored Four Hundred Ninety-Three (493) procurement opportunities/contracts during the period April 1, 2023 to March 31, 2024. The estimated value of the contracts monitored, which were at varying stages of the procurement process, was approximately J\$44B.



Thirty-nine percent (39%) of the contracts monitored by the Unit were service-related, such as security services, janitorial services and maintenance contracts. The Unit monitored one hundred forty (140) 'goods' type contracts, which were comprised of, among other things, procurement of furniture, motor vehicles, information and communications technologies (ICT) equipment, etc.

Consultancy type contracts represented twenty-two percent (22%) of the projects monitored, and included consultancies related to the provision of construction-related services and Information Technology solutions.

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During the period, Inspectors within this sub-unit were assigned Eighty-Four (84) new procurement opportunities for monitoring. The remaining Four Hundred Nine (409) projects were carried forward from previous years. Eighty-eight (88) of the projects which were being monitored either concluded or were aborted during the year.

Reports Completed April 1, 2021 to March 31, 2024			
	2021/2022	2022/2023	2023/2024
Final Monitoring Reports	51	133	68
Tender Opening Reports	10	8	1
Site Visit/Meeting/Verification Reports	27	26	14

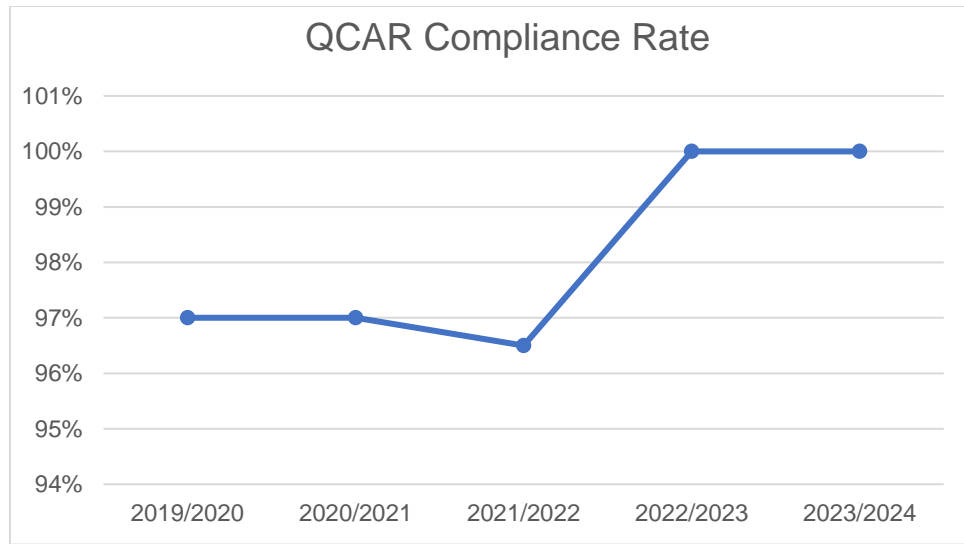
Quarterly Contract Awards Reports (QCAR)

The Director of Investigation, in keeping with the provisions of Section 51 of the Integrity Commission Act, requires Procuring Entities, on a quarterly basis, to provide the particulars of contracts awarded above Five Hundred Thousand Dollars (J\$500,000.00), within one (1) calendar month following the ending of the quarter to which they relate. Approximately one hundred and ninety-four (194) Public Bodies are required to prepare and submit Quarterly Contract Awards (QCA) Report to the Director of Investigation.

For the period April 01, 2023 to March 31, 2024, the Commission recorded an average compliance rate of 100%.

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Line Chart 1- QCAR Compliance Rate over the past 5 Years



Contract Award Data

The Commission's web portal recorded a total of **31,419** contracts awarded for the period of April 01, 2023 through to March 31, 2024.

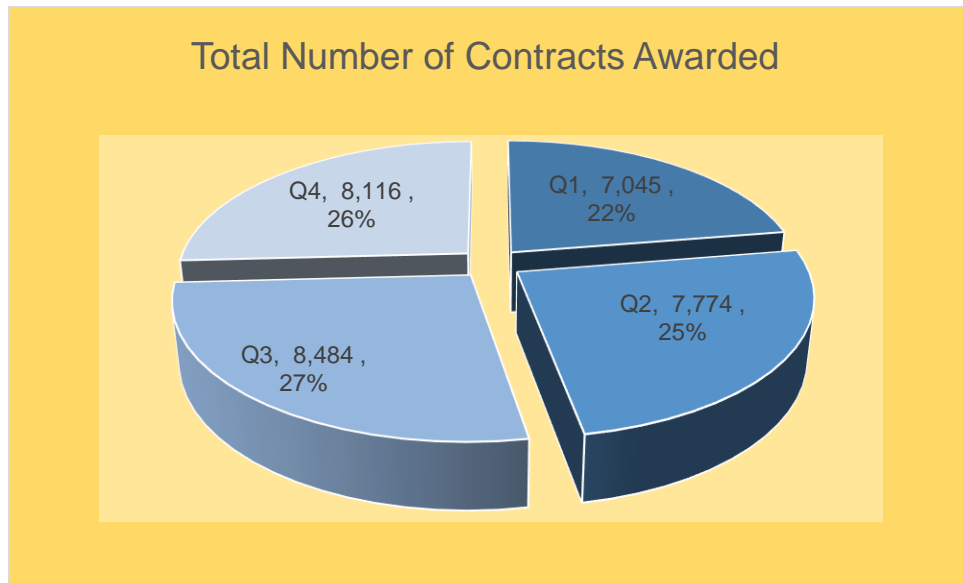
The total value of contracts awarded for the period was **\$325,388,641,395.97**. The value of contracts for Goods and Services inclusive of Consulting and Insurance Placement Services was **\$238,372,503,253.44** and **\$53,368,798,268.76**, respectively, while the value of Works contracts was **\$33,647,339,873.77**.

Summaries of the information collated are provided below:

Table 1- *Summary of Contracts Awarded*

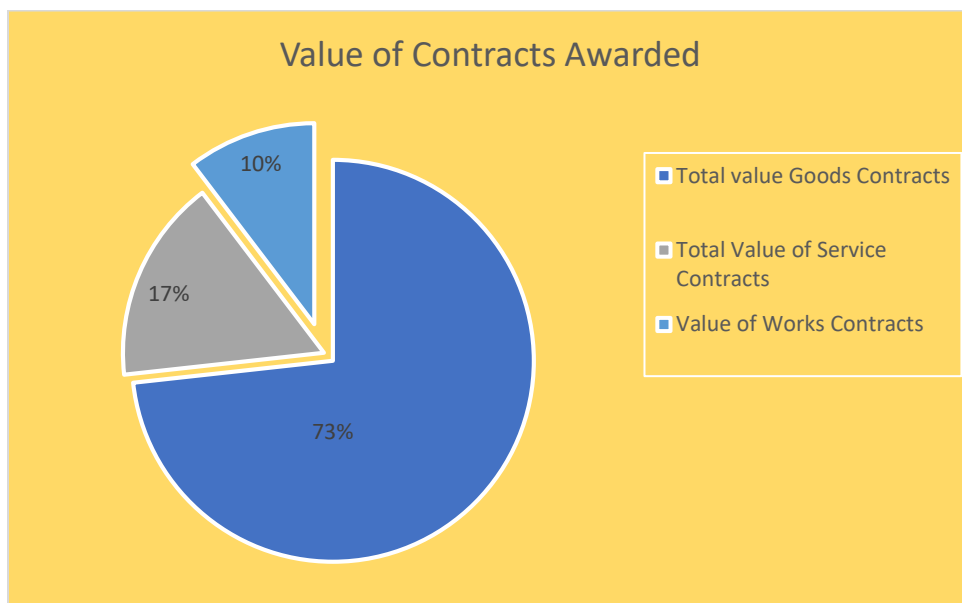
Quarter	Total # of Contracts Awarded	Total value Goods Contracts	Total Value of Service Contracts	Value of Works Contracts	Total Value of Contracts
Quarter	Total # of Contracts Awarded	Total value Goods Contracts	Total Value of Service Contracts	Value of Works Contracts	Total Value of Contracts
Q1	7,045	\$55,549,527,375.37	\$7,568,899,707.61	\$4,732,205,665.25	\$67,850,632,748.23
Q2	7,774	\$80,701,241,364.67	\$20,748,285,933.60	\$6,891,927,326.87	\$108,341,454,625.14
Q3	8,484	\$53,725,501,539.25	\$13,676,683,912.17	\$8,215,699,237.73	\$75,617,884,689.15
Q4	8,116	\$48,396,232,974.15	\$11,374,928,715.38	\$13,807,507,643.92	\$73,578,669,333.45
Total	31,419	\$238,372,503,253.44	\$53,368,798,268.76	\$33,647,339,873.77	\$325,388,641,395.97

Pie Chart 1- Total number of Contracts Awarded per Quarter



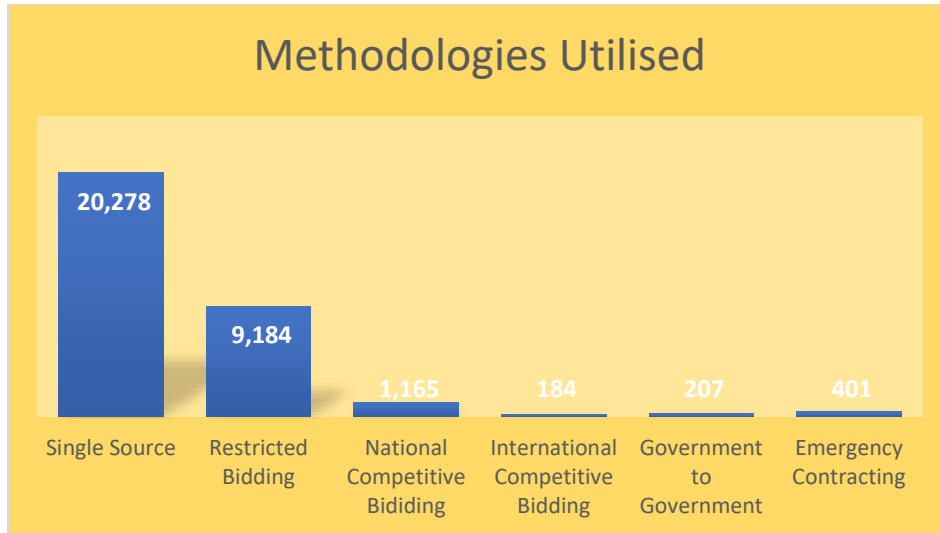
Majority of the contracts awarded during the financial year 2023/2024, were awarded during the third quarter (Q3), that is, the period between October and December 2023, and the least number of contracts awarded during the first quarter (Q1), or the period between April through June 2023 (Refer to pie chart 1). Notwithstanding, the total value of contracts awarded during the second quarter (Q2), accounted for the majority of the overall expenditure at 33% or \$108,341,454,625.14 of the total spend.

Pie Chart 2- Value of Goods, Works and Services Contracts Awarded as a Percentage of Overall Contract

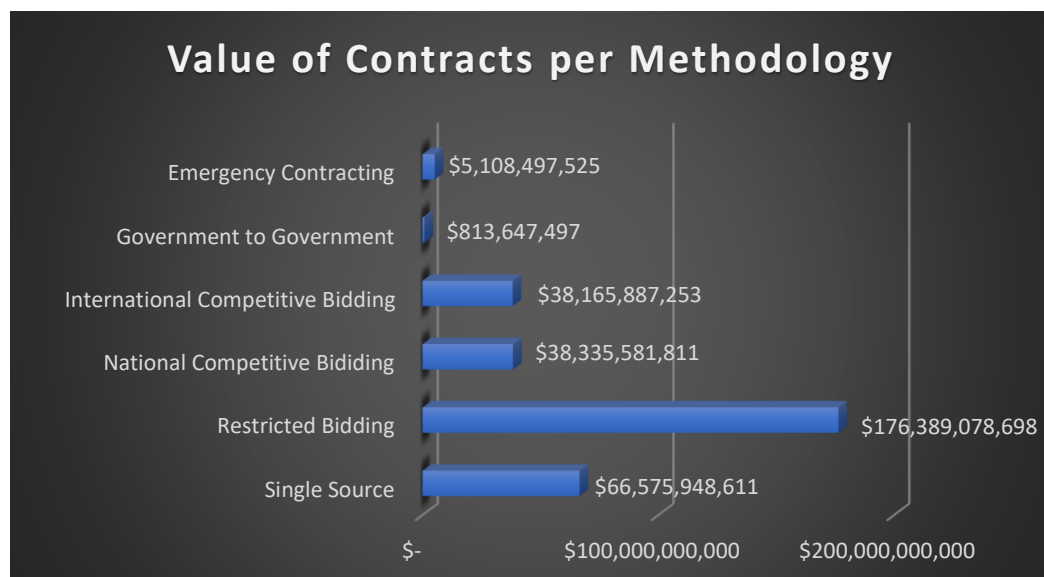


The aggregate amount spent on goods by procuring entities exceeds the value of works undertaken and the value of services acquired, combined. The value of goods contracts awarded accounted for 73% of the total value of contracts awarded or \$238,372,503,253.44 the total procurement expenditure for the financial year 2023/2024. Services acquired accounted for 16% or \$53,368,798,268.76 total procurement expenditure while infrastructural works accounted for 10% or \$33,647,339,873.77 the total procurement expenditure.

Bar Chart 1- Procurement Methodologies Utilized



Over the course of the financial year in review, the Single Source Methodology was reported as the most utilized method of engagement for procuring entities. Of the 31,419 contracts awarded, 20,278 or 65% were issued using this non-competitive procurement method of engagement whilst the most competitive bidding methodology- International Competitive Bidding, was used to award 184 contracts, less than 1% of the aggregate number of contracts awarded. Further, 401 contracts which equates to 1% of the total number of contracts awarded during the period were issued via the emergency contracting while 207 of the contracts awarded, were government to government engagements. Additionally, 4% or 1,165 contracts were awarded using the National Competitive Bidding methodology while 9,184 or 29% of contracts were reported as awarded out of a Restricted Bidding procurement process.



Notwithstanding that the number of contracts awarded using the Restricted Bidding Methodology accounted for 29% of the total number of contracts awarded during the financial year, the aggregate value of same, amounts to \$178,389,078,698 or 54% of the total value of all contracts awarded over the period. The value of the contracts awarded using the Single Source methodology amounted to \$66,575,948,611, which represent 20% of the total value of all contracts awarded. The percentile values of the contracts awarded using National Competitive Bidding, International Competitive Bidding, Government to Government and Emergency Contracting are 12%, 12%, 0.3% and 2%, respectively.

PARLIAMENTARY EXEMPTIONS

The Section 41 of the Constitution of Jamaica, provides, inter alia, that save for such circumstances in which an exemption is granted by the House of Parliament to a Member of Parliament, the seat of a Member of either house shall become vacant, if (a) the Member becomes a party to any contract with the Government of Jamaica, (b) the Member is a partner in a firm or a director or manager of a company which becomes a party to such a contract, or (c) the member becomes a partner in a firm or director or manager of a company which is itself a party to such a contract.

The Integrity Commission, in its continued effort of securing greater transparency and probity in the award and implementation of all Government contracts to Parliamentarians, requested from the Clerk of the Houses of Parliament information on the Exempted Motions which were moved and approved in respect of Parliamentarians during the financial year 2023/2024.

The following represents the three (3) Exemption Motions which were granted as advised by the Clerk of the Houses of Parliament:

1. Mr. Phillip Paulwell, Member of Parliament for Kingston East and Port Royal, July 11, 2023:

The exemption which was granted in respect of Mr. Phillip Paulwell, on July 11, 2023, recognized that the Member of Parliament for Kingston East and Port Royal, *"is the Managing Director of Cite Eco Solutions*

Company Limited, and may from time to time enter into contracts with the Government of Jamaica and its Agencies.”

2. Senator Damion Crawford, June 16, 2023:

The exemption which was granted in respect of Senator Damion Crawford, on June 16, 2023, recognized that the Senator “...*is a Businessman, who may from time to time enter into contracts with the Government of Jamaica and its Agencies.*”

3. Senator Kavan Gayle, March 27, 2024:

The exemption which was granted in respect of Senator Kavan Gayle, on March 27, 2024, recognized that the Senator “...*is a Businessman, who may from time to time enter into contracts with the Government of Jamaica and its Agencies;*”

Licence And Asset Divestment/Acquisition Unit

The Licence and Asset Divestment/Acquisition (LADA) Unit, established in July 2020, monitors the grant, revocation and suspension of prescribed licences, the divestment/acquisition of land and other assets inclusive of those divested/acquired via Public Private Partnerships.

The LADA Unit is comprised of one (1) Manager, one (1) Senior Inspector and three (3) Inspectors. There are two vacancies within the Unit, namely, Senior Inspector and Inspector.

The Table below provides a summary of the activities undertaken by the LADA Unit within the Financial Year 2022/2023:

Summary of Activities undertaken by the LADA Unit – Financial Year 2023/2024

Licence and Permits Monitoring Activity April 1, 2023 - March 31, 2024					
Activity	Licence	Land	Asset Divestment	Acquisition	Public Private Partnership
Number of Projects Monitored	214	172	20	1	9
Number of Tender Opening attended	0	8	1	-	-
Number of Site Visits	-	15	2	-	1
Number of Land Divestment Policy Framework Meetings Monitored	N/A	0 ¹¹	N/A	N/A	N/A
Number of Land Divestments Advisory Committee (LADC) Meetings monitored	N/A	8	N/A	N/A	N/A
Number of SCJ Holdings Limited Land Divestment Committee Meetings monitored	N/A	8	N/A	N/A	N/A
Number of Meetings held with Public Bodies	5	1			1

¹¹ No Meetings held during the Financial Year

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The Unit continues to make preparation for the soft launch of the Land and Asset Divestment/Acquisition database with the soft launch intended for the first half of 2024. The Asset Divestment/Acquisition and Public Private Partnership database will allow for the recording and monitoring of the divestment/acquisition of all Lands (both Crown Lands and other Government owned-lands). The system will also facilitate the bi-annual submission of Public Private Partnership contracts entered into by the Government of Jamaica.

Additionally, the unit successfully concluded the Pilot phase of which saw an average 70% compliance rate. One of the major challenges noted was the large number of licences issued by some Public Bodies and that a number of these Public Bodies already had a system that stored all their information regarding licences issued, revoked or rejected. In an effort to alleviate this issue, the Unit and the IC's Information Technology Business Process Unit undertook to develop an XML format which will support information exchange between the Prescribed Licences Information Database (PLID) and the existing Databases of the Public Bodies who already maintain a database of Prescribed Licenses issued.

Monitoring of Committees

During the year under review, the Unit continued to monitor the activities of the following Committees remotely:

1. SCJ Holdings Limited Land Divestment Monitoring Committee;
2. Technical Review Committee – NRCA and NEPA; and
3. Land Divestment Advisory Committee (LDAC).

Prescribed Licences And Permits

During the year, the Unit commenced the monitoring of the grant of eight (8) new licences bringing the total number of licences actively monitored for the period to Two Hundred and fourteen (214). Licences were monitored across the following sectors:

Licences monitored within various Sectors

Sector	No. Monitored
Telecommunication and Spectrum	21
Air Service	22
Water Abstraction and Well Drilling	84
Mining	18
Transportation	1
Spirit Licences	1
Game Bird Shooting	1
Removal of "Limited" – Charitable Organizations	47
Utilities - Sewerage	2

INTEGRITY COMMISSION

Sector	No. Monitored
Importation	3
Environmental Permit	8
Extraction of Timber	1
Fishing/Vessel Licences	5
Total	214

In undertaking our monitoring function, a review of the existing internal policies and procedures of each licensing authority including the relevant legislation is undertaken to ascertain whether licences were issued/revoked or varied in compliance with the applicable legislation and governing policies.

Land Divestment

The LADA Unit continued its monitoring of the divestment of Government-owned lands for the reporting period in accordance with the Policy Framework and Procedures Manual for the Divestment of Government-Owned Lands, 2015.

One Hundred and Seventy-two (172) GOJ land divestment processes were monitored by the Unit, inclusive of a number of divestments that were previously being monitored but were re-advertised. The Unit commenced the monitoring of fifteen (15) new divestment opportunities during the period under review. Notwithstanding, several divestment opportunities still await re-advertisements due to lack of offers or lack of responsive offers.

The Land Divestment Advisory Committee (LDAC)

The Land Divestment Advisory Committee (LDAC) is tasked with the responsibility for evaluating applications from the Commissioner of Lands and making recommendations to the Minister with responsibility for Crown Lands. The Committee plays only an advisory role to the Minister in respect of the divestment of government-owned lands and the members of this Committee are appointed by the Minister for a period of three (3) years. During the reporting period the Unit remotely monitored eight (8) meetings held by the referenced Committee. During its monitoring activities ninety (90) submissions and Minutes of meetings were reviewed.

During the period April 1, 2023 to March 31, 2024, the LDAC reported that it recommended seventy-five (75) applications at an estimated revenue of \$871,239,588.00 for Ministerial approval.

INTEGRITY COMMISSION

Applications Recommended for Lease by Land Use and Value for the 2023 – 2024 Financial Year

Land Use	No. of Applications	Value (\$)
Residential	2	61,000.00
Agricultural	1	84,000.00
Residential & Agricultural	1	12,000
Commercial/Industrial	6	2,942,000.00
Institutional	4	438,000.00
*other	3	380,000.00
Total	17	3,917,000.00

*Resort, recreational, community development and easement

Applications Recommended for Sale by Land Use and Value for the 2023– 2024 Financial Year

Land Use	No. of Applications	Value (\$)
Residential	41	111,901,982.00
Agricultural	5	16,583,306.00
Residential & Agricultural	4	6,337,300.00
Commercial/Industrial	5	732,500,000.00
Total	55	867,322,588.00

*Resort, recreational, community development and easement

Applications Recommended for transfer by Land Use and Value for the 2023 – 2024 Financial Year

The LDAC recommended a total of 3 applications for transfer of properties for no consideration at a value of \$0.00 as indicated in the table below:

Land Use	No. of Applications	Value (\$)
Agricultural (Sale)	2	0.00
*other	1	0.00
Total	3	0.00

* Resort, recreational, Community development and easement

SCJ Holding Limited Land Divestment and Monitoring Committee Meeting

The SCJ Holdings Limited (SCJH) is wholly owned by the Government of Jamaica and manages sugar lands owned by the Government of Jamaica. The SCJH is tasked with putting its land assets to use by attracting investors in areas such as mining, housing and agriculture. Proposals received by the company are submitted to its Land Divestment and Monitoring Committee for review and approval and further referral to the full Board of Directors. The SCJH advised that during the reporting period and by way of Cabinet submission on June 26, 2023 a new Board was appointed effective July 3, 2023.

The LADA Unit remotely monitored the proceedings of the eight (8) Land Divestment and Monitoring Committee meeting during the reporting period. A total of fifty-three (53) submissions were reviewed. Submissions to the Committee related to the sale and lease of lands.

The Land Divestment and Monitoring Committee reported that it considered 140 submissions all of which were approved by the Board. The submissions included applications for lease, options to lease, application for licence, sale and letter of intent.

Technical Review Committee Meeting

The Technical Review Committee (TRC) is a Sub-Committee of the National Resources Conservation Authority/Town and Country Planning Authority (NRCA/TCPA) which considers various types of applications and makes recommendations to the Authorities.

During the reporting period, the TRC deliberated on applications relating to major developments from a variety of sectors, categories and types, including major road construction/rehabilitation, infrastructural and telecommunication, subdivision and housing, hotel and resort development, mining and quarrying, office/commercial and mixed-use development, residential multi-family developments, coastal development and applications that went through the strictures of the Environmental Impact assessment process, which involved mandatory public consultation.

The Unit remotely monitored the proceedings of twelve (12) scheduled meetings and two (1) extraordinary meeting. A total of Three-Hundred and Sixty-Two (362) submissions were reviewed.

The Technical Review Committee reported the total numbers of submissions deliberated upon by the committee for the financial year April 1, 2023 – March 31, 2024 as illustrated in the table below:

Total applications deliberated on by the Committee

Item	Description	Total Number
1	Total applications deliberated	658
2	New	457
3	Re-Submissions	
	✓ Amendments	74
	✓ Renewals	119
4	Total applications recommended for approval	650
5	Total applications recommended for refusal	8

Evaluation and Review of The Policy Framework and Procedures Manual For The Divestment of Government-Owned Lands 2015.

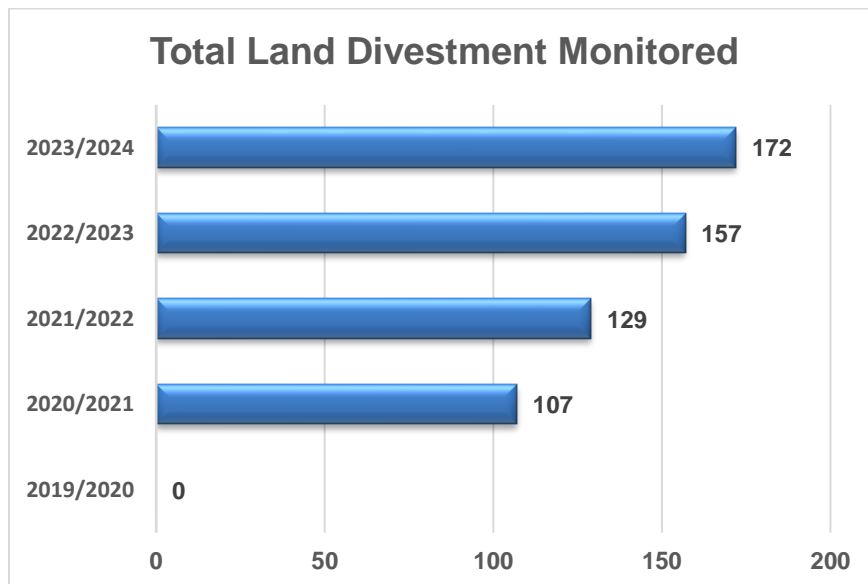
The Land Divestment Policy Framework Committee was established to review the Policy Framework and Procedures Manual for the Divestment of Government-owned Lands (2015), which aims to harmonize the various mechanisms and procedures of public sector entities that are custodians of government lands. The main goal of the Policy Manual is to foster *“increased transparency and efficiency in the process by which government-owned lands are divested by all public sector entities.”* The Policy Manual was developed particularly for the Divestment of Crown Lands; however, Agencies involved in the divestment of other Government-owned lands are required to adopt the Policy to *“ensure standardization and harmonization of land divestment policies and practices among all government entities involved in divestment.”*

Notwithstanding, no meetings of the committee were held during the reporting period. It is recommended that these review meetings be reconvened to facilitate input from the various stakeholders given the importance of having a comprehensive standardized Policy Manual to guide Practitioners.

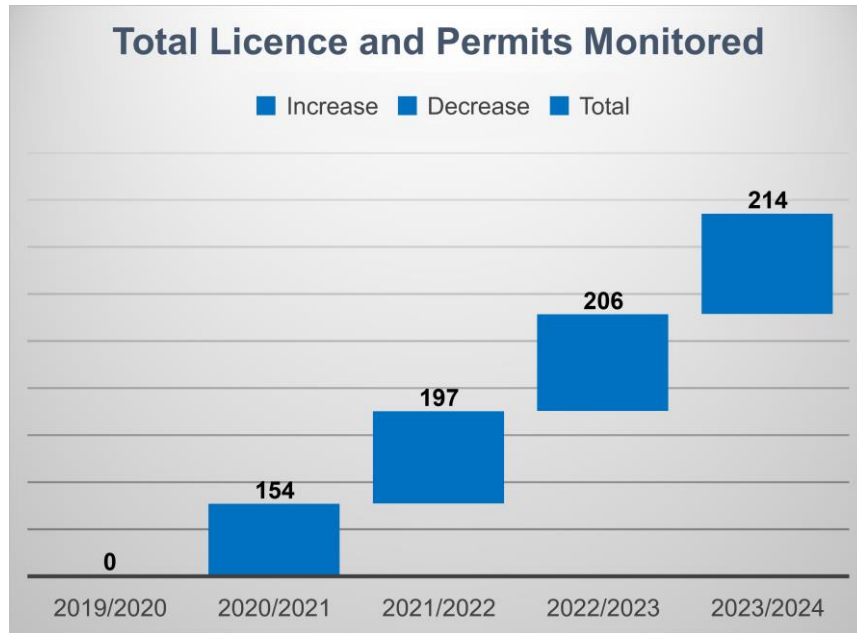
Five Year Analysis

In 2020, the Commission, in keeping with the Integrity Commission Act, extended its portfolio to include the monitoring of Licence, Asset Divestment and Acquisition through the establishment of the LADA Unit. The monitoring activities of the Unit throughout the period July 2020 to March 31, 2024 is encapsulated in the charts below:

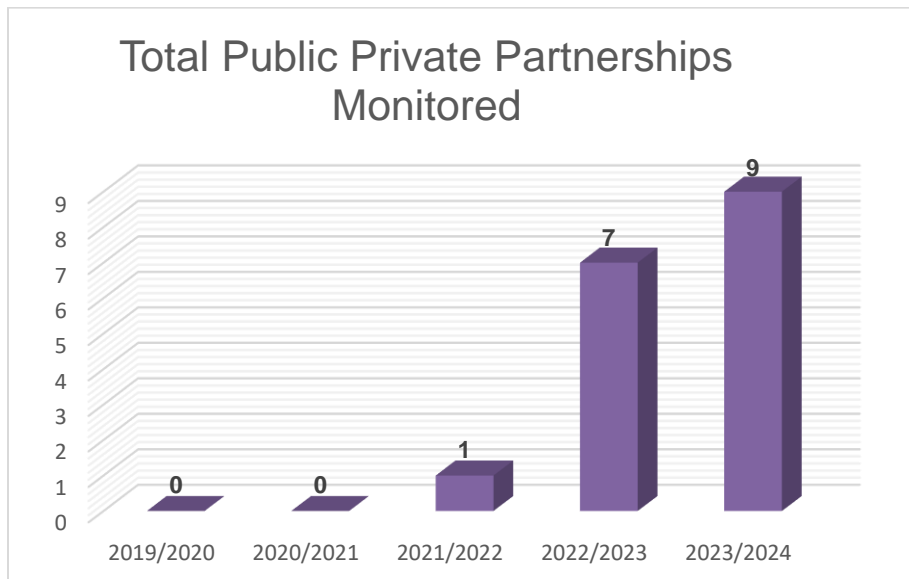
Total Land Divestment Monitored



Total Licence and Permits Monitored

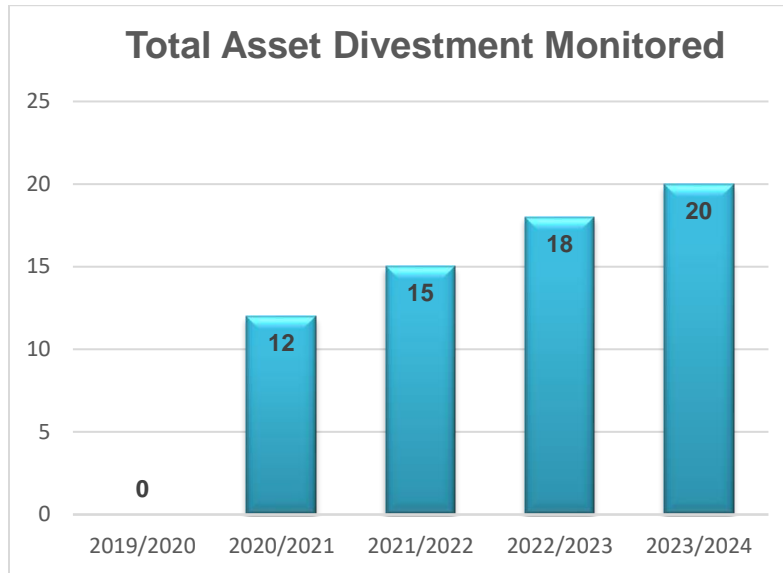


Total Public Private Partnerships Monitored



INTEGRITY COMMISSION

Total Asset Divestments Monitored



Comparison of Reports Completed – July 1, 2020 to March 31, 2023

Reports Completed July 1, 2020 to March 31, 2024						
Description	2019/2020	2020/ 2021	2021/ 2022	2022/ 2023	2023/ 2024	Total
Final Monitoring Reports	N/A	5	34	28	32	99
Termination Reports	N/A	1	2	11	0	14
Close Out (Ultra Vires) Reports	N/A	10	10	0	9	29
Thematic Reports	N/A	0	1	1	0	2
Tender Opening Report	N/A	11	13	6	7	37
Site Visit Reports	N/A	1	7	15	15	38
Preliminary Investigation Reports	N/A	0	1	0	0	1
Enquiry Management Reports	N/A	7	2	0	0	9
Summary Reports (for transfer to CPCI)	N/A	0	1	3	0	4
Memorandum to Close	N/A	N/A	N/A	N/A	11	11
Initial Investigation Reports	N/A	1	3	0	0	4
Total No. of Reports	N/A	36	74	64	74	248

Other Activities

As part of the Integrity Commission's Good Governance sensitization series, the Unit conducted three (3) presentations entitled "*The Integrity Commission's Anti-Corruption Good Governance Sensitization Workshop Series* -" Presentations were made to members of the National Irrigation Commission, Island Traffic Authority and the Port Authority of Jamaica on April 27, 2023, December 5, 2023 and December 7, 2023, respectively.

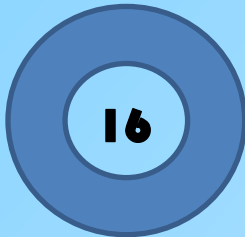
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Chapter 7 - Corruption Prosecution Division

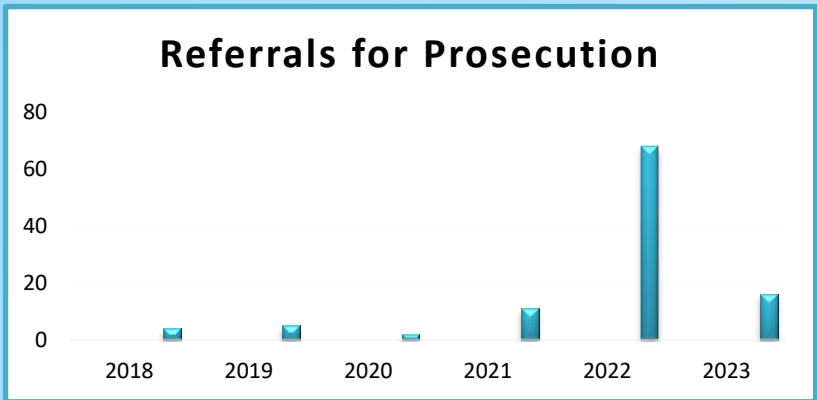
Corruption Prosecution Division Dashboard

Financial Investigation Matters Within the Division

Current Reporting Period

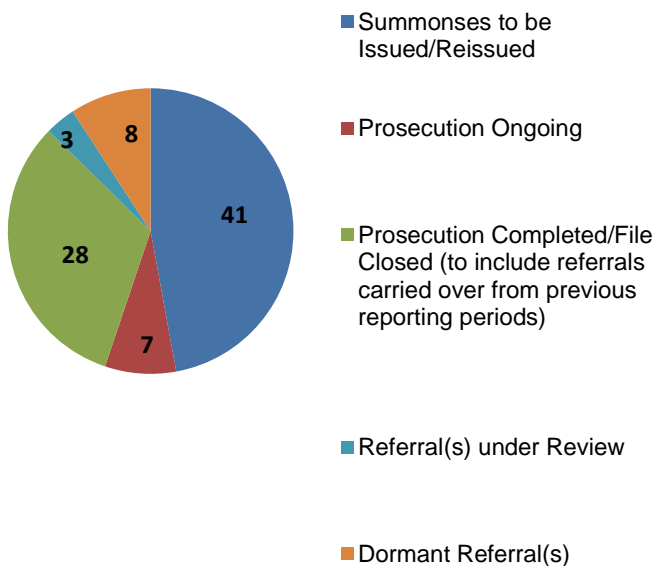


Six Year Comparison

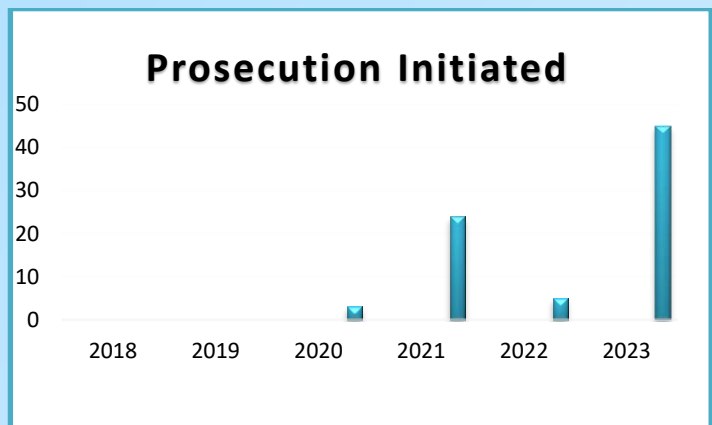


Status of Matters in the Division

Current Reporting Period

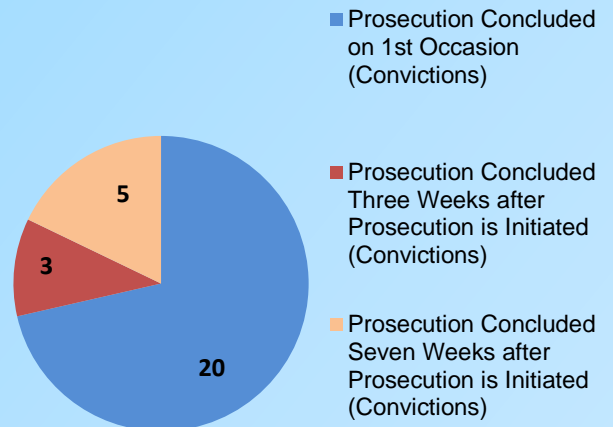


Six Year Comparative Chart



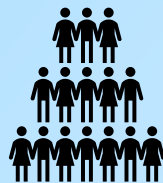
TIME TAKEN TO DISPOSE OF MATTERS WHERE CHARGE IS LAID

During the period under review, twenty-six (26) Declarants entered pleas of guilty on the first appearance before the Court. Notably, the Court's practice of requiring Declarants to file outstanding Statutory Declarations in order to ensure compliance before sentencing led to a delay in concluding these matters, as time was allotted for compliance to be achieved. Of the remaining two (2) matters, one (1) was withdrawn. In the remaining case, the Declarant indicated an intention to proceed to trial, both on the initial date and at subsequent appearances, but during the last quarter of the reporting period, the Declarant decided to plead guilty, resulting in the conclusion of the matter after the noted delay.



Human Resource Capacity

Human Resource



45%
(5 of 11 Staff Members)

MATTERS REFERRED TO THE CORRUPTION PROSECUTION DIVISION FOR THE PERIOD ENDING MARCH 31, 2024

TYPE OF REFERRAL	NO. OF MATTERS REFERRED	NO. OF MATTERS RULED FOR CHARGES TO BE LAID	NO. OF MATTERS INVESTIGATED WHICH RESULTED IN PROSECUTIONS	NO. OF MATTERS RULED FOR NO CHARGES TO BE LAID	NO. OF MATTERS FOR DISCIPLINARY ACTION (DISCHARGE LIABILITY NOTICE)	NO. OF MATTERS FOR NO DISCIPLINARY ACTION (DISCHARGE LIABILITY NOTICE)	NO. OF MATTERS WHERE ADDITIONAL INFORMATION IS REQUIRED	NO. OF MATTERS UNDER REVIEW AT CLOSE OF REPORTING PERIOD
Special Reports of Investigations	0	0	0	0	N/A	N/A	0	0
Financial Investigation Referrals	16	13	13	0	N/A	N/A	0	3
Discharge Liability Notice	111	N/A	N/A	N/A	108	3	0	0
Total	127	13	13	0	108	3	0	3

For the reporting period, the Corruption Prosecution Division (CPD) received two (2) referrals from the Investigation Division (ID) in the first quarter, eight (8) during the second quarter, three (3) during the third quarter and an additional three (3) referrals during the final quarter, bringing the total number to sixteen (16) Financial Investigation matters being referred for the period. Of the sixteen (16) matters referred during the period, prosecution was recommended for thirteen (13) matters, with the remaining three (3) matters under review at the close of the period. Of the thirteen (13) matters ruled for prosecution, prosecution was initiated in all matters during the period. Of the thirteen (13) matters for which prosecution was initiated, prosecution was concluded in four (4) matters and the remaining nine (9) are scheduled for sentencing within the first quarter of the coming period.

For the seven (7) referrals received in the last quarter of the period 2022/2023, prosecution was initiated and concluded in three (3) matters during the reporting period. Of the remaining four (4) matters, prosecution could not be initiated in one (1) matter as the Declarant was noted to be deceased, and in the other three (3) matters, prosecution could not be initiated due to difficulties in locating the Declarants.

Of the sixty (60) matters referred in the third (3rd) quarter in the period 2022/2023, prosecution was initiated in twenty-two (22) matters, of which twenty-one (21) were concluded during the reporting period, with prosecution ongoing in one (1) matter at the close of the period. Prosecution could not be initiated in the remaining thirty-eight (38) matters, due to difficulties serving summonses on Declarants who were deliberately frustrating such efforts, in being notified of their requirement to attend Court.

From previous reporting periods, eight (8) matters have been designated “dormant”, following repeated unsuccessful attempts to effect service of summonses, as prescribed in accordance with the relevant divisional policy. Consequently, the matters have been so designated until additional information is obtained that will assist in locating these Declarants. During the reporting period the Intelligence & Witness Management Unit of the Investigation Division assisted in obtaining and providing new information that could assist in locating Declarants for service.

From the Information and Complaints Division (I&C), the CPD received one hundred and eleven (111) requests to approve issuance of Discharge Liability Notices, and approval was granted in one hundred and eight (108) matters, but was denied in three (3) requests.

Activities Undertaken During the Reporting Period

The Corruption Prosecution Division (CPD), as part of its mandate, has responsibility for determining at the conclusion of an investigation so referred, what criminal charges, if any, may be brought against an individual or individuals, who have been deemed to have committed an act of corruption on the evidence made available, being an offence arising under the common law or any enactment. The Division also lent support, during the period, to other Divisions and support Units across the Commission.

- 1 During the period, the CPD was asked to provide support to the Protected Disclosures Unit of the Information and Complaints Division and was, therefore, tasked with preparing and presenting content for the training of Designated Officers under the ***Protected Disclosures Act***, delivering the first module of the training entitled, “Legislative Framework in Jamaica” to several cohorts of persons.
- 2 The CPD, additionally, contributed to the Commission’s annual review exercise under the Serious Organised Crime and Anti-Corruption Programme (SOCAP) as part of the Commission’s obligation under its MOU with the Foreign, Commonwealth & Development Office (FCDO). The Commission is required to make regular reports (half yearly and annually) to the FCDO on its progress under the terms of the referenced MOU. During the last quarter of the period, the Director of Corruption Prosecution (DCP) also attended a meeting of Directors of the Commission in preparation for the UK FCDO (SOCAP) capacity assessment of anti-corruption and serious organized crime organizations in Jamaica, supported by UK FCDO funding. The main purpose of this activity is to provide guidance to the FCDO and supported organizations on capacity development needs and models/modalities for further support where required.
- 3 The CPD continued to provide, during the period, support to stakeholder engagements organized by the Corruption Prevention, Stakeholder Engagement and Anti-corruption Strategy Division (CPSEACS). On the request of CPSEACS, the DCP attended and participated in a Technical Working Group Launch for the National Anticorruption Strategy (NAS) at the Terra Nova Hotel during the first quarter of the period.

The CPD also participated in a meeting organized during that quarter by the CPSEACS, convened at the offices of Jamaicans for Justice, with their Executive Director, Ms. Mickel Jackson along with Statutory Directors of the Commission and other representatives. Discussions were held around several topics to include, the proposed legislative changes being considered by the Joint Select Committee of Parliament, as also proposals for ways in which each organization may best offer support to the other in the execution of their respective mandates.

Additionally, during the period the CPD & CPSEACS Division participated in an interview session hosted by members of the USAID/JAMEL Team. A number of questions were fielded with respect to the rule of law in Jamaica, and a follow-up session was also convened. A select group of approximately twenty-five (25) participants were invited, to include Dr. Trevor Munroe, Miss Mickel Jackson of Jamaicans for Justice, and Mr. Horace Levy of Lift up Jamaica. The purpose was to review the findings and recommendations gleaned

from the interviews carried out with over eighty (80) participants, including victims, public sector workers, such as Clerks of Courts, Victim Support personnel and other target groups.

The findings and recommendations were presented and discussed and contributions made. Particular concern was noted around the link between corruption and violent crimes, and the seeming lack of prosecutions. There was a general recommendation that a Victim Compensation Fund should be established, possibly from confiscated assets of criminals, for the purpose of putting victims back in a position as existed before their loss. Concern was also expressed that the rate of recidivism is far too high and much more should be done in terms of prison reform, such as separating relatively minor offenders from serious offenders and improving programmes of rehabilitation for those who are most likely to benefit from it.

During the third quarter of the period members of the CPD also attended a meeting the United Nations Office on Drugs and Crime (UNODC), as part of a working mission related to the establishment of an Anti-Corruption Hub for Latin America and the Caribbean. The UNODC team was comprised of Team Lead, Guglielmo Castaldo, Regional Advisor LAC Corruption Related Issues, and Cristina San Juan, Anti-Corruption and Judicial Integrity Specialist at the UNODC.

The CPD also provided support to the OAS-MESICIC 6th round of review on-site visit to Jamaica, providing information from the Division, in preparation of the IC's response on the progress of recommendations and measures under the mechanism for follow-up on the implementation of the Inter-American Convention against Corruption.

- 4 In commemoration of International Anti-corruption Day on November 16, 2023, the global campaign advanced by the United Nations under the theme *"UNCAC at 20: Uniting the World Against Corruption"*, the Division provided support to the CPSEACS, which led the activities of the annual staging. To mark the occasion, the Commission issued newspaper supplements along with television and radio jingles and adverts. The CPD assisted in submitting the relevant information required for the Division, and otherwise participated in this initiative.
- 5 The Division also provided structured support to the Investigation Division, in the conduct of case review and analysis sessions held, on average, monthly throughout the period. A total of ten (10) such sessions were convened over the course of the financial year, facilitating detailed assessment of the evidential material obtained in some fourteen (14) matters identified for the purpose. This was in addition to routine collaboration and support as required between the Divisions during the period.
- 6 The CPD also provided important assistance to other Units of the Commission during the period. Support was provided to the Data Protection Officer, specifically in the conduct of a Personal Data Audit, to assist in determining the nature of such information collected by the Division, the related Divisional processes and how such personal data is managed and retained. Similar support was provided to the Chief Audit Executive in an assurance engagement as part of an efficiency review, and also a Risk and Control Assessment undertaken across the Commission. The CPD also participated in budget preparations, providing the necessary projections for spend and cashflow for the Division ahead of the upcoming financial period, to include the allocation of funding through FCDO support. Similarly, CPD representatives assisted the Senior Procurement Officer as required in the relevant meetings for the procurement of various items, software, security and consultancy services for the Commission. Meetings were also convened during the period with the Communications and Public Relations Officers, in the formulation of the Communications Strategy to be implemented by the Commission, and the proposed engagement of external services in support of this initiative. The DCP also participated in the Commission Retreat held during the second

quarter, with Commissioners, Directors and other members of the Leadership Team, conducted by Dr. Leachim Semaj.

- 7 Guidance was also provided to the Commission in the review of the powers of the Designated Authority under the ***Protected Disclosures Act***, and also the ***Electronic Transactions Act*** and its implications on the implementation of the Electronic Declarations System (eDS).
- 8 During the third quarter of the period, DCP Prince-Kameka moderated a panel discussion on “*Strengthening partnerships between the Public and Private sectors to tackle Fraud and Corruption*”, as part of the annual staging of the Anti-Fraud Conference by the Association of Certified Fraud Examiners (ACFE) - Jamaica Chapter, in commemoration of International Fraud Awareness Week. The Conference was held under the theme: “*Action Required: Combatting Fraud & Corruption through Increased Vigilance and Innovation*”, and the panel was comprised of Mr. Dane Nicholson, Manager, Special Investigations, Group Operations & Technology Division, National Commercial Bank (NCB); Mr. Jervis Moore, Director of Investigations, Major Organized Crime & Anti-Corruption Agency (MOCA); Mrs. Sandra McLeish, Director, Jamaica Manufacturers Exporters Association (JMEA); and Ms. Danielle S. Archer, Principal Director, National Integrity Action (NIA).

Technological Infrastructure

The Division continued to lend support to the organization's wider Digitization Project by finalizing Standard Operating Procedures (SOPs) for a number of divisional processes with a view to informing the wider organizational digitization process. Additionally, the Division also attended and participated in frequent meetings in relation to the goCase platform, to identify any issues or recommendations necessary for its efficient use and implementation across the Commission. During the period, UNODC representatives also attended at the Commission for revision and training of members across Divisions in the use of the goCase platform.

Training

Members of the Corruption Prosecution Division were continuously engaged in various training sessions throughout the period, organized both internally and with external stakeholders. New recruits specifically benefitted from Orientation Training sessions facilitated in collaboration with other Divisions, and conducted in modules over a scheduled period.

Members of the Unit also participated in the Jamaica Bar Association's (JAMBAR) Annual Conference, and the Prosecutor Empowerment Programme, organized by the Office of the Director of Public Prosecutions (ODPP), which not only expanded the knowledge base of Division members, but also satisfied the requirements for accreditation in accordance with continuing legal professional development.

The reporting period also had all members of the Division participating in the Mona Faculty of Law 9th Annual Symposium held on the 23rd to 25th of June 2023 at the Jamaica Pegasus Hotel. Select members of the Division also participated in the Rule of Law Assessment Co-Creation Workshop and follow-up session, and a Project Management Course conducted by the UWI MONA School of Business.

Preparation for training of Designated Officers under the ***Protected Disclosures Act*** was also conducted in collaboration with the Management Institute for National Development (MIND), and necessitated members of the Division being trained as Trainers, in preparation for these sessions.

Additionally, CPD members participated in training sessions in areas of Cybercrime, Financial Investigation, Anti-corruption Indexing, among others, and Certification Training conducted by the International Procurement Institute of Jamaica, was also undertaken by a member of the Unit. Overall, members of the Division participated in approximately seventy-nine (79) training sessions, across varying skillsets, for professional development and competence building, during the reporting period.

The CPD also conducted a Cross-Divisional training session during the second quarter of the period, with members across all four Statutory Divisions. Presentations on various areas, supported by the use of fact scenarios, were delivered by members of the CPD, and discussion and feedback encouraged and facilitated during the exercise. This ensured that the most appropriate systems and processes were in place across Divisions to give effect to the relevant legal requirements, while sensitizing staff to noted legal challenges.

In addition, during the last quarter of the period an in-house presentation was delivered to members of the Division on the ***Proceeds of Crime Act, 2007***, with a view to presenting the topic to the wider Commission, in furtherance of the Division's operational target to ensure sensitization of members of the Commission on relevant areas of law.

Constraints

Staffing remained one of the most notable challenges affecting the Division during the period. At the start of the reporting period, the staff complement stood at four (4) members – the Director of Corruption Prosecution, two (2) Senior Prosecutors and one (1) Prosecutor - which accounted for thirty-six (36%) percent of the intended complement for the Division. In the second quarter, the Division welcomed two (2) Prosecutors at the Junior level, and in the fourth quarter, the Division also welcomed the addition of a Legal Secretary, a critical post within the Division that had remained vacant for in excess of five (5) consecutive quarters.

There was, however, separation of two (2) Division members in the fourth (4th) quarter, one (1) Senior Prosecutor and one (1) Prosecutor, which reduced the staff complement within the Unit to approximately forty-five (45%) percent of the approved number. This remained the staff complement for the rest of the reporting period. Notably, the post of Paralegal (2 positions) remained vacant at the close of the period, and has been for the last two financial periods.

Due to the staffing challenges during the period, it became necessary to reassign critical responsibilities usually undertaken by personnel in these posts, to other staff members within the Division, and this has adversely impacted the productivity and efficiency within the Unit, which was already functioning well below the intended complement.

Chapter 8 - Corruption Prevention, Stakeholder Engagement & Anti-Corruption Strategy Division

INTRODUCTION

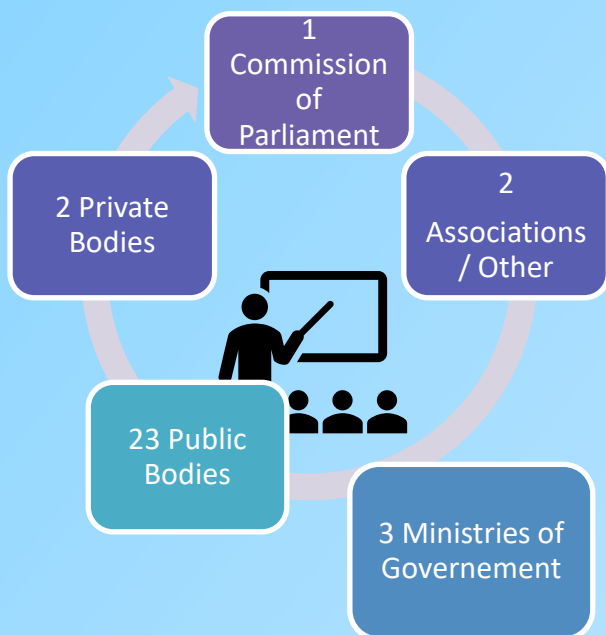
During fiscal year 2023/2024 the work of the Corruption Prevention, Stakeholder Engagement and Anti-Corruption Strategy Division was targeted and revolved around executing its mandate assigned under the Integrity Commission Act, 2017. With a limited staff of nine (9) from an establishment of nineteen (19) the Division exposed an estimated four thousand (4,000) individuals to the work of the Integrity Commission by virtue of either presentations or training interventions delivered by the Division under its *Anti-Corruption and Good Governance Workshops* and/or via presentations at conferences/retreats and other events and through its various stakeholder engagement sessions.

Broken down, the engagements included delivery to three (3) Ministries of Government, twenty-three (23) Public Bodies, one (1) Commission of Parliament, two (2) Associations or Other Grouping and two (2) Private Sector Bodies. Additionally, the Division engaged a multiplicity of stakeholders, presented at four (4) international and regional engagements and prepared seven (7) policy documents/papers/reports.

Finally, over the period, the Division successfully led the activities of the Integrity Commission in celebration of the United Nations Office on Drugs and Crime led *International Anti-Corruption Day* that was held on December 9, 2023 under the theme “*UNCAC at 20: Uniting the World Against Corruption*”. The activities included the production of an audio and video jingle which was disseminated across media platforms and a supplement published in the Jamaica Observer and Jamaica Gleaner newspapers on December 9, 2023.

CORRUPTION PREVENTION, STAKEHOLDER ENGAGEMENT AND ANTI-CORRUPTION STRATEGY DIVISION- DASHBOARD

Current Reporting Period



Presentation at Conferences/Engagements/Other



Attendance at Conferences/Other

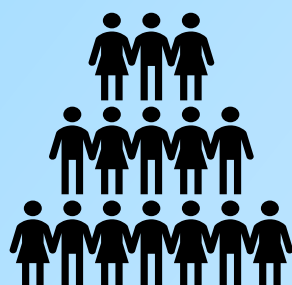


Policy Papers/ Reports



Current Reporting Period

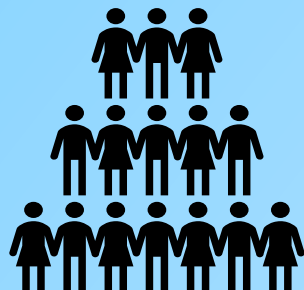
Anti-Corruption Outreach & Education



4,000 (est.) individuals exposed to the work of the Integrity Commission.

Human Resource Capacity

Human Resource



47%
(9/19 Staff Members)

Office of the Director of Corruption Prevention, Stakeholder Engagement & Anti-Corruption Strategy	Anti-Corruption Outreach and Education Unit	Anti-Corruption Policy and Strategic Engagement Unit
Director Corruption Prevention, Stakeholder Engagement & Anti-Corruption Strategy (1 Filled)	Manager Anti-Corruption Outreach and Education (1 Filled)	Manager Anti-Corruption Policy and Strategic Engagement (1 Filled)
Administrative Assistant to the Division (1 Filled)	Public Relations Officer [1 Filled]	Senior Corruption Prevention Officer (1 Filled)
	Publications and Content Management Officer [1 Vacant]	Corruption Prevention Officer [3 Vacant]
	Outreach Officer [2 Vacant]	Economist/ Statistician [1 Vacant]
	Ethics and Code of Conduct Officer [1 Vacant]	Anti-Corruption Research and Data Analyst (2 Filled)
	Parliamentary & Public Sector Liaison (1 Filled)	
	Private Sector Liaison [1 Vacant]	
	Project Coordinator [1 Vacant]	

Activities Undertaken During the Reporting Period

During fiscal year 2023/2024, the work of the Corruption Prevention, Stakeholder Engagement and Anti-Corruption Strategy Division was targeted and revolved around executing its mandate assigned under the Integrity Commission Act, 2017 as per under:

PUBLIC EDUCATION AND OUTREACH

For the period April 1, 2023 to March 31, 2024, approximately four thousand (4,000 estimated) individuals have been exposed to the work of the Integrity Commission by virtue of either presentations or training interventions delivered by the Division under its *Anti-Corruption and Good Governance Workshops* and/or via presentations at conferences/retreats and other events and through our various stakeholder engagement sessions.

The *Anti-Corruption and Good Governance Workshops* cover the following topics:

Module	Topic
1.	The Problem of Corruption
2.	Overview of Jamaica's Anti-Corruption Framework
3.	Principles of Good Governance and Integrity in Public Life
4.	Public Procurement Overview
5.	Other Critical Areas Involving the Integrity Commission's Oversight
6.	Statutory Declarations
7.	Protected Disclosures Act - Whistleblowing
8.	Reporting Allegations of Corruption
9.	Investigating Allegations of Corruption
10.	Prosecuting Allegations of Corruption
11.	Overview of Corruption Offences in Jamaica
12.	International Best Practices in Anti-Corruption and Anti-Bribery

The Division delivered select modules of its *Anti-Corruption and Good Governance Workshops*¹² to select staff of:

Other

No.	Other
1.	Institute of Chartered Accountants of Jamaica
2.	Integrity Commission/Management Institute for National Development (MIND) Protected Disclosures Programme

Ministries of Government

No.	Ministries of Government
1.	Ministry of Justice
2.	Ministry of Legal and Constitutional Affairs
3.	Ministry of Industry Investment and Commerce

Commissions of Parliament

No.	Commission of Parliament
1.	Integrity Commission

¹² It is noted that some of the Anti-Corruption and Good Governance Workshops were delivered jointly with the Information & Complaints Division, the Investigation Division and the Corruption Prosecution Division of the Integrity Commission.

INTEGRITY COMMISSION

Agencies of Government

No.	Agency
1.	Island Traffic Authority
2.	HEART Trust
3.	Jamaica Customs
4.	National Irrigation Commission
5.	National Land Agency
6.	GC Foster College
7.	Department of Correctional Services
8.	Jamaica Mortgage Bank
9.	Water Resources Authority
10.	Development Bank of Jamaica
11.	Jamaica Ultimate Tyre Company
12.	Jamaica Railway Corporation
13.	Factories Corporation of Jamaica
14.	Department of Cooperatives and Friendly Societies
15.	National Road Operating and Constructing Company Limited NROCC
16.	Office of Utilities Regulation
17.	Urban Development Corporation
18.	Housing Agency of Jamaica
19.	Kingston & St Andrew Municipal Corporation (KSAMC)
20.	Antidumping & Subsidies Commission
21.	Bank of Jamaica
22.	EXIM Bank
23.	Port Authority of Jamaica

Private Sector

No.	Agency
1.	Celebrations Brands Limited
2.	First Global Bank

PRESENTATIONS AT CONFERENCES/RETREATS AND OTHER EVENTS

The Division delivered Country Reports and Presentations at the following events:

No.	Event
1.	9th Annual CCAICACB Conference Commonwealth Caribbean Association of Integrity Commissions and Anti-Corruption Bodies April 17-21, 2023
2.	OAS-MESICIC Onsite Visit to Jamaica September 25-29, 2023
3.	Caribbean Regional Drug Law Enforcement Training Centre – REDTRAC Regional Anticorruption Seminar September 11-15 2023
4.	CARICOM Implementation Agency for Crime & Security (IMPACS) Meeting March 8 2024

ATTENDANCE AT WORKSHOPS/CONFERENCES/EVENTS/OTHER

No.	Workshops/Conferences/Events/Other
1.	USAID Rule of Law Assessment co-creation workshop April 2023
2.	World Bank Country Partnership Consultation June 26, 2023
3.	UNODC 14 th Working Group on Prevention of Corruption and 14 th Implementation Review Group June 12-16 2023
4.	UNODC Global Conference on harnessing data to improve corruption measurement August 31 2023 to September 1 2023
5.	UNODC Anticorruption Hub for Latin America and the Caribbean Country Visit July 20-21 2023

INTEGRITY COMMISSION

No.	Workshops/Conferences/Events/Other
6.	UNODC Anticorruption Hub for Latin America and the Caribbean Country Launch October 9, 12, 2023 in Trinidad and Tobago
7.	UNODC Online Global Consultation on Corruption measurement framework November 6 and 8 2023
8.	UNODC Tenth Session of the Conference of the State Parties December 11-15 2023

PREPARATION OF POLICY PAPERS/REPORTS/OTHER DOCUMENTS

During the period under review the Division:

No.	Policy Papers/Reports
1.	Provided the Commission's insert for Jamaica's 6 th Report in respect of the <i>Follow-Up Mechanism for the Implementation of the Inter-American Convention against Corruption</i> MESICIC country report which was dispatched by the Attorney General's Chambers to the OAS Secretariat. May 17 2023
2.	Coordinated the preparation of the Commission's Annual Report for Fiscal Year 2022/2023
3.	Prepared the Divisional insert for the Commission's Annual Report for Fiscal Year 2022/2023
4.	Prepared the Commission's submission for the FCDO Fiduciary Risk Assessment Annual Statement of Progress Report August 2023
5.	Prepared and submitted the Commission's submission for the OAS-MESICIC Onsite Visit to Jamaica September 25-29, 2023
6.	Provided the Commission's insert for Jamaica's National Progress Report for the <i>Follow-Up Mechanism for the Implementation of the Inter-American Convention against Corruption</i> MESICIC which was dispatched by the Attorney General's Chambers to the OAS Secretariat February 15 2024
7.	Provided the Commission's insert for Jamaica's Best Practice Report for the <i>Follow-Up Mechanism for the Implementation of the Inter-American Convention against Corruption</i> MESICIC which was dispatched by the Attorney General's Chambers to the OAS Secretariat February 15 2024

INTERNATIONAL ANTI-CORRUPTION DAY

- In collaboration with the Executive Office, the Division successfully led the activities in celebration of the United Nations Office on Drugs and Crime led *International Anti-Corruption Day* that was held on December 9, 2023 under the theme "*UNCAC at 20: Uniting the World Against Corruption*". The activities included the production of an audio and video jingle which was disseminated across media platforms and a supplement that was published in the Jamaica Observer and Jamaica Gleaner newspapers on December 9, 2023.

MEDIA ENGAGEMENT

During the period under review the Division:

- As part of its public outreach and public education campaign generated public education content which was placed by the Executive Office on the Commission's **twitter** page.
- Continued update of the dedicated spot on the **website of the Integrity Commission to showcase the activities of the Division in respect of public education and outreach**. The website is regularly updated and currently reflects activities of the Division for FY 2021/2022, FY 2022/2023 and FY 2023/2024

INTEGRITY COMMISSION

- Through the Commission, issued on June 16, 2023 a **media release highlighting the Work of the Division** over the period January to March 2023 representing Quarter 4 of FY 2022/2023
- Through the Commission, issued on July 19, 2023 a **media release highlighting the Work of the Division** over the period April – June 2023 representing Quarter 1 of FY 2023/2024
- Through the Commission, issued on October 24, 2023 a **media release highlighting the Work of the Division** over the period July – September 2023 representing Quarter 2 of FY 2023/2024
- Through the Commission, issued on January 9, 2024 a **media release highlighting the Work of the Division** over the period October to December 2023 representing Quarter 3 of FY 2023/2024
- Through the Commission, issued on May 3, 2023 a **media release on the development of the National Anticorruption Strategy on May 3 2023.**

CONSTRAINTS

- The Division was constrained by staffing, having only nine (9) or forty seven percent (47%) of its full complement of nineteen (19) staff members as per the establishment.

Going Forward

- It is hoped that with the scheduled onboarding of additional staff during FY2024/2025 the work of the Division will accelerate and the interrogation of other areas of the Division's mandate can be further intensified.

Chapter 9 - The National Anti-Corruption Strategy Project

COORDINATING THE DEVELOPMENT OF THE NATIONAL ANTI-CORRUPTION STRATEGY – PROGRESS REPORT

What is the National Anti-corruption Strategy

Section 6 (1) (j) of the Integrity Commission Act, 2017 mandates the Integrity Commission to “coordinate the implementation of an anti-corruption strategy.”

As such, the development of a National Anti-Corruption Strategy (NAS) for Jamaica was launched by the Integrity Commission in April 2023. The strategy is intended to be a detailed roadmap to address some of the issues and challenges of corruption in Jamaica. As a framework for coordinated action, the NAS is aligned with commitments outlined in Jamaica’s National Action Plan under the Open Government Policy, as well as:

- Vision 2030 National Development Plan
- Medium Term Socio-Economic Policy Framework (MTF) for the relevant three-year period
- Sustainable Development Goal (SDG) 16 - Peace, Justice and Strong Institutions – Target 16.5 Substantially reduce corruption and bribery in all their forms
- Lima Commitment, OAS VIII Summit of the Americas (2018) - Democratic Governance Against Corruption

Purpose and Objective of the NAS

Jamaica, despite its numerous anti-corruption and governance laws, policies, institutions, and regulatory processes, has not had the benefit of a principal anti-corruption strategy document. Therefore, at the core of the overarching vision for the NAS is the ambition to consolidate the efforts, resources and outputs of key national stakeholders to include citizens, civil society groups, NGOs, private and public sector organisations, as well as public interest and rights groups, to promote a corrupt free society.

The National Anti-Corruption Strategy is the country’s approach to combatting its corruption problem, both real and perceived, in the short, medium and long terms, thereby advancing the nation towards increased productivity and social development. To this end, encouraging public participation and the collective commitment of every Jamaican citizen to fighting corruption, is a crucial objective to achieving the success of this endeavour.

Initial Launch Activities

During the period under review, the Integrity Commission, through its Corruption Prevention, Stakeholder Engagement and Anti-Corruption Strategy Division, hosted an Initial Stakeholder Engagement Session on April 28, 2023. This session was attended by a wide cross section of representatives from various national entities. The following entities, organizations and groups were represented at the Integrity Commission’s first NAS Stakeholder Engagement Session:

1. The Integrity Commission – Corruption Prevention, Stakeholder Engagement and Anti-Corruption Strategy Division
2. The Integrity Commission – Information and Complaints Division
3. The Integrity Commission – Investigation Division
4. The Integrity Commission – Corruption Prosecution Division
5. The Major Organized Crime and Anti-Corruption Agency (MOCA)
6. The Financial Investigations Division (FID)
7. The Revenue Protection Division (RPD)
8. The Jamaica Customs Agency (JCA)

9. The Tax Administration Jamaica (TAJ)
10. Office of the Prime Minister
11. Cabinet Office
12. The Office of the Political Ombudsman
13. The Ministry of National Security
14. The Ministry of Justice
15. Ministry of Legal and Constitutional Affairs
16. Office of the Services Commission
17. Management Institute for National Development
18. Ministry of Local Government & Rural Development
19. Open Government Partnership
20. Ministry of Economic Growth and Job Creation
21. Ministry of Agriculture and Fisheries
22. Ministry of Labour and Social Security
23. Ministry of Tourism
24. Bank of Jamaica
25. National Environment and Planning Agency
26. eGov Jamaica Limited
27. Betting Gaming and Lotteries Commission
28. Ministry of Transport and Mining
29. Island Traffic Authority
30. The National Integrity Action (NIA)
31. Jamaicans for Justice (JFJ)
32. Crime Stop
33. Crime Monitoring and Oversight Committee (CMOC)
34. The Caribbean Policy Research Institute (CaPRI)
35. Jamaica Civil Service Association (JCSA)

Phases of Development of the NAS

Subsequent to the formal launch of the NAS in April 2023, the Foreign, Commonwealth and Development Office [FCDO] contracted Public Administration International (PAI), a London-based international development consultancy specializing in strengthening governance worldwide, to develop the NAS in collaboration with the Integrity Commission. The engagement of PAI commenced in November 2023 and was slated to end by April 2024, but has been extended to the end of July 2024.

The development of the strategy is scheduled to take place in four phases:

- Preparatory/Inception Phase - The Preparatory/Inception Phase took place in November and December 2023. The PAI consultancy team met with key project stakeholders.
- Desk Study Phase – The Desk Study Phase took place in January and February 2024. The consultants produced a report on Jamaica's anti-corruption context to include, among other things, an Environmental and Horizon Scan of the anti-corruption context in Jamaica, SWOT and PESTEL analyses, a comparative analysis of implementation modalities across jurisdictions and a list of Jamaica's main international partners and stakeholders involved in combatting serious and organised crime, fraud and corruption in Jamaica.

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- Consultation Phase – The Consultation phase commenced in January 2024. PAI Consultants conducted virtual and in-person meetings with select stakeholders to establish risks, gaps, opportunities, and strategies in Jamaica’s anticorruption framework. This phase is ongoing.
- Formulation of the National Anti-Corruption Strategy – The final phase of development will focus on drafting and finalising the NAS and all supporting documents.

Current Status

The Commission is currently in the Consultation Phase which started in January 2024. In keeping with our methodology, which centres collaboration and consultation, the consultants from PAI have met with, and will continue to meet with, a cross-section of stakeholder representatives from national entities, civil society and administrative groups, the business community and others, to establish risks, gaps, opportunities, and strategies for the development of the NAS.

Next Steps

The next steps include designing and arranging Regional Integrity Workshops and a National Integrity Workshop to enable wider stakeholder participation, discussion and feedback on the NAS. In addition, efforts will be made to establish a mechanism for other interested parties to contribute to the development of the Strategy.

Following these workshops, the consultants will draft a report on issues raised, any potential areas of difficulty anticipated and conclusions reached. Subsequent to this, the final Phase of the project will focus on drafting and finalising the NAS and the following supporting documents:

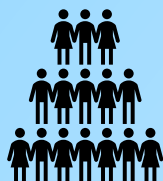
- A theory of change setting out how the Strategy will improve integrity and further address corrupt practices in Jamaica;
- An implementation plan covering the Strategy to be used, governance arrangements and ways of implementing the Strategy;
- Estimated costs of implementing the recommendations made in the Strategy;
- A monitoring and evaluation plan for the Strategy that the Integrity Commission can use, with support from key stakeholders; and
- A communications plan for launching and implementing the Strategy, including media plans for communicating at a public launch event.

During the period under review, the Commission also periodically provided updates on the coordination and development of the National Anti-Corruption Strategy to the Jamaica Open Government Partnership of which the development of the National Anti-Corruption Strategy is a deliverable, and to the Ministry of Finance and the Public Service under the GOJ Economic Reform Programme (ERP) monitoring report. The ERP monitoring report is based on the Priority Actions Matrix for the GOJ ERP which was approved by the Executive Board of the IMF on November 4, 2019 under the sixth review of the SBA, and to which the development of the National Anti-Corruption Strategy is also a deliverable.

Chapter 10 - Executive Office - Information Technology and Business Processes Division

Information Technology and Business Processes Dashboard

Human Resource Capacity

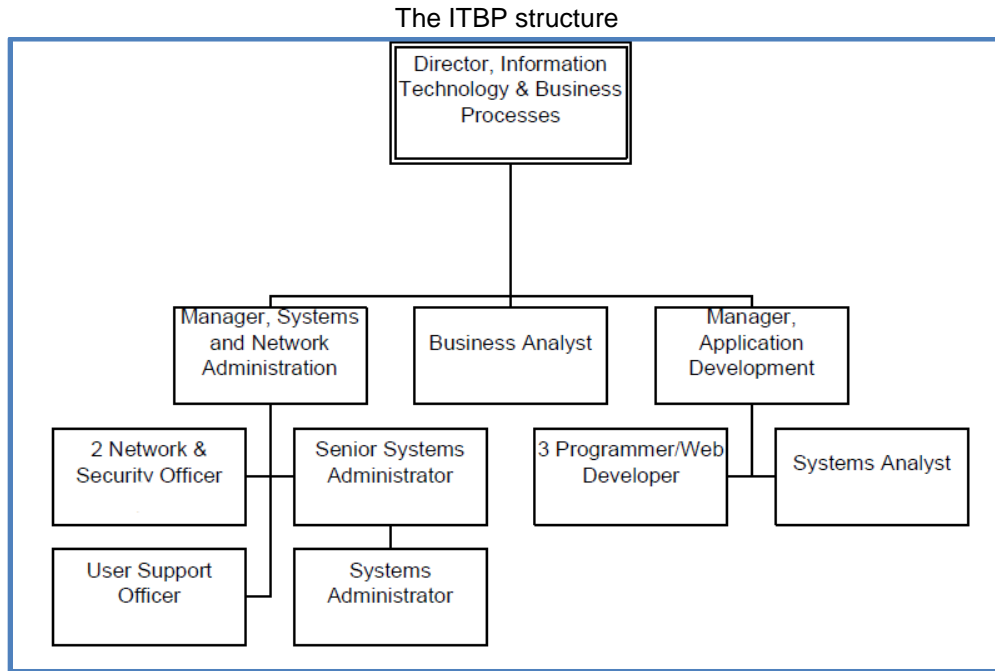


77%
(13 Staff Members)

Office of the Director of Information Technology	Software Unit	Systems Unit
Director of Information Technology and Business processes (1 filled)	Manager, Application Development (1 filled)	Manager, Systems and Network (filled)
Business Analyst (1 filled)	Programmer, web developer (2 filled, 1 - vacant)	Network and Security Officer (1 filled, 1 vacant)
	Systems Analyst (1 vacant)	Senior Systems Administrator (filled)
		Systems Administrator (filled)
		User Support Officer (filled)

INFORMATION SYSTEMS AND BUSINESS PROCESSES DIVISION

The Information Technology and Business Processes (ITBP) Division is headed by a Director who reports directly to the Executive Director and is currently supported by a ten-member team, with a capacity for 13 as at March 31, 2024.



The ITBP Division is resolute in its mission of serving the information technology requirements of the Integrity Commission and has embraced the enterprise business process role. The ITBP division has two main teams, Systems Networking and Software Development supported by the Systems Analyst (vacant) and a Business Analyst. The vacancies filled during the year were, Systems and Network Manager, Application Development Manager and the Business Analyst. Throughout the period, repeated attempts were made to fill the role of Network Security Officer and Web Developer. Suitable candidates were selected but they did not accept the offers, based on the low compensation levels.

Support of Strategic Portfolios

For the period under review, the ITBP was guided by the following strategic objectives;

- To adequately maintain Information and Communication Technologies (ICT) infrastructure, which includes, license renewals, hardware and software upgrades.
- Optimised performance, reduced downtime and the proactive monitoring of the ICT environment.
- Automate the monitoring of critical infrastructure to include uptime, downtime and capacity projection.
- Proactive monitoring of computer hardware and software expirations or out of compliance.

Project Summary

The 2023 to 2024 period focused on bolstering the ICT environment from cyber-attacks, both internally and externally, by conducting network penetration scans, remediating the vulnerabilities found, migrating to a new mobile device management (MDM) platform, upgrading the ICT infrastructure, and increasing the end-user cybersecurity awareness training participation.

These projects had a positive impact on the organization's efficiency and effectiveness, while embracing the emerging business processes of the Integrity Commission as it transforms to achieve its mandate.

The ITBP's projects were complemented by:

- Supporting, expanding and securing existing information technology (IT) infrastructure.
- Maintaining and expanding internally developed software.
- Supporting and automating existing business processes.
- Providing general user assistance.
- Providing recommendations for new technology initiatives.

The projects completed were: the occupation of the Sagikor Sigma offices (3rd-6th floors), the IT Data Centre, the reconfiguration of the Oxford Road offices for day-to-day operations, data backup and restoration, with the Commission's backup data now being held onsite as well as at an offsite facility, thus enabling it to increase its ability to recover from failures and disasters.

The declaration process was enhanced by the delivery of the Electronic Declaration System (eDS) application, along with the new service desk application instances for tracking declarants' complaints and for general use within the Commission. The Contracts Cost Overruns and Variations (CCOV) and Phase 1 of the National Anti-Corruption Strategy – survey tool were also completed.

Infrastructure Update and Maintenance

During the year, work continued on making the Sagikor Sigma offices (3rd – 6th floors) technologically fit for business, following a successful move during March/April 2023.

During the period the ITBP team focused on:

- Optimizing the email and data storage systems.
- Implementing redundant electrical circuits.
- Completing the Data Centre and user networks at the Sagikor Sigma offices.
- Completing the electronic access controls and CCTV deployment.
- Completing the installation of meeting room conferencing kits.

Electronic Declaration System (eDS)

During the period, much of the Software Development team's time was focused on preparing the eDS application ready for public usage. An internal instance of the eDS application was maintained for the Information and Complaints declarations data entry team. On the completion of the public version, separate database instances are being maintained, while data older than 2018 has been archived. A web application penetration scan was conducted, resulting in seven findings (3 – medium risk, 4 – low risk) that were all remediated during Quarter 4. The application underwent further modifications based on reviews from the stakeholders and legal teams to implement additional security layers.

The formal handover to the Information and Complaints Division took place on April 3, 2024. Features included: multifactor authentication, disabled electronic submission, disabled electronic signature, the ability to print declarations for notarization and submission, the ability to upload supporting documentation, updated screen text throughout the user interfaces, removal of all references to “electronic submissions”, and a legal disclaimer on the login for the limited use of the system. The Data Privacy Policy and the Terms and Conditions pages were also updated.

Information Security

Activities during the period were related to resolving the vulnerabilities identified during the internal and external network penetration scans. These activities saw the formation of a dedicated team from within the ITBP to work on resolving the vulnerabilities. There were eight unresolved findings requiring further work by the team to reconfigure security settings, decommission legacy servers, and replace end-of-life devices. During June 2023, all external vulnerabilities were remediated, while work on the internal vulnerabilities continued. Reverification scans were completed in September 2023 with the following findings:

- External reverification had five findings (high - 1, medium – 2, low - 2) and
- Internal reverification had 16 findings, (high – 6, medium – 5, low – 5).

The outstanding remediation activities continued successfully with the exception of an end-of-life CCTV system that required replacement. A vulnerability manager software was deployed along with automatic updates to enhance the patching and updating processes and saw much overall improvement.

A number of IT policies were worked on during the period to align them to the ISO27002:2022 standard. Cybersecurity awareness training continued with all staff, as well as new employees participating, resulting in a positive increase in the number of IC staff who are able to identify potentially malicious cyber-attacks and take preventive measures.

Business Continuity Strategy

During the period, the Commission's data backup infrastructure, offsite storage, daily and weekly backup routines, and data restoration from tapes, were successfully implemented. The data saved to tapes are taken to an offsite storage facility. To ensure that a critical part of the recovery strategy was tested, the data stored on data tapes were successfully restored and documented for future reviews.

The period saw the deployment of a monitoring software, "Operations Manager", being configured to provide additional monitoring capabilities to ensure proactive measures are taken based on trends, resource utilization, uptime and outage notifications.

The Integrity Commission and Contracts Websites.

The Integrity Commission utilises and maintains the following four websites:

- The Integrity Commission's website – www.integrity.gov.jm
- Quarterly Contract Awards Portal – qca.integrity.gov.jm
- Contract Cost Overrun and Variation Portal – ccov.integrity.gov.jm
- Electronic Declaration System.

The Integrity Commission's website provides pertinent information on matters which relate to its work. The Integrity Commission's website was refreshed to ensure better secured hosting platforms, ease of use and navigation by viewers. The primary purpose of the website is to provide a medium that promotes standards of ethical conduct among parliamentarians, public officials and other persons, while promoting transparency in the Government of Jamaica's (GOJ's) Procurement and Contract Award Processes. The website also seeks to ensure that useful and timely information, which relates to the activities and work of the Integrity Commission, is easily accessible to all stakeholders.

The Integrity Commission Website Statistics:

Views by Page title and screen class



PAGE TITLE AND SCREEN ...	VIEWS
Home Integrity Commission	26K
Statutory Declaration Form I...	18K
Employment Opportunities I...	13K
Investigation Reports Integri...	6.5K
Contact Us Integrity Commi...	3.9K
Statutory Declaration Sample...	3K
About Integrity Commission	2.3K

Sessions▼ by
Session primary channel group...▼

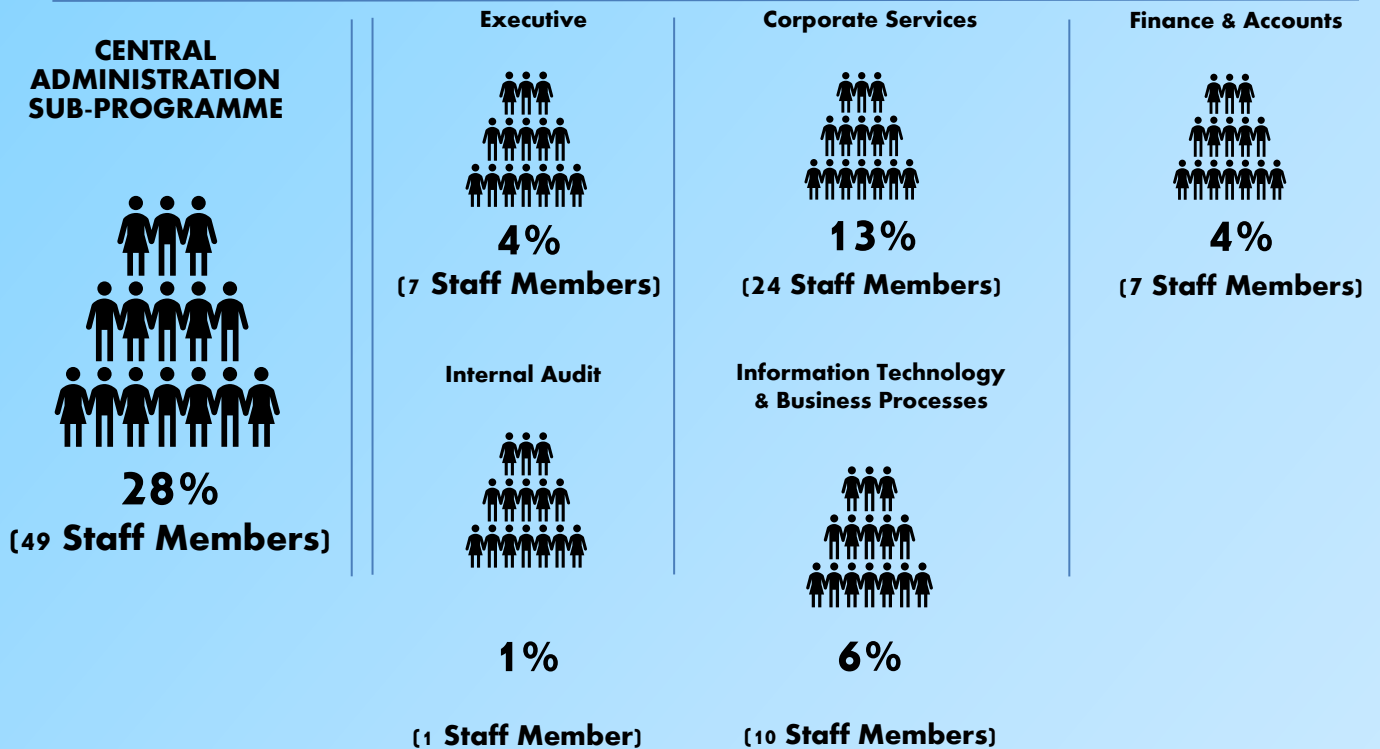


SESSION PRIMARY CHAN...	SESSIONS
Organic Search	45K
Direct	14K
Organic Social	3.9K
Referral	507
Unassigned	230
Organic Video	4

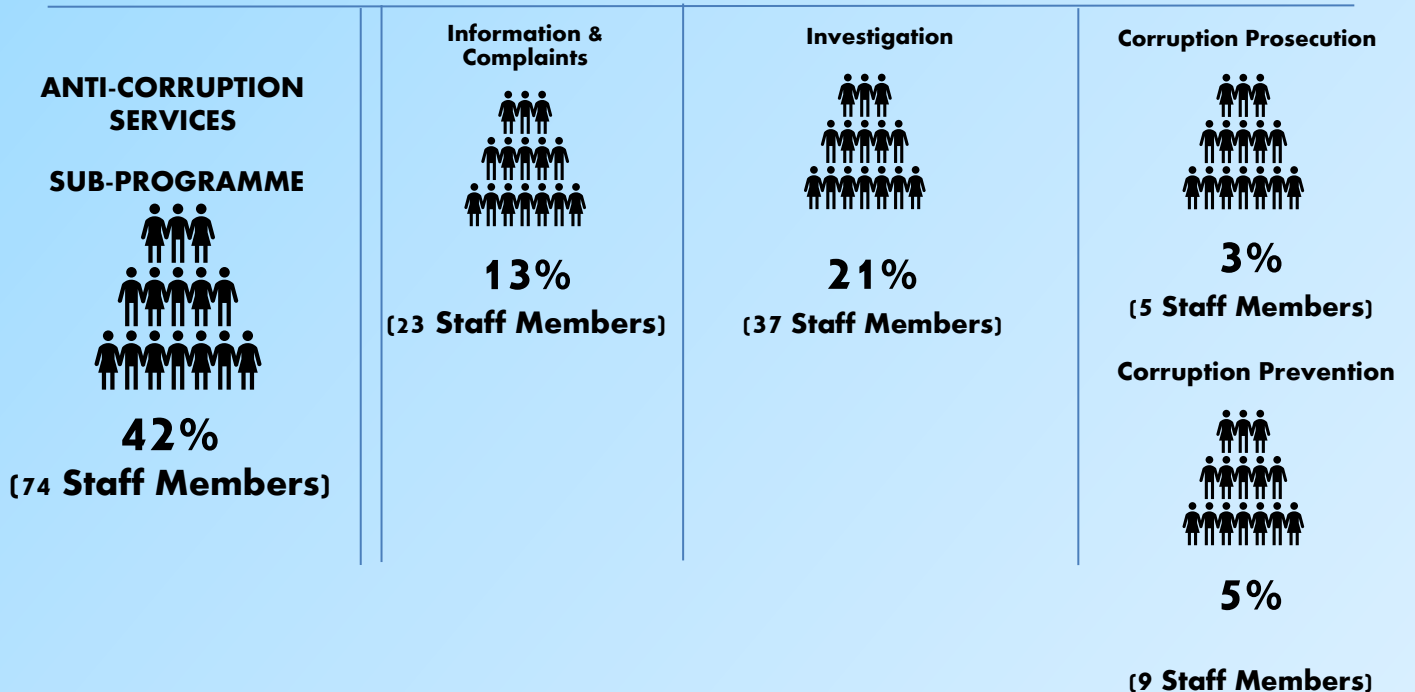
Chapter 11 - Executive Office - Corporate Services Division

CENTRAL ADMINISTRATION DASHBOARD

Executive Direction & Administration Programme



Promotion of Integrity in the Public Service Programme



INTEGRITY COMMISSION

Structure Composition

The structure of the Commission comprises two main programmes:

1. **Executive Direction & Administration:** This programme, comprising four Divisions, accounts for 35% of the approved structure. It seeks to provide institutional governance and operational capacity for the Commission, and is concerned with policy formulation, initiation, review and evaluation and provides centralized services such as personnel management, financial management, information technology, and other administrative services necessary to support the Central Administration operations.
2. At the end of March 31, 2024, the staffing complement for this programme was 49 employees, representing 28% of the employees as shown below.

EXECUTIVE DIRECTION & ADMINISTRATION	Division	Approved Capacity	Current Complement	% of Capacity
Direction & Management	Executive	12	7	4%
Administration of Internal Audit		3	1	1%
Financial Management & Accounting Services	Finance & Accounts	7	7	4%
Human Resources & Other Support Services	Corporate Services	28	24	13%
	Information Technology & Business Processes	13	10	6%
CENTRAL ADMINISTRATION		63	49	
% of Capacity / Current Complement		35%	28%	

3. **Promotion of Integrity in the Public Service:** This programme, comprising four Divisions, represents 65% of the approved structure, and supports the core functions of the Commission under the Integrity Commission Act, 2017. The core functions include anti-corruption engagement programmes, the processing of complaints, contracts monitoring & investigation, and enforcement services.

At the end of March 31, 2024, the staffing complement for this programme was 74 employees, representing 42% of the Commission's employees.

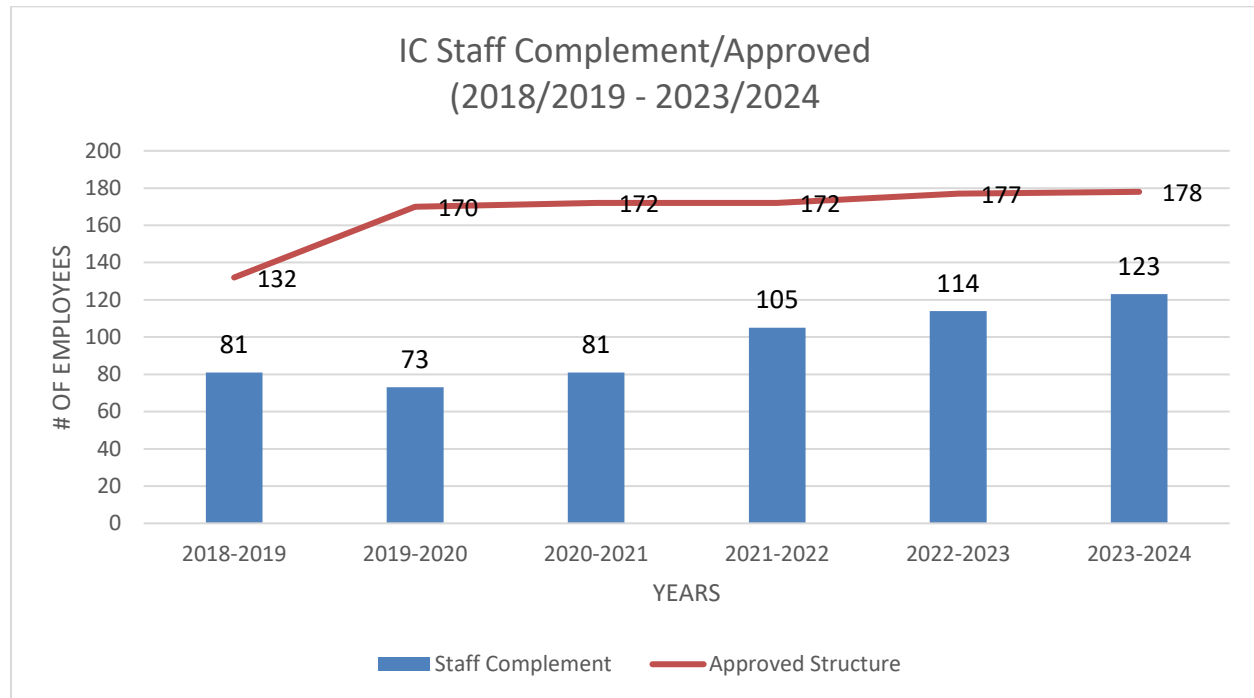
INTEGRITY COMMISSION

PROMOTION OF INTEGRITY IN THE PUBLIC SERVICE		Division	Approved Capacity	Current Complement	% of Capacity
Information & Complaints Processing		Information & Complaints	28	23	13%
Investigations for Corruption Detection		Investigations	57	37	21%
Corruption Prosecution		Corruption Prosecution	11	5	3%
Corruption Prevention		Corruption Prevention	19	9	5%
ANTI-CORRUPTION INITIATIVES/SERVICES			115	74	
% of Capacity / Current Complement			65%	42%	

CORPORATE SERVICES DIVISION

OVERVIEW OF STAFFING CAPACITY OF THE INTEGRITY COMMISSION

Since the official operationalisation of the Integrity Commission on February 22, 2018, approved amendments to the organizational structure were granted, to ensure that the structure has the requisite capacity to undertake the objectives and functions specified under the Act. Accordingly, the structure, since being commissioned, increased from 132 employees to 178 employees, representing an increase of 34%, with the staffing complement growing over the years. At the end of the financial year March 31, 2024, 123 Fixed-Term Contract (FTC) employees were employed by the Commission. This is depicted in the chart below.



At the end of the financial year March 31, 2024, the workforce capacity of the Commission represented an overall staff complement of 137 employees, comprising 123 FTC employees, and 14 temporary employees.

The 123 FTC employees represent an eight-percentage increase over the previous year's complement of 114 employees.

CORPORATE SERVICES DIVISION

The Corporate Services Division (CSD), which is headed by a Director who reports to the Executive Director, comprises four departments:

1. Human Resource Management
2. Office Services
3. Public Procurement
4. Registry

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At the end of the reporting period, the Division had a staff complement of 23 persons across the two locations of the Commission. Private security personnel who also fall under the Division, are not counted as staff.

Human Resource Management Department

During the reporting period, the CSD, through the Human Resource Management Department (HRMD), gave priority to general staffing activities, to include recruitment, performance assessments, staff welfare, and training and development programmes for the organization.

Staffing Complement of the Integrity Commission

The Commission commenced the 2023-2024 fiscal year with a staffing complement of 123 employees, comprising 114 Fixed-Termed Contract (FTC) employees, and 9 Temporary employees.

The Commission ended the fiscal year, March 31, 2024, with a staffing complement of 137 employees, comprising 123 FTC employees and 14 temporary employees.

MONTHS-ENDING	FTC EMPLOYEES	TEMP EMPLOYEES	TOTAL HEAD COUNT
23-Apr*	114	14	128
23-May	112	14	126
23-Jun	111	14	125
23-Jul	114	14	128
23-Aug	116	14	130
23-Sep	121	14	135
23-Oct	123	14	137
23-Nov	125	14	139
23-Dec	123	14	137
24-Jan	124	14	138
24-Feb	124	14	138
24-Mar	123	14	137
AVERAGE HEAD COUNT	119	14	133

- The 123 FTC employees represent an eight-percentage increase over the previous year's complement of 114 employees.
- The Commission, in April 2023*, engaged the services of five additional Data Entry Operators, increasing the total operators from nine to 14. The Data Entry Operators represent the temporary employees within the workforce.

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- The Data Entry Operators are assigned to the Information and Complaints Division to assist, among other things, in clearing the backlog of Statutory Declarations to be posted to the Statutory Declaration Database.

Operationalization of the Approved Structure

Based on the Commission's recruitment strategy to operationalize vacant posts on the organizational structure, approval was obtained from the Ministry of Finance and the Public Service (MOFPS) to activate 41 posts, with effect from April 3, 2023.

During the fiscal year, the Commission, based on its requests for approval, received formal endorsement to amend its staff complement on the organization structure, effectively increasing it from 177 to 178, as outlined below:

1. May 31, 2023: Addition of a Data Protection Officer to the organizational structure.
2. October 31 2023: Reclassification and consolidation of the Complaints and Protected Disclosure Officer post, which reduced the number of posts from six to five on the structure.
3. December 8, 2023: Addition of one additional Process Server/Driver post to the organizational structure.

At the end of the Financial Year, ending March 31, 2024, the Commission's revised structure (from 177 to 178 staff members) was at 69% of capacity with 123 employees onboarded as depicted below:

APPROVED STRUCTURE	177	178	
DIVISIONS	PREVIOUS YEAR (2023)	CURRENT YEAR 2023-2024	CURRENT % ON STRUCTURE
Executive Office	4	8	4%
Corporate Services	23	24	13%
Finance & Accounts	7	7	4%
Information Technology	7	10	6%
Corruption Prevention	8	9	5%
Information & Complaints	25	23	13%
Investigations	36	37	21%
Corruption Prosecution	4	5	3%
TOTAL ONBOARDED	114	123	69%
% ON STRUCTURE	62%	69%	

Staffing – Recruitment & Selection (FTC Employees)

During the period under review, the Commission placed 100 job advertisements to fill the vacant posts approved, and posts made vacant during the year. As at March 31, 2024, of the 100 vacancies that were publicly advertised, the Commission successfully recruited and filled 40 FTC vacant positions, as depicted in the Recruitment and Selection table below. Of the 40 referenced FTC positions, 28 positions were filled by new employees and 12 were filled by existing employees.

Staffing Complement – Recruitment & Selection Table

MONTHS	VACANCIES ADVERTISED	INTERVIEWS CONDUCTED	NEW FTC POSTS ONBOARDED	FTC POSTS FILLED INTERNALLY
Apr-23	19	0	2	
May-23	10	11	0	
Jun-23	8	13	2	
Jul-23	4	15	3	4
Aug-23	0	6	2	1
Sep-23	8	5	6	2
Oct-23	6	4	3	1
Nov-23	11	6	3	
Dec-23	2	4	0	1
Jan-24	12	15	2	1
Feb-24	12	12	1	0
Mar-24	8	10	4	2
TOTAL	100	101	28	12

- A total of 45 posts (40 FTC + 5 Temporary employees) were successfully filled during the reported period.
- A 100% public competitive recruitment and selection process for FTC posts onboarded and filled internally, ensuring that all individuals were provided with an equal opportunity to apply, making the process open, transparent and fair.

INTEGRITY COMMISSION

Staffing Capacity per Division (FTC Employees)

During the period under review, the Commission executed its recruitment strategy to fill approved vacant positions within each Division as outlined in the table below.

INTEGRITY COMMISSION	DIVISIONAL CAPACITY	PREVIOUS YEAR (2022-2023)	CURRENT YEAR (2023-2024)	CURRENT % DIVISIONAL CAPACITY
Executive Office	15	4	8	53%
Corporate Services	28	23	24	86%
Finance & Accounts	7	7	7	100%
Information Technology	13	7	10	77%
Corruption Prevention	19	8	9	47%
Information & Complaints	28	25	23	82%
Investigations	57	36	37	65%
Corruption Prosecution	11	4	5	45%
	178	114	123	69%

- Staffing recruitment was completed for all Divisions during the year.
- Only one Division is at 100% capacity.
- The majority of the vacant positions to be filled are for the Investigations Division.
- Separations during the year impacted the staffing capacity for most divisions.
- The Commission's Investigation Division recorded the highest turnover rate, inclusive of the highest rate of resignations.

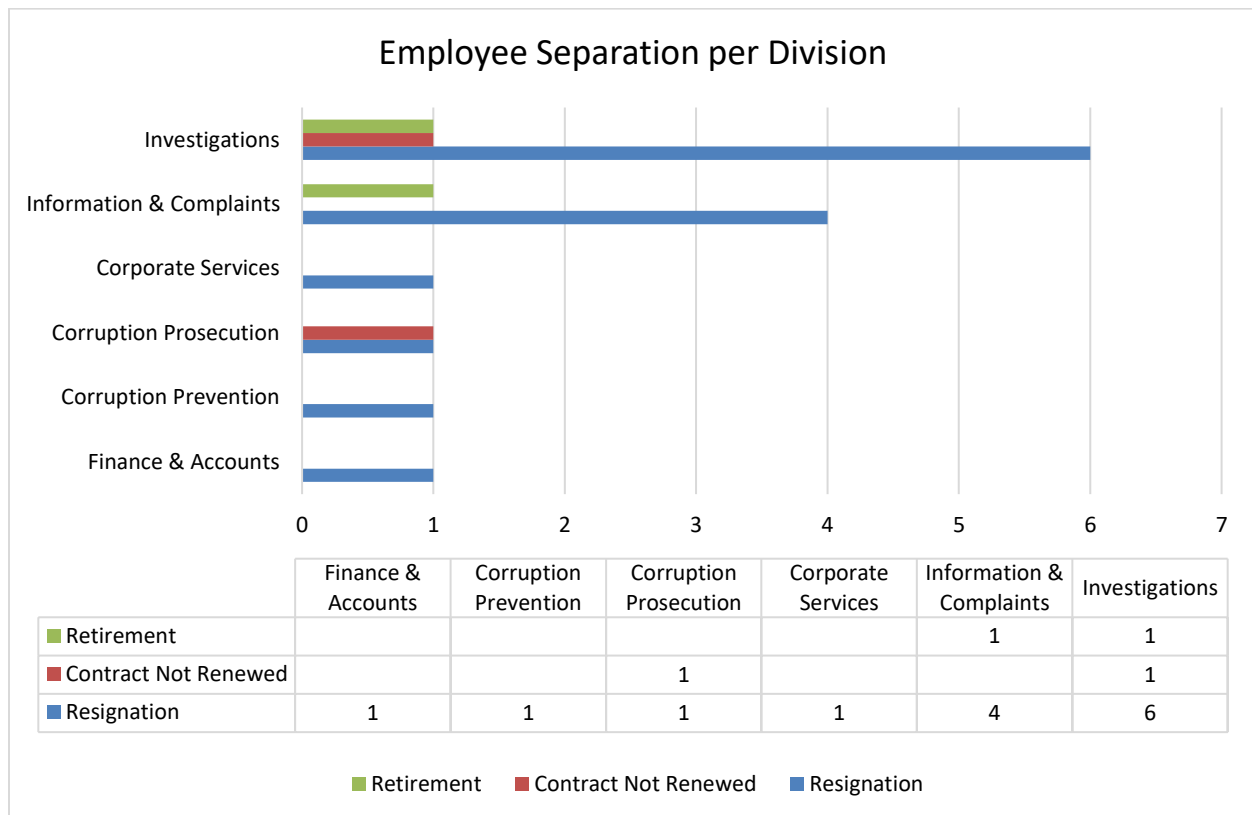
Staffing – Recruitment & Separation (FTC Employees)

During the reporting period, the Commission successfully recruited 40 FTC employees, whilst there were 18 separations from the organisation, as summarized below:

DETAILS	QTR-1	QTR-2	QTR-3	QTR-4	TOTAL
Staff Recruitment	4	18	8	10	40
Staff Separation	4	3	4	7	18

INTEGRITY COMMISSION

- i. Separation of 18 employees, as outlined below:
 - a. Two officers proceeded on retirement.
 - b. Six officers did not renew their contracts after completing their three-year contractual agreements.
 - c. Eight officers resigned, not completing their three-year contracts.
 - d. Two officers were involuntarily separated, relating to poor performance assessments.
- ii. It is estimated that for every two positions the Commission filled, there was one separation.
- iii. The Commission's exit interview process revealed that the two main reasons for resignation were:
 - a. Low compensation, based on unresolved issues with the new compensation system.
 - b. High-risk working environment.



The anti-corruption services programme was significantly impacted during the 2023-2024 period, recording 89% of the total separation from the organization.

Turnover / Attrition Rate

The employee turnover rate is influenced by two main factors: terminations by the employee (voluntary) and by the Commission (involuntary). Influencing factors that impacted this performance indicator, include: the expiration of three-year employment contracts; retirements; and last, but not least, resignations, mostly by employees in the early stages of their three-year contracts. Based on exit interviews completed, the main reasons cited for the resignations have been generally attributed to unresolved issues with the new MOFPS compensation system, and the Commission being a high-risk working environment.

The turnover rate for 2023-2024 period is 15%, representing a six-percentage point increase over the 2022-2023 period. The Commission's employee retention rate of 85%, reflects a worsened position than the previous year of 91%, as shown below.

2023-2024 TURNOVER RATE

MONTHS	HEAD COUNT	SEPARATION	TURNOVER RATE
Apr-23	125	2	2%
May-23	117	2	2%
Jun-23	117	3	3%
Jul-23	120	0	0%
Aug-23	120	0	0%
Sep-23	121	1	1%
Oct-23	122	1	1%
Nov-23	122	1	1%
Dec-23	122	2	2%
Jan-24	123	1	1%
Feb-24	123	1	1%
Mar-24	123	4	3%
			15%

The 2023-2024 turnover rate of 15%, records the highest since the formation, and transitioning period of the Commission (2018-2021), as shown below.

INTEGRITY COMMISSION

TURNOVER RATE 2019-2024

FINANCIAL YEAR	HEAD COUNT	VACANCIES ADVERTISED	INTERVIEWS CONDUCTED	NEW POSTS ONBOARDED	SEPARATION	TURNOVER RATE	
2018-2019	81	0	0	8	9	11%	Transition Period
2019-2020	73	0	0	2	8	11%	
2020-2021	81	0	0	22	13	16%	
2021-2022	105	0	0	34	11	10%	
2022-2023	120	0	0	21	11	9%	
2023-2024	123	0	0	33	18	15%	

Implementation of New Compensation System

The Ministry of Finance and the Public Service (MOFPS), despite facilitating meetings to discuss anomalies raised by the Commission, as observed in the implementation of the new public sector compensation structure, is yet to resolve concerns raised. Inherent issues in the classification structure of the anti-corruption nature of the organization remain unresolved.

The referenced unresolved issues are:

1. Based on the IC's Compensation Package, in which the Net Percentage Increase ranges from 12.5% to 34% for all categories of staff over the 3 years of the Compensation Period, the use of temporary allowances for especially staff that fall below the minimum 20% increase, though being non-taxable, **effectively does not benefit these affected posts**, this after the expiration of the Temporary Allowance.
2. Anomalies were recognized in some classification groups, within the IC's Salary Scales, specifically Levels 3 to 7, requiring review and related corrective actions.
3. Concerns relating to staff acting in a higher post, or on being recruited to a higher post. They have complained of being 'worse-off' because they were appointed at the first point of the salary scale/band.
4. No consideration was given to the nature and operations of the Integrity Commission as Jamaica's lead anti-corruption agency, nor was any collaboration afforded, during the compensation review process, to seriously address the following:
 - a) Jamaica's Treaty obligations under Articles 6 and 36 of the United Nations Convention Against Corruption (UNCAC), as well as Principles #9, #10, #11 and #12 in particular, of the November 2012 Jakarta Statement on Principles for Anti-Corruption Agencies. In essence, these internationally recognized prescriptions, among others, require that States must ensure that their national anti-corruption agencies are treated in a unique manner to

INTEGRITY COMMISSION

ensure, among other things, their independence, immunity from undue influence, ability to competitively hire and retain specialized staff and, by extension, to ensure that their staff are adequately and competitively compensated.

These issues have negatively impacted the Commission's ability to attract and retain qualified and experienced staff, increasing the turnover rate within the organization.

Since the implementation of the new compensation system, the Commission has been experiencing several challenges which have negatively impacted its Recruitment Plan, and increased separation from the organization due to matters relating to inadequacies of the compensation package that the organization received. These setbacks were:

- i. Inability to effectively fill vacant positions due to uncompetitive and unattractive compensation packages/rates.
- ii. Ten potential employees rejected job offers after formal selection, this after receiving confirmation that the Commission is unable to move beyond the first point of the scale of the position being recruited.
- iii. Frequent loss of trained and experienced staff which impacted productivity, and timely completion of tasks.
- iv. High cost of recruitment and re-training of staff to effectively continue operations.

The Commission, in discussion with the MOFPS, has sought due consideration for a favourable review of the compensation package received, in keeping with the anti-corruption status of the organization, and its high-risk work environment with its associated operational hazards.

Implementation of MyHR+ System

The HRMD, in collaboration with the Finance & Accounts Division and the Transformation Implementation Unit (TIU) of the MOFPS, successfully completed the first phase of the MyHR+ software system during the year.

MyHR+ is an integrated HR and payroll system being rolled out by the Ministry of Finance and the Public Service.

In Phase-1 of the MyHR+ project, all employees were enrolled on the system along with their payroll information. A number of training sessions, facilitated by the TIU, were held with HRMD staff, the payroll staff, and the general staff, to sensitize employees of the features and benefits of the system.

Phase 2 of the project was finalized during the in the 1st Quarter of the 2023-2024 fiscal year. In Phase 2, the payroll information was synchronized with the existing Bizpay payroll system that was projected to be decommissioned. A series of parallel runs between both the Bizpay and the MyHR+ systems were completed in ensuring accuracy and consistency of the payroll runs before going live with the MyHR+ system.

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Due to competing priorities and limited HRMD staffing, the implementation of Phase 3 of the system is projected to commence during the 1st Quarter of the 2024-2025 fiscal year. Phase 3 of the MyHR+ system is set to implement the self-help leave management feature of the system.

Performance Appraisal

During the reporting period, the Human Resource Department, continued its efforts towards improving the performance assessment process.

The Human Resource Department, in collaboration with Divisional Heads, processed and completed a total of 89 performance appraisals during the reporting period, as depicted below.

PERFORMANCE APPRAISAL									
MONTHS	Executive	Finance & Accounts	Corporate Services	Information Technology	Corruption Prevention	Information & Complaints	Investigation	Corruption Prosecution	TOTAL
Apr-23			1			2	1		4
May-23			1				3		4
Jun-23				1		3	1		5
Jul-23			5		1	3	3	1	13
Aug-23	1		2			4	8		15
Sep-23			1			3			4
Oct-23				2			7		9
Nov-23		5	10	2		1	4		22
Dec-23					3		2		5
Jan-24			1					2	3
Feb-24					1				1
Mar-24						3	1		4
Total	1	5	21	5	5	19	30	3	89

Staff Training & Development

During the 2023-2024 period, the organization continued its Training & Development Programme to build the capacity and competency of its employees. At the end of the reporting period, 342 participants completed 68 training programmes with an overall cost of approximately \$16.1M.

Several employees across all Divisions were part of multiple training programmes during the period.

2023-2024	# of Training Programmes Completed	Participants	Cost
1st QTR (Apr-Jun 2023)	6	18	\$1,518,600
2nd QTR (Jul-Sep 2023)	10	113	\$1,307,286
3rd QTR (Oct-Dec 2023)	13	73	\$6,814,922
4th QTR (Jan-Mar 2024)	39	138	\$6,472,910
TOTAL	68	342	\$16,113,718

The Key Training Programmes embarked on during the reporting period are summarized below:

- Mobile Forensics Training (Cellebrite CCO and CCPA Training)
- Train the Trainers Workshop (Protected Disclosure Implementation)
- Procurement Training (INPRI) Levels 1 to 4
- Principles and Practice of Project Management
- Intelligence Gathering and Analysis Training
- Jamaican Bar Association Annual Conference
- Records Management Training
- Emotional Intelligence for Effective Leadership Training
- Financial Investigation Seminar
- Cyber-Security Awareness Training for the Commission
- Leadership & Team Development
- Prosecutors' Empowerment Training
- Supervisory Management Training
- Occupational Health and Safety Training Programmes

Staff Welfare, Awards & Recognition Programmes

The Commission, during the year, through its Social Activities Committee, planned and successfully facilitated staff welfare and awards programmes. The Commission also hosted a Staff Recognition and Awards Ceremony, which formed part of the Commission's Christmas Luncheon/Year-end celebrations.

The 'Above and Beyond Award' was established to help to inspire and motivate Integrity Commission employees to reach their maximum potential.

Eleven awardees were selected, recognised, and awarded for 'going above and beyond' in the undertaking of their daily activities, and their outstanding work effort, exceptional contribution towards efficiency and effectiveness of the Commission's operations, and special efforts to promote workforce excellence.

JET Beach Clean-up 2023

The Commission, during the year, participated in the annual Jamaica Environmental Trust (JET) 2023 Beach Clean-up Activity, which took place on Saturday, September 16, 2023.

Occupational Health & Safety Programme

COVID-19 Impact

There were no COVID-19 reported cases during the period.

Dengue Impact

On September 23rd, 2023, the Ministry of Health declared an outbreak of the dengue virus due to an increase in cases throughout the island. There were two (2) reported cases of dengue within the Commission.

Earthquake Impact

On October 30, 2023, at approximately 10:57am, Jamaica was rocked by a 5.6 magnitude earthquake. Although employees were frightened and traumatized from the scare, there were no injuries to staff.

Several buildings across the Corporate Area were evacuated, these included the Commission's two offices at the Oxford Road and Knutsford Boulevard locations.

A safety walkthrough and assessment of both office locations were conducted to determine the nature of the impact. Both offices reported minor structural damages, which are to be addressed by the property owners. At the end of the reported period, the earthquake repairs were not yet completed for both locations.

Shooting Incident Impact

On Thursday, September 21, 2023, Mr. Ryan Evans, the Commission's Director for the Corruption Prevention Division, was shot, injured, and robbed of his briefcase by unknown assailants, in the environs of the Commission's Knutsford Boulevard Office.

The impact of the unfortunate incident sent shockwaves throughout the organization, resulting in the staff being deeply traumatized.

Effective the same day, Thursday, September 21, 2023, the Commission implemented additional private security arrangements as well as revised its security procedures to ensure the safety and security of its valued employees.

Following the shooting incident, the Commission arranged and held a series of prayer and counselling sessions for its staff.

The Commission and its leadership have continued to actively review its security measures to effectively implement steps to protect its staff.

Air Quality Assessment

In keeping with the Commission's commitment to ensure a safe and healthy workplace for its employees and stakeholders, a diagnostic air-quality assessment was commissioned and completed for both of its leased office locations.

The Commission engaged Environmental Solutions Limited (ESL) to conduct the Indoor Air Quality Diagnostic Assessment at its Knutsford Boulevard and Oxford Road offices.

- *Knutsford Boulevard Location*

ESL conducted this assessment on August 28th to 30th 2023 and, following the analysis of the data collected, submitted its draft report on October 19, 2023. The draft report detailed the findings of the indoor air quality assessment along with recommendations for the Commission's consideration.

Based on recommendations cited by ESL in the Diagnostic Air Quality draft report for this location, Sagicor Property Services, supported by Office Services Management, undertook remediation

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measures during the reporting period, to correct the respective issues on the 3rd to 6th floors of the Sagicor Sigma Building.

The recommended solutions implemented by Sagicor Property Services include:

- a. Have the VAC systems assessed by a mechanical engineer with professional experience in ventilation systems to ensure that they are fit for purpose.
- b. Cleaning of Air-Handling Units for the 3rd to 6th floors.
- c. Investigate and correct the reason(s) for the water-stained ceiling tiles.
- d. Replace ceiling tiles after source of moisture has been corrected.
- e. Investigate sources of moisture intrusion and implement corrective actions to fix them.

- *Oxford Road Location*

ESL conducted a site visit of the facility on September 15, 2023, to develop an appropriate air-quality sampling plan based on their observation/initial assessment of the space.

The air quality assessment was completed during the 4th Quarter of the 2023/24 period, and was undertaken over three days, January 8-10, 2024. ESL completed its field exercise with data gathering/sampling of relative temperature, humidity, carbon dioxide, carbon monoxide, respiratory particulate matter, yeast, mould and volatile organic compounds.

A full diagnostic and lab analysis was completed on the data samples collected.

ESL's draft report to the Commission was submitted on Thursday, March 7, 2024.

The summary of the main findings revealed significantly elevated levels of yeast; mould; relative humidity; variations in temperature associated with non-functional return air systems; moisture intrusion; and elevated levels of respiratory particulate matters, in certain areas of the premises.

ESL's main recommendations were to: relocate all occupants and activities from the high-risk areas identified for yeast, moisture and mould; engage a mechanical engineer with professional experience in ventilation systems to ensure they are fit for purpose; investigate sources of moisture intrusion; identify the reasons for the high relative humidity, and implement corrective actions to fix them; and conduct mould and yeast remediation.

Based on the findings, and recommendations presented by ESL, the Commission, out of an abundance of caution, immediately acted in relocating all of its staff from the Oxford Road location to its Knutsford Boulevard office, while it commenced efforts to conduct mould and yeast remediation, replace aged and defective carpeting, and undertake a general uplifting of the space.

These activities are slated to commence in the 1st QTR of the 2024/25 FY, and are estimated to be completed in the 2nd QTR.

Occupational Health and Safety (OHS) Training

The purpose of the occupational health and safety training was to assist safety wardens and other interested participants to acquire the knowledge and skills in the different courses, so they can recognize common emergencies and life-threatening circumstances and give appropriate care. Additionally, once trained, all participants should develop habits which promote safety awareness in the home, at work, school, during sporting events and on the streets.

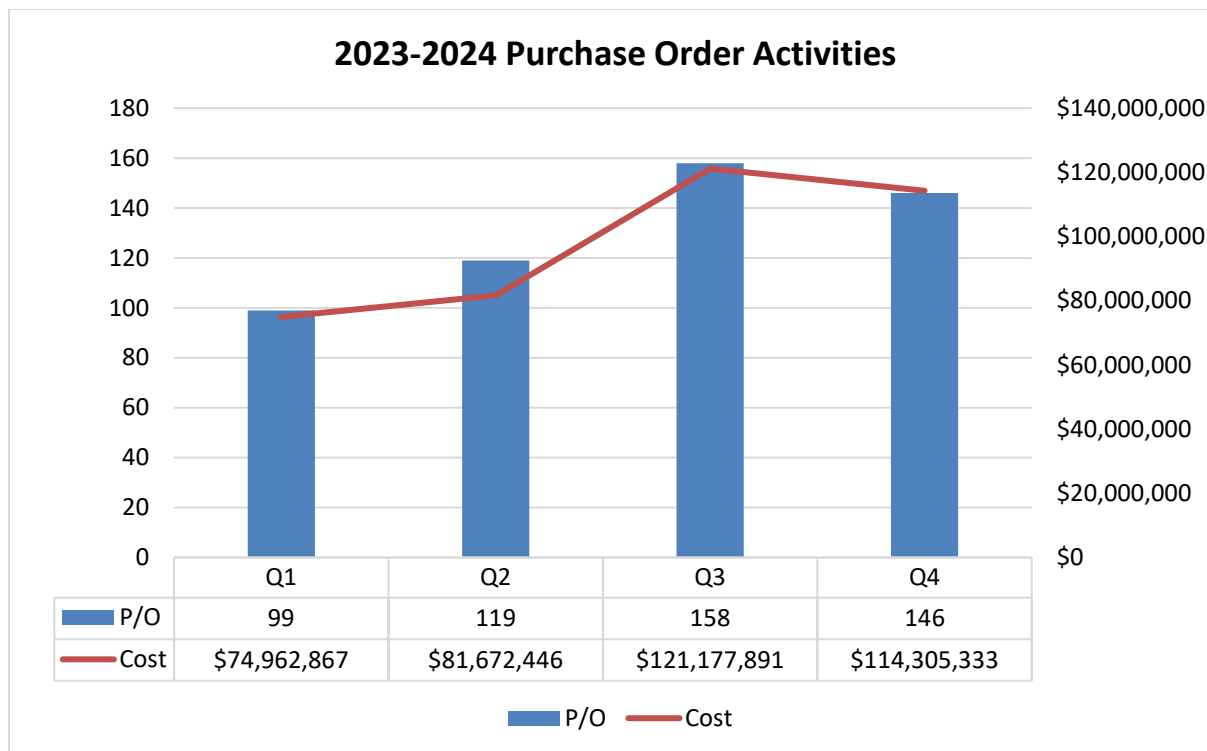
The OHS training courses, completed during the period, are outlined below:

#	OHS Training Courses	Date	# of Participants
1	Disaster Risk Management Training (Earthquake, Hurricane and Flood, Landslide and Drought & Heat)	January 30-31, 2024	18
2	Psychological First-Aid Training	February 2, 2024	18
3	Fire Warden/Safety Monitor Training	February 6, 2024	16
4	General Fire Safety Training	February 7, 2024	16
5	First-Aid and CPR	March 25-26, 2024	18

In addition to the selection and training of safety wardens, the Commission acquired, installed and maintained OHS equipment at both locations during the reporting period.

Procurement Department

During the year, the Procurement Department generated 522 Purchase Orders on the GOJ GFMS system with expenditures totaling approximately \$392.1M, generated over the 4 Quarters, as summarized in the procurement chart overleaf:



Quarterly Contract Award (QCA) Reports - 2023/2024

- All 4 required QCA Reports for the fiscal year ending March 31, 2024, were prepared and uploaded on the portal within the specified timeframe per Quarter.

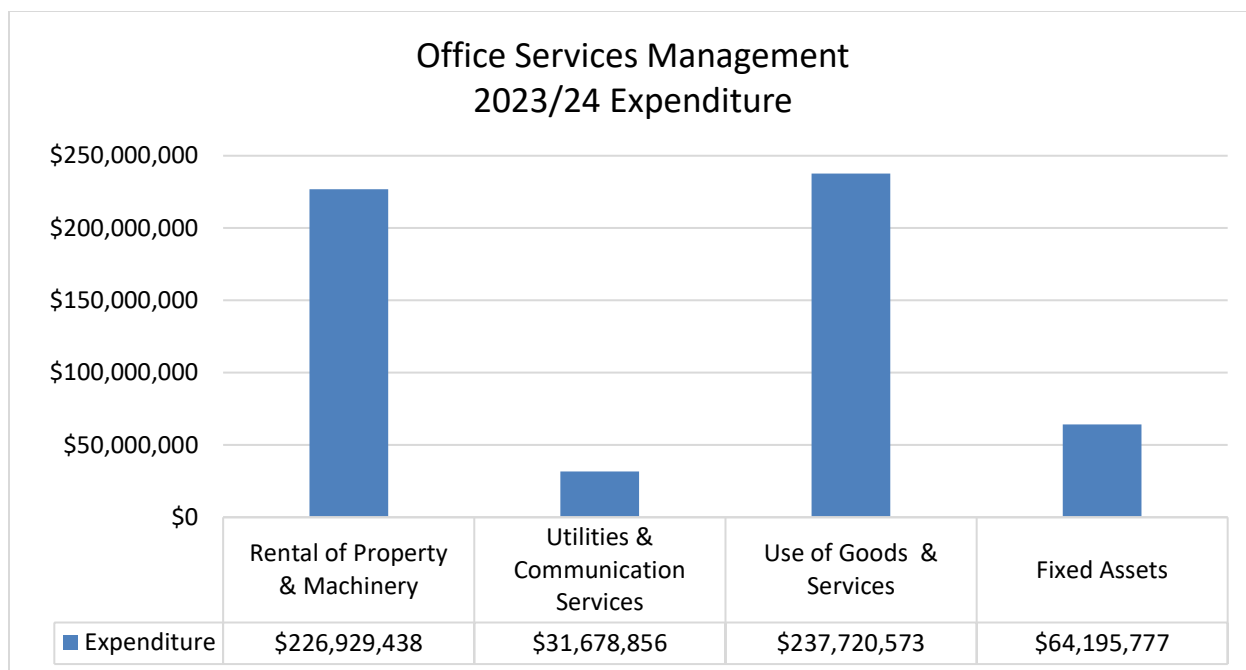
Procurement Committee Meetings

- The Procurement Committee of the Commission held eleven (11) meetings during the reporting period to consider procurement related activities submitted for endorsement.

Office Services Department

The Office Services Department has direct responsibility for the management of Utilities and Communication Services; Rental of Property & Machinery; Receival and Management of all Assets; as well as Property Management and Maintenance Services at both locations.

The Department facilitated requests from all Divisions during the period for the procurement of related goods and services and fixed assets, and other goods and services in the Financial Year 2023/2024; largely from the Commission's 2023/2024 Recurrent Budget. These are summarized in the 2023/4 Expenditure Chart for Office Services.



Additionally, during the reporting period, the department prioritized its efforts in coordinating OHS training of safety wardens.

Lease/Rental of Office Space

1. Leased from the Planning Institute of Jamaica (PIOJ), located at 16 Oxford Road, Kingston 5 (1st Floor). The lease term is for five years, commencing on the January 1, 2023 and expiring on December 31, 2028, with an option to renew for a further five years.
2. Leased from Sagicor Life Jamaica Limited, located at 63-67 Knutsford Boulevard, Kingston 5 (Sagicor Sigma Building 3rd to 6th floors). The lease term is for ten years, commencing September 1, 2021 and expiring on August 31, 2031. There is an option to renew the lease for two further consecutive terms of five years.

Lease/Rental of Car Parking Facilities

1. Seven parking spaces, included within the lease of property from the Planning Institute of Jamaica (PIOJ), located at 16 Oxford Road, Kingston 5. The lease term is for five years, commencing on January 1, 2023 and expiring on December 31, 2028, with an option to renew for a further five years.
2. Thirty-six parking spaces leased from National Water Commission, located at 18 Oxford Road, Kingston 5. The lease term is for three years, commencing on the May 16, 2022, and expiring on May 15, 2025, with an option to extend.
3. Seventy parking spaces leased from Sagicor Life Jamaica Limited, located at 63-67 Knutsford Boulevard, Kingston 5. The lease term is for ten years, commencing September 1, 2021, and expiring on August 31, 2032.

The Registry

The Registry Department is the unit primarily responsible for the receipt, storage, delivery and monitoring of all files in its custody. The Registry staff has the responsibility to maintain the Commission's records in a systematic manner along with ensuring that they are secured for future retrieval and reference. These records are maintained for evidence, information, and/or investigation and prosecution purposes.

Inventory of Files/Documents

During the reporting period, the Registry team inventoried 1,900 files, and processed 532 files requested for investigative purposes.

Inventory of Files/Documents (Commission for the Prevention of Corruption (CPC))

The filing/inventory of files/records inherited from the CPC is approximately 95% completed. A total of 1,650 files, documents and correspondences were inventoried and processed.

Data Protection Requirements/Activities

In compliance with the Data Protection requirements/activities, the Registry team, during the period, developed the following documents:

1. Records Information Management Policy and Procedures
2. Data Inventory and Data Mapping Process
3. Standard Operating Procedures (SOP) for the varying Sub-Registries.
4. A Data Protection Impact Assessment for registry operations.
5. A Document Retention and Destruction policy

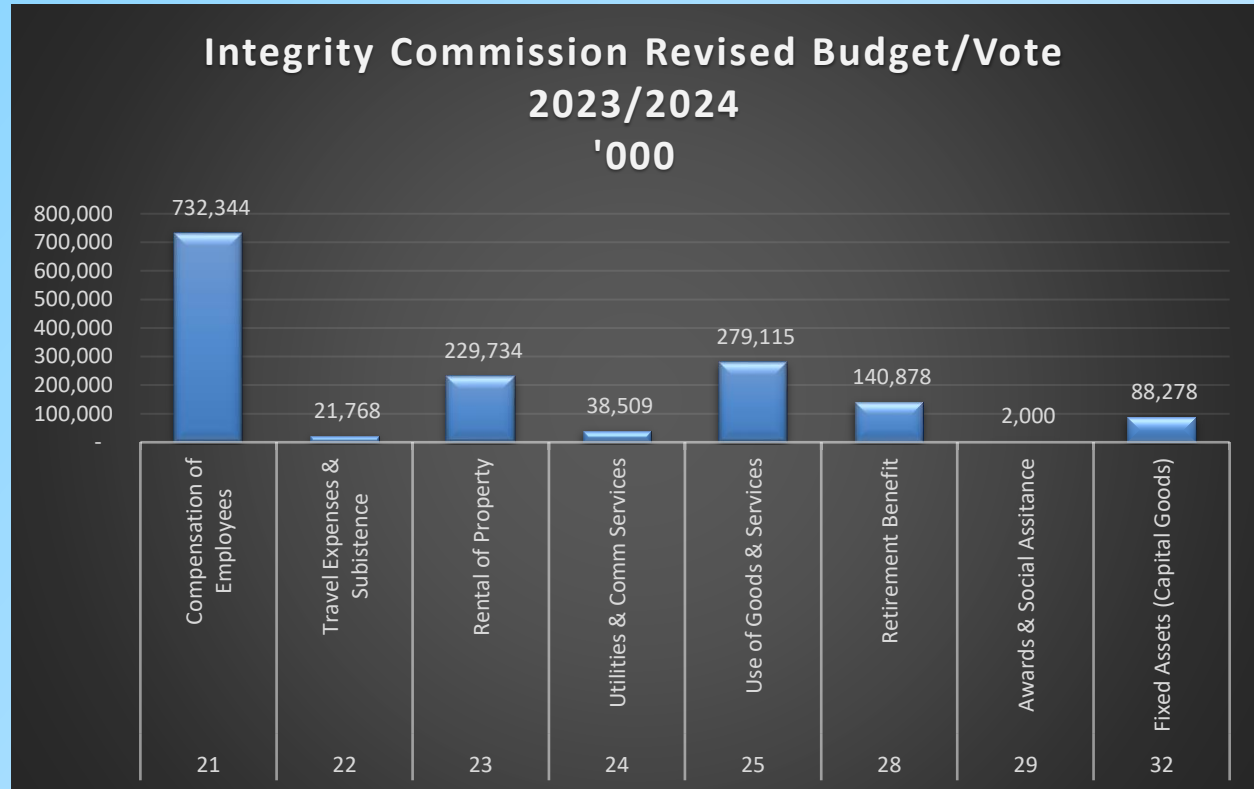
These documents are currently being reviewed for completion, approval and implementation in the upcoming fiscal year.

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Chapter 12 - Executive Office - Finance and Accounts Division

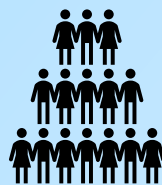
Finance & Accounts Division Dashboard

Current Reporting Period



Human Resource Capacity

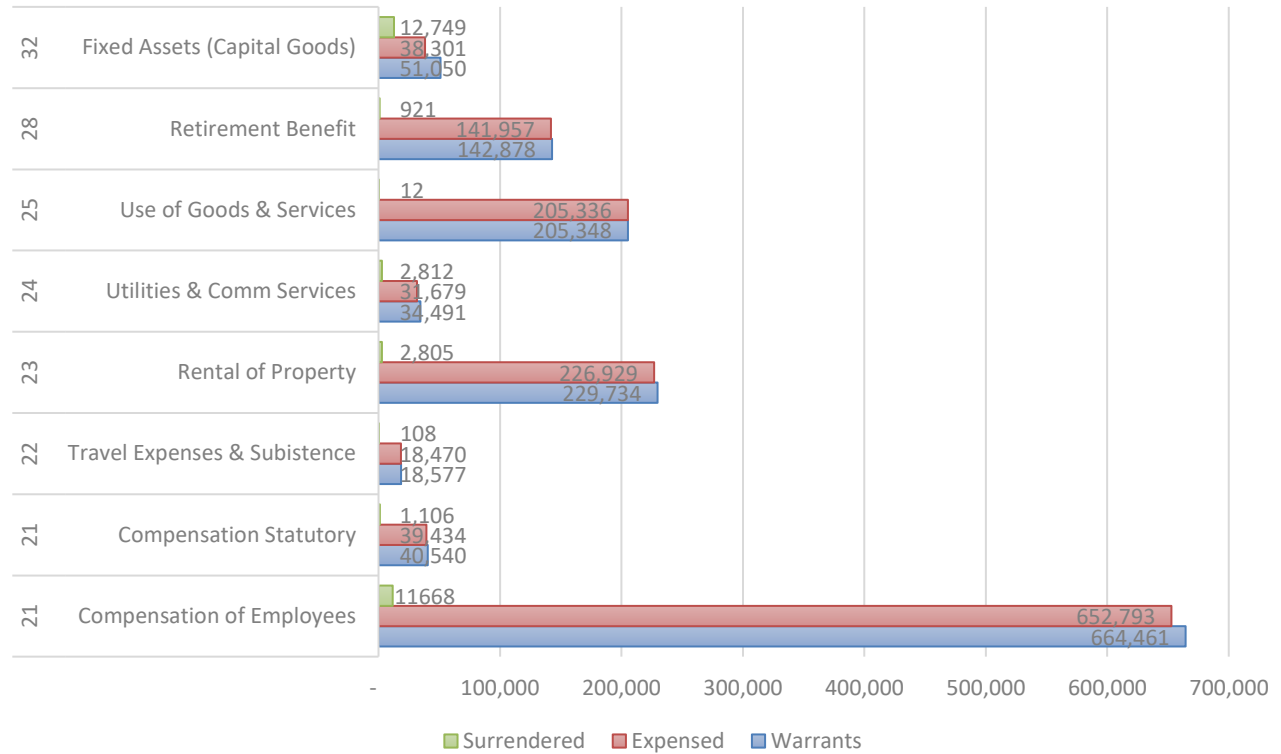
Human Resource



100%

(7 Staff Members)

Warrants, Expense & Surrender March 2024 '000



Estimates of Expenditure for the Period April 2023 to March 2024

The Accounting Period April 2023 – March 2024

The Commission's Estimates of Expenditure proposal for the Financial Year 2023/2024 was submitted to the Ministry of Finance and the Public Service in November 2023. The approved budget, including Supplementary Estimates for the year, was One Billion, Five Hundred & Thirty-Two Million, Six Hundred and Twenty-Six Thousand Dollars (\$1,532,626,000). This includes Forty Million, Six Hundred and Fifty-Eight Thousand Dollars for Statutory Expenditure (\$40,658,000). Additionally, Nineteen Million Seven Hundred and Eighty-Five Thousand Dollars (\$19,785,000) was committed in Donor Funding by the Foreign Commonwealth and Development Office (FCDO). This amount, when added to the balance in the FCDO fund from the previous financial year, totals One Hundred and Eight Million Three Hundred & Twenty-Two Thousand Dollars (\$108,322,000)

Breakdown of Revised Budget for 2023-2024

• Recurrent Expenditure	-	\$1,383,646,000
• Statutory Expenditure	-	\$ 40,658,000
• Donor Fund	-	<u>\$ 108,322,000</u>
		<u>\$1,532,626,000</u>

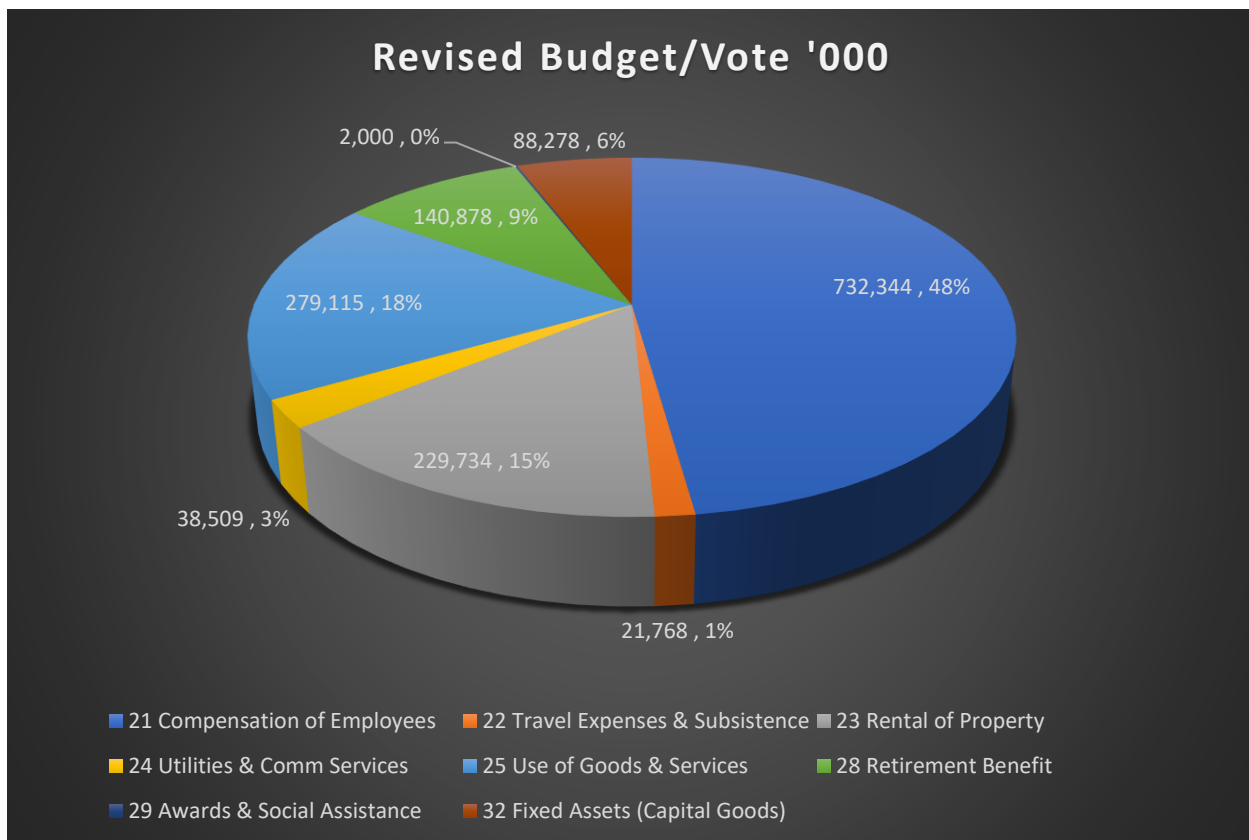


Chart 1

INTEGRITY COMMISSION

Warrant Allocation as at March 2024.

The Warrant Allocation, as at March 31, 2024, for recurrent expenditure, was One Billion Three Hundred and Forty-Six Million, Five Hundred and Thirty-Nine Thousand Dollars (\$1,346,539,000) and Statutory Expenditure Estimates of Forty Million Five Hundred and Forty Thousand Dollars (\$40,540,000), totaling One Billion Three Hundred and Eight Seven Million & Seventy-Nine Thousand Dollars (\$1,387,079,000).

At the end of the Fiscal Period ending March 2024, One Billion Four Hundred and Forty-Five Million, Three Hundred and Fifty-Nine Thousand Dollars (\$1,445,359,000) was authorized by way of warrants to the Commission for Recurrent, Statutory Expenditure and FCDO combined.

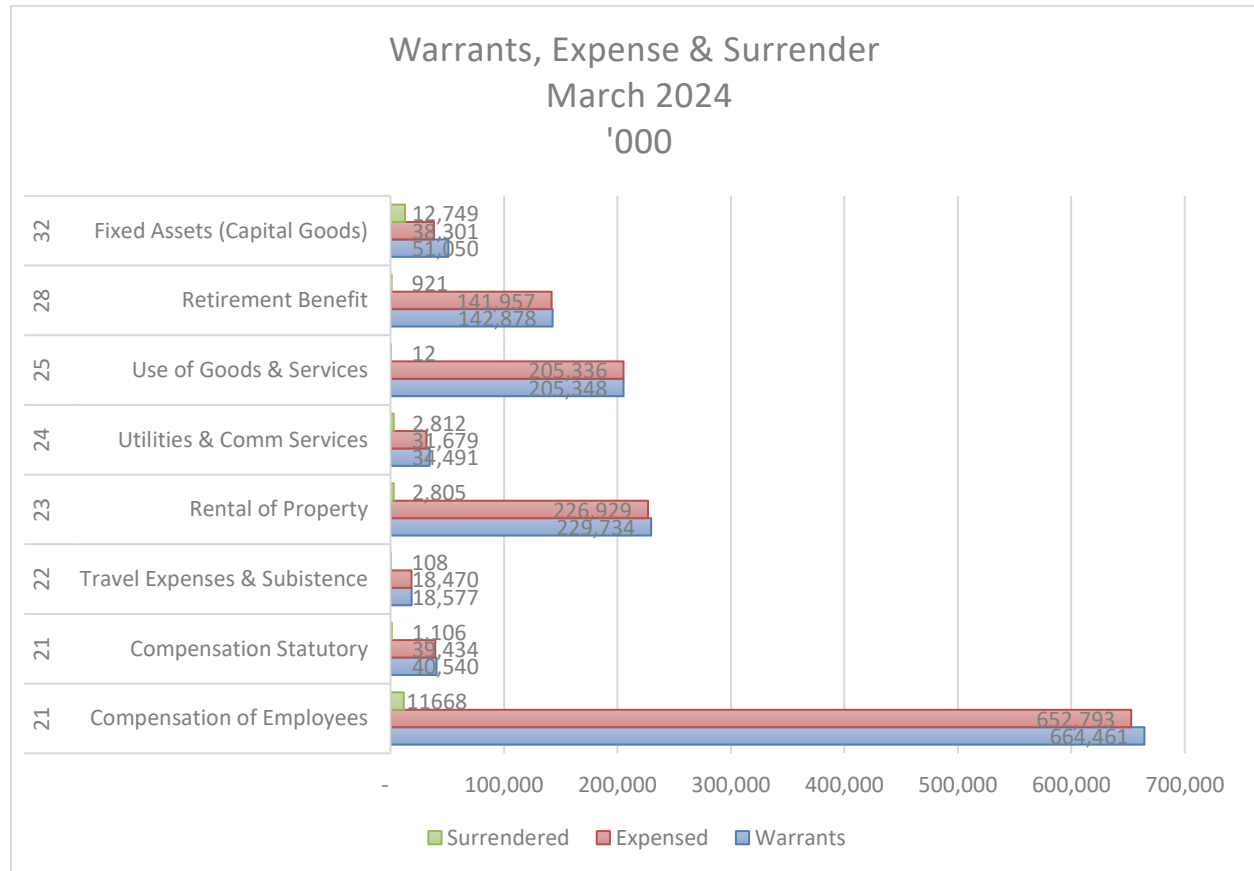


Chart 2

Actual Expenditure

At the end of the Fiscal Period ending March 2024, One Billion Four Hundred and Thirteen Million One Hundred and Seventy-Eight Thousand, Three Hundred and Forty-Five Dollars (\$1,413,178,345), including Fifty-Eight Million, Two Hundred & Eighty Thousand Dollars (\$58,280,000) of FCDO funding, was spent.

The foregoing Financial Data are based on and accords with the Commission's Consolidated Fund Accounting, which is a requirement of entities that are funded from that Fund.

The Audited Financial Statements of the Commission, which are appended to this Report, are prepared under International Financial Accounting Standards (IFRS) in accordance with the requirements of the Integrity Commission Act. The main difference is that IFRS requires income and expenditure to be accrued, whereas the Consolidated Fund accounting generally accounts for cash received and disbursed. There are also important differences in the accounting for and measurement of assets that are recorded under IFRS.

MEMORANDUM OF UNDERSTANDING WITH THE FOREIGN, COMMONWEALTH AND DEVELOPMENT OFFICE (FCDO)

The Commission, on July 7, 2020 submitted a proposal for the “Integrity Commission DFID Support: Needs Assessment & Plan” to the then Department for International Development (DFID), in an effort to obtain funding support for certain projects and items critical to its effective operation. DFID merged with the Foreign Commonwealth Office (FCO) and became the Foreign, Commonwealth and Development Office (FCDO), with effect from September 2, 2020. Subsequently, the Government of Jamaica, entered into a Memorandum of Understanding (MOU) with the FCDO in October 2020, to provide capacity building support to the Integrity Commission, under its Serious Organized Crime and Anti-Corruption Programme (SOCAP). The period of the MOU is October 26, 2020 through to March 31, 2023. The agreement was, however, further extended to March 31st, 2025.

FCDO Funding 2023-2024

A total of Two Hundred Thousand Pounds (£200,000) was committed to assist with the effort of fighting corruption in the society.

The opening balance of Two Hundred & Eighty-Eight Thousand Six Hundred & Twenty-Two Pounds and Fifteen Pence (£288,622.15) plus the Two Hundred Thousand Pounds (£200,000) received during the financial year, totals Four Hundred & Eighty-Eight Thousand Six Hundred & Twenty-Two Pounds and Fifteen Pence (£488,622.15), from which a total of Three Hundred & Four Thousand, and Twenty-One Pence (£304,000.21) was spent, which provided needed resources. These included training in “Go-case” Case Management System, Software Licenses, Subscription (Justis 1), Equipment, Training and Capacity Building. (see Chart overleaf).

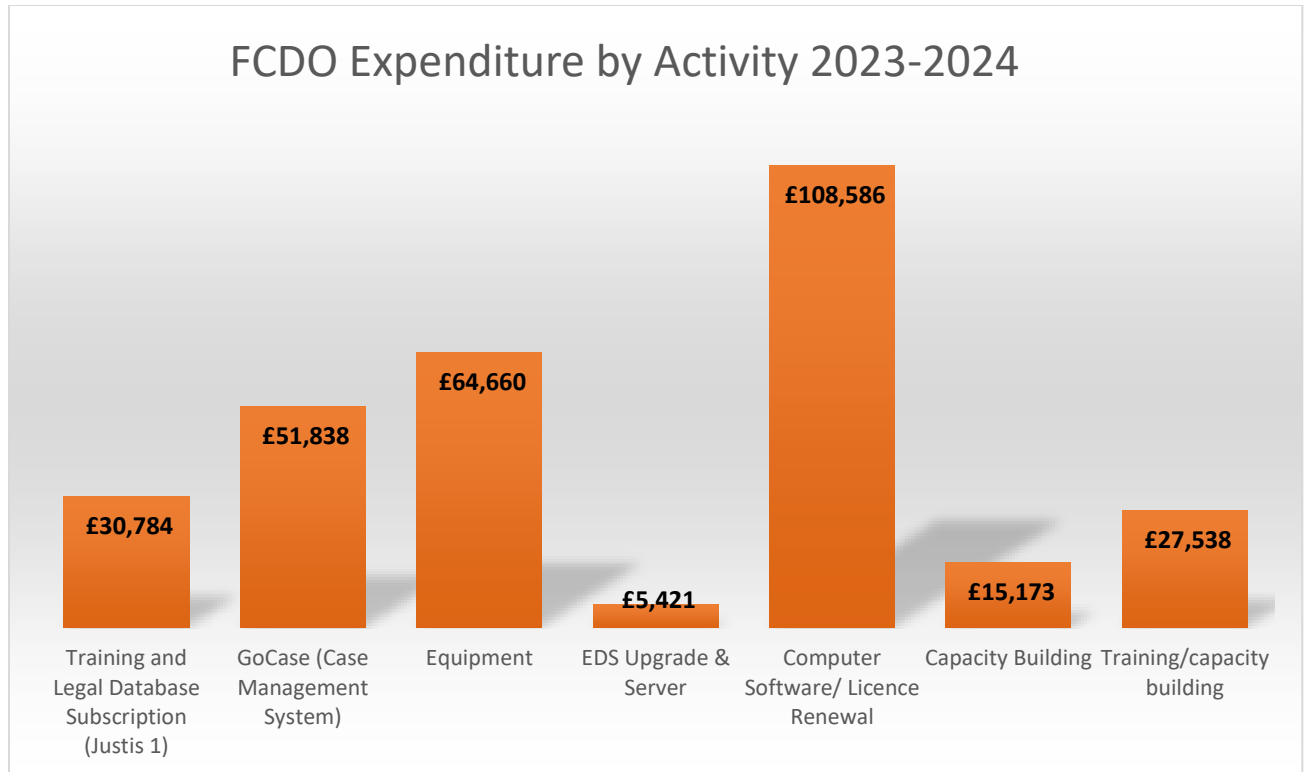


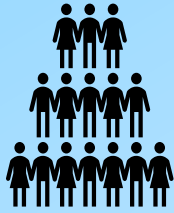
Chart 3.

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Chapter 13 - Executive Office - Legal Department

Legal Department Dashboard

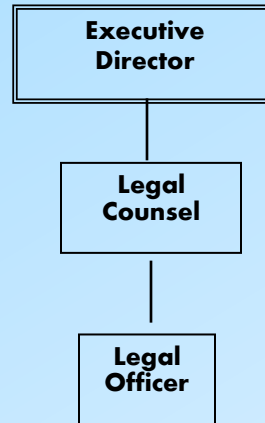
Human Resource Capacity



50%

(1 of 2 staff members)

DEPARTMENT STRUCTURE



COURT PROCEEDINGS- REPORTING YEAR APRIL 1, 2023 TO MARCH 31, 2024

During the reporting year, April 1, 2023 to March 31, 2024, the Commission continued to pursue legal matters which were before the Courts, involving the Commission directly or in relation to legacy entities, pursuant to Section 63 of the Integrity Commission Act.

Detailed hereunder are the particulars of the Court proceedings involving the Integrity Commission (IC) for the reporting year:

SUPREME COURT MATTERS

1. In the matter of Section 7 of the Integrity Commission Act (and Barita Investments Ltd.) (SU2021CV04605)

The matter emanates from the failure of certain financial institutions to provide information requested by the Director of Information and Complaints, primarily on the basis that they are required to keep customers' information secret, pursuant to the Banking Act, except if a Court Order is obtained.

On November 4, 2021, the Commission sought a declaration from the Court that Section 7(2) of the Integrity Commission Act, in its interpretation, mandates that any person or body must

INTEGRITY COMMISSION

cooperate with the Commission in the exercise of its functions under the Act. Further, the Commission sought a declaration that Section 7(8) means that any person or body cooperating with the Commission, shall not be prevented from doing so by virtue of any law that provides for secrecy or any other restriction against the disclosure of information, save for the grounds of legal professional privilege.

Judgment in this matter was delivered on January 29, 2024 and it was declared that Section 7 of the Integrity Commission Act, in particular Section 7(2), in its interpretation, mandates that any person or body must cooperate with the Commission in the exercise of its functions under the said Act or any other enactment. It was further declared that Section 7 of the Integrity Commission Act, in particular section 7(8) as interpreted, means that any person or body cooperating with the Commission shall not be prevented from so doing by virtue of any law that provides for secrecy or any other restriction against the disclosure of information, save for on the grounds of legal professional privilege. Further, Barita Investments Ltd. was directed to comply with the Integrity Commission's request, made pursuant to Section 7 of the Act.

2. Clava Mantock Snr et al v Dirk Harrison et al (SU2020CV02765):

This claim concerns a National Contracts Commission (NCC) Application which was submitted by the Claimants as Directors of Cenitech Engineering Solutions. Upon the completion of an investigation into the matter, Mr. Dirk Harrison, former Contractor General, concluded that the referenced application contained forged documents and inaccurate information. Mr. Harrison subsequently referred the matter to the Major Organised Crime and Ant-Corruption Agency (MOCA). Detective Simms, an employee of MOCA, executed the warrant in relation to the referenced charges and the prosecution was conducted by the Office of the Director of Public Prosecutions, for which a no-case submission was thereafter upheld.

On July 27, 2020, the Claimants filed a claim against Mr. Harrison et al, seeking damages for false imprisonment and malicious prosecution.

On August 29, 2023, the Defendant filed the Notice of Application for Court Orders and supporting Affidavit to strike out the claim. The matter is ongoing.

3. Integrity Commission v Julie Malcolm (SU2023CV02369)

During the period 2022 – 2023, Ms. Julie Malcolm published defamatory statements on various social media platforms stating that the Commission, *inter alia*, “recreated” her complaint, “fabricated evidence”, and ‘stalled and silenced her complaint’ “via evidence tampering”.

Ms. Malcolm continued to publish false statements on her social media platforms, having named four employees of the Commission, as “criminals” who “perpetuate coordinated corrupt actions against [her] via evidence tampering: they discard evidence, fabricate their own evidence which they use as the basis of decisions” and who “lack the moral authority to continue in their roles” as they have “engaged in evidence tampering and intimidation of a complainant”.

Ms. Malcolm has also sought to attract attention to these defamatory statements by tagging a plethora of local and international media agencies, government entities, and parliamentarians, including the Hon. Edmund Bartlett, CD, MP, Minister of Tourism, who also acts as the Chairman of the Integrity Commission Parliament Oversight Committee.

INTEGRITY COMMISSION

On July 21, 2023, the Commission filed a Claim Form against Ms. Malcolm seeking damages, aggravated and/or exemplary damages, interest, costs and such further relief or other relief as the Court deems just.

A Notice of Application for Court Orders and supporting Affidavit were filed on August 2, 2023 seeking injunctions (i) requiring the Defendant, her servants and/or agents to take down/remove all Twitter, YouTube, TikTok, Facebook and other social media posts relating to the Commission and allegations of corruption, as well as (ii) restraining the Defendant, her servants and/or agents from uploading, publishing or communicating the posts to Twitter, Facebook or other social media platforms as well as any further words of the same or similar content as that of the videos and posts that are the subject of this order.

The hearing for Notice of Application for Court Orders was held on August 16, 2023, wherein the Court ordered that the abovementioned injunctions be granted.

The Commission awaits a date for the hearing of the substantive claim.

4. Wallock v Integrity Commission (SU 2023 CV 04197)

On January 18, 2024, the Commission became aware that Ms. Morjorn Wallock, former Director, Legal and Enforcement, National Environmental Planning Agency (NEPA), had filed an application for leave for judicial review as it relates to a Report of Investigation concerning allegations of irregularities in the approval processes which led to the construction of a residential development located at #11 Charlemont Drive, Kingston 6.

Ms. Wallock was granted leave to apply for judicial review and it was ordered by the court that said leave operated as a stay of the findings, conclusions and/or recommendations made in relation to her by the Director of Investigations, until the final dispensation of the matter. The first hearing of the matter is scheduled for May 27, 2024.

COURT OF APPEAL MATTERS

5. National Contracts Commission v Cenitech Engineering Solutions et al (COA2021CV00040) Attorney General v Cenitech Engineering Solutions et al (COA2021CV00035)

The Attorney General filed a Notice and Grounds of Appeal on April 13, 2021. The National Contracts Commission (now Public Procurement Commission) filed a Notice and Grounds of Appeal on May 12, 2021.

These Court of Appeal matters were brought as a result of the Supreme Court Judicial Review decision regarding the decision of the National Contracts Commission (NCC) (now the Public Procurement Commission) to deregister Cenitech Engineering Solutions (hereinafter referred to as 'Cenitech') as a Works Contractor.

The Public Procurement Commission and the Attorney General's Chambers (AGC) primarily challenged the decision held concerning the Judicial Review, which was in favour of Cenitech, and which awarded costs to Cenitech, the Integrity Commission and the Ministry of Agriculture.

INTEGRITY COMMISSION

Both Appellants filed Applications seeking a stay of the Judicial Review decision in relation to the assessment of damages and payment of costs. Both appeals were heard together during the week of November 28, 2022.

Judgment in this matter was on December 20, 2023. The Full Court's order as to costs was substituted to reflect that costs in the application for judicial review are awarded to Cenitech Engineering Solutions Limited to be paid by the NCC, as are agreed or taxed and that the Attorney General, the Ministry and the Integrity Commission shall each bear their own costs.

MATTERS CONCERNING COSTS AWARDED BY THE COURT TO/AGAINST THE OFFICE OF THE CONTRACTOR GENERAL/INTEGRITY COMMISSION:

The following table outlines matters in which costs were awarded by the court to/against the Office of the Contractor General/Integrity Commission:

#	Court Matter	Costs Awarded to The Office of The Contractor General/Integrity Commission	Costs Awarded Against the Office of The Contractor General/Integrity Commission	Status
1	Construction Solutions Limited and Vincent Taylor v the Contractor General	\$1,392,171.15	-	A Bill of Costs totalling \$1,392,171.15 was filed and served on August 13, 2020, on the Claimants' attorney-at-law. The Claimants have not sought to respond to the Bill of Costs with the result that the Commission filed a Default Costs Certificate on December 23, 2020. The Default Costs Certificate was executed on August 12, 2022, and served on the Claimants' attorney-at-law. On August 11, 2023, the sum of \$1,392,171.15 was paid in satisfaction of the Default Cost Certificate.
2	Dwight Reid et al v the Contractor General	\$3,295,198.00	-	The debtors have paid \$2,123,259.37. As at September 29, 2020, the Commission was informally made aware of the death of one of the debtors. An effort to contact the sole remaining debtor has been unsuccessful. As no meaningful purpose would be served in continuing the pursuit of remaining sum, the Commission has decided that the matter should be brought to a close.
3	National Contracts Commission v Cenitech Engineering Solutions et al	-	-	The then Office of the Contractor General (OCG) was awarded costs on an interim application in 2014, as well as costs in the claim at the conclusion of the Judicial

INTEGRITY COMMISSION

#	Court Matter	Costs Awarded to The Office of The Contractor General/Integrity Commission	Costs Awarded Against the Office of The Contractor General/Integrity Commission	Status
	Attorney General v Cenitech Engineering Solutions et al			<p>Review for which judgment was delivered in 2021.</p> <p>An appeal was filed by the National Contracts Commission and the Attorney General's Chambers in relation to the award of costs to the Integrity Commission, Ministry of Agriculture and Cenitech Engineering Solutions Limited. Judgment in this matter was delivered on December 20, 2023 and it was held that an order of the Full Court be substituted to reflect that costs in the application for judicial review are awarded to Cenitech Engineering Solutions Limited to be paid by the NCC, as are agreed or taxed and that the Attorney General, the Ministry and the Integrity Commission shall each bear their own costs.</p>
4	Gorstew Ltd. and the Hon. Gordon Stewart, O.J. v. the Contractor-General	-	-	<p>The Claimants were awarded costs to be agreed or taxed. This process has not commenced as no steps have been taken by the Claimant to recover costs.</p>

MEMORANDA OF UNDERSTANDING between the INTEGRITY COMMISSION and COMPETENT AUTHORITIES

Section 7 of the Integrity Commission Act provides that the Commission, in the performance of its functions, may work in co-operation with any person or body as it may deem appropriate. Further, it provides that the Commission, with the approval of the Prime Minister, may enter into a memorandum of understanding or other agreement with a competent authority or a foreign agency whose functions are similar to the functions of the Commission.

A Memorandum of Understanding between the Commission and these competent authorities facilitates the sharing and exchange of information with and by the Commission, relating to the prevention, detection, investigation and prosecution of offences relating to acts of corruption, financial crimes or revenue collection.

The competent authorities prescribed by the Integrity Commission Act are the Director of Public Prosecutions, Attorney General, Tax Administration Jamaica, Financial Investigations Division, Major Organised Crime and Anti-Corruption Agency, Revenue Protection Division, Jamaica Constabulary Force, Jamaica Customs Agency, and a person or an agency of government designated as a competent body by the Prime Minister.

Financial Investigation Division (FID)

A Memorandum of Understanding was executed between the Commission and the Financial Investigation Division on December 16, 2021.

Major Organised Crime and Anti-Corruption Agency (MOCA)

A Memorandum of Understanding was executed between the Commission and the Major Organised Crime and Anti-Corruption Agency on March 18, 2022.

Jamaica Constabulary Force (JCF)

A Memorandum of Understanding was executed between the Commission and the Jamaica Constabulary Force on November 2, 2022. The MOU was submitted to the Office of the Prime Minister on November 24, 2022 for the affixture of the Prime Minister's signature. On numerous occasions, spanning the period May 2023 to present, the Commission sought an update on the matter. The Commission awaits same.

Revenue Protection Division (RPD)

The implementation of a MOU between the Commission and the RPD is at an advanced stage. Both parties are conducting a final review of the draft MOU.

Jamaica Customs Agency (JCA)

The implementation of a MOU between the Commission and the JCA is at an advanced stage. Both parties are conducting a final review of the draft MOU.

Tax Administration Jamaica (TAJ)

For the period May 2022 to present, the Commission has been in communication with the TAJ, with a view to having the MOU executed by both parties.

The TAJ advised the Commission on December 12, 2023, that it is still considering the use of the MOU as a vehicle to share information with the Commission. The Commission awaits an update from the TAJ.

Office of the Director of Public Prosecutions (ODPP)

For the past four years, the Commission has sought to enter into a Memorandum of Understanding with the Office of the Director of Public Prosecutions, to no avail. The Commission has renewed such requests on numerous occasions in 2020, 2021, 2022, 2023, and 2024, with the most recent request being made on February 29, 2024. In total, the Commission has made approximately ten (10) requests to the ODPP.

The Attorney General's Chambers (AGC)

For the past four years, the Commission has sought to enter into a Memorandum of Understanding with the Office of the Attorney General's Chambers, to no avail. The Commission has renewed such requests on numerous occasions in 2020, 2021, 2022, 2023, and 2024, with the most recent request being made on February 29, 2024. In total, the Commission has made approximately ten (10) requests to the Chambers.

Registrar General's Department (RGD)

The Commission intends to enter into a Memorandum of Understanding with the Registrar General Department (RGD) and is in the process of obtaining the Office of the Prime Minister's assistance in adding the RGD as a competent authority pursuant to Section 7(15) of the Integrity Commission Act.

Office of Public Procurement Policy (OPPP)

The Commission intends to enter into a Memorandum of Understanding with the Office of the Public Procurement Policy (OPPP), through the Ministry of Finance and the Public Service (MOFPS), and is in the process of obtaining the Office of the Prime Minister's assistance in adding the OPPP as a competent authority pursuant to Section 7(15) of the Integrity Commission Act.

Public Procurement Commission

The Commission intends to enter into a Memorandum of Understanding with the Public Procurement Commission (PPC) and is in the process of obtaining the Office of the Prime Minister's assistance in adding the PPC as a competent authority pursuant to Section 7(15) of the Integrity Commission Act.

LEGAL ASSISTANCE PROVIDED TO OTHER DIVISIONS FOR THE REPORTING YEAR APRIL 1, 2023 TO MARCH 31, 2024

The Legal Department provides general legal advice to the Commission, specifically its statutory and non-statutory divisions. The nature of the matters varies and primarily concerns the following areas: Contract Law, Employment Law, Commercial Law, Administrative Law, Landlord and Tenant Law, Procurement, and Corruption.

The following outlines a general overview of the legal support which was provided by the Legal Department for the reporting year April 1, 2023 to March 31, 2024:

General Legal Advice

- (a) Provided legal opinions and general legal advice on matters primarily concerning contract, commercial, administrative, landlord and tenant, and employment law.
- (b) Drafted and amended several internal policies and procedures to further guide the operations of the Commission.

Legislation

- (a) Managed the process in relation to the enactment of the Integrity Commission (Amendment of Third Schedule) Regulations, 2023.
- (b) Managed the process in relation to the enactment of The Integrity Commission (Electronic Statutory Declaration of Assets, Liabilities and Income of Parliamentarians and Public Officials) Regulations, 2023.
- (c) Managed the process in relation to the enactment of the Amendment to the Prescribed Total Annual Emoluments Threshold pursuant to Section 39 of the Integrity Commission Act.
- (d) Assisted with the review of and the preparation of submissions to be made to the Joint Select Committee of the Parliament of Jamaica in relation to the review of the Protected Disclosures Act.

Contracts, Lease Agreements, and other Agreements

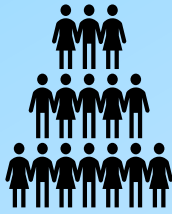
- (a) Reviewed and/or drafted contracts and other agreements in relation to the procurement of various goods and services; and
- (b) Negotiated, reviewed and/or drafted lease agreements and licence agreements in relation to the lease and/or licence of the office locations and parking bays occupied by the Integrity Commission.

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Chapter 14 - Executive Office - Communications

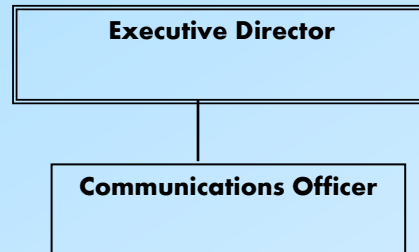
Communications Dashboard

Human Resource Capacity



100%
(1 of 1 staff member)

STRUCTURE



The Communications Officer of the Integrity Commission plays a pivotal role in ensuring transparent and effective communication, both internally and externally. This is the first time that the IC has had a Communications Officer and, since being employed on August 2, 2023, the Communications Officer has made significant strides in enhancing communication strategies within the organisation.

This report highlights the key achievements and activities undertaken by the Communications Officer.

1. **Development of Communications Strategy:** In collaboration with key stakeholders, the Communications Officer developed a comprehensive communication strategy for the Commission. This strategy outlines clear objectives, target audiences, and channels of communication to effectively convey the commission's mission, values, and activities. By aligning communication efforts with organisational goals, the Communications Officer has enhanced visibility and public awareness of the Commission's mandate. The Strategy will be formally implemented in the 2024/2025 fiscal year.
2. **Establishment of "Integrity Matters" Newsletter:** One of the primary achievements of the Communications Officer was the launch of the monthly "Integrity Matters" newsletter. This internal publication serves as a platform to disseminate important updates, share success stories, and promote a culture of integrity among staff. The newsletter has been well-received, providing valuable insights and fostering engagement across the organisation.

3. **Provide Editorial Support and advice:** The Communications Officer has been actively involved in proofreading and editing documents to ensure accuracy, consistency, and adherence to organisational standards. By providing editorial support, the Communications Officer has contributed to enhancing the quality of communication materials, including reports, policy documents, and official correspondence.
4. **Assist in the Development of Messaging for Themes:** The Communications Officer assists in the development of messaging themes for media content put out by the Corruption Prevention, Stakeholder Engagement and Anti-Corruption Division. The Communications Officer ensures that these themes are aligned with the overall objectives and strategies of the IC, ensuring consistency and coherence in efforts to combat corruption and foster stakeholder engagement.
5. **Leadership of Social Activities Committee Oversight:** The Communications Officer has demonstrated leadership by chairing a committee tasked with revising the bylaws for the Social Activities Committee (SAC). This initiative reflects the Communications Officer's commitment to promoting integrity not only within the core functions of the Commission but also in auxiliary activities. As part of the SAC, the Communications Officer has played an active role in assisting with the organisation and execution of events as well as providing communication regarding these events.
6. **Media Management and Engagement:** The Communications Officer serves as the primary point of contact for media queries and inquiries. The Communications Officer has been instrumental in providing timely and accurate responses to media requests, ensuring consistent messaging and representation of the Commission's positions. Additionally, the Communications Officer regularly updates the Commission's media contact list to maintain effective communication channels with journalists, media outlets and other stakeholders.
7. **Dissemination of Information on Corruption:** As part of its mandate to combat corruption, the Communications Officer actively shares relevant media articles and updates on corruption-related issues with staff and the Commissioners. By facilitating awareness and knowledge sharing, the Communications Officer contributes to strengthening the Commission's capacity to address emerging challenges and uphold integrity standards.

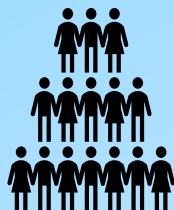
These activities underscore the importance of effective communication in upholding the integrity and credibility of the Commission and have contributed to advancing the goals and objectives of organisation. Through initiatives such as the "Integrity Matters" newsletter, editorial support, committee oversight, communication strategy development, media management, and information dissemination, the Communications Officer has played a vital role in enhancing communication strategies while promoting transparency, accountability, and integrity within the organization.

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Chapter 15 - Executive Office - Data Protection

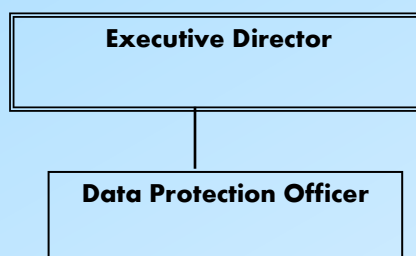
Data Protection Dashboard

Human Resource Capacity



100%
(1 of 1 staff member)

STRUCTURE



About the Data Protection Act

The Data Protection Act (the “**DP Act**”) was passed in 2020 and officially implemented on December 1, 2023. Presently, the DP Act provides extensive safeguards for organisations to manage the personal identifiable information of Jamaicans, including the collection, storage, utilisation, disclosure, and disposal.

Certain individuals or organisations, particularly, those that process personal identifiable information on a daily basis, are required to implement and/or improve measures to ensure the safety, security, and confidentiality of the personal identifiable information that they manage. A failure to comply with the provisions of the DP Act could result in harsh penalties and/or hefty fines.

These organisations or individuals, defined as data controllers, are required to register as data controllers with the Office of the Information Commissioner (“**OIC**”). Effective December 1, 2023, data controllers were required to create online data controller online accounts through the “My OIC Portal” on the OIC’s website. As at June 1, 2024, data controllers are now further required to complete the data controller registration form online and pay the prescribed registration fees as outlined in the ***Schedule to the Data Protection (Data Controller Registration) Regulations, 2024***.

Appointment of our Data Protection Officer

Under **Section 20 of the DP Act**, certain categories of data controllers are required to appoint a Data Protection Officer, including data controllers who are public authorities. The Commission, as a commission of Parliament, is defined as a data controller and public authority under the DP Act. As such, the

Commission is obligated to appoint a Data Protection Officer to oversee the Commission's compliance with the DP Act.

In order to ensure the Commission's compliance with the DP Act, the Commission sought approval for the creation of a position for a Data Protection Officer within the Commission's organizational structure. Consequentially, the Commission received this approval of the Ministry of Finance and the Public Service and the Parliament of Jamaica, and appointed its first Data Protection Officer on October 17, 2023 following a public competitive recruitment exercise.

Roles and Responsibilities of our Data Protection Officer

Section 20(1) of the DP Act states that the Data Protection Officer shall be responsible for independently monitoring the data controller's compliance with the DP Act. The Data Protection Officer oversees and manages the implementation, improvement and maintenance of the Commission's data protection and compliance programme. As a part of the data protection compliance programme, the Data Protection Officer is required to register the Commission as a data controller with the OIC, consult and liaise with the OIC to resolve any issues with the DP Act and/or Regulations, and report data breaches and/or any contravention of the DP Act by the data controller to the OIC.

As a part of the data protection programme, the Data Protection Officer is also responsible for internally training, identifying suitable external training opportunities, and raising awareness on data protection to the Commission's staff. The Data Protection Officer also provides advice to all Divisions and Departments on data protection concerns and issues, and assists all the Divisions and Departments of the Commission to develop and implement data protection programmes, policies and procedures to ensure the integrity, confidentiality and security of the personal identifiable information and other information being managed by that particular Division and/or Department at the Commission.

Our Data Protection Achievements

For the 2023/2024 fiscal year, the Data Protection Officer has completed the following:

- Development of the Commission's General Data Protection and Privacy Policy and Procedures;
- Development and/or amendment of Data Protection Standard Operating Procedures for the internal Divisions and Departments at the Commission;
- Development of a General Data Protection and Privacy Policy and a Cookie Consent Disclaimer for the Commission's website;
- Development of the data protection documents and notices for the electronic Declarations System ("eDS"), including, the Data Protection and Privacy Notice, Terms of Use, Disclaimer and User Authorization Agreement;
- Registration of the Commission as a data controller with the OIC, which is presently on-going at this time;
- Provision of support and advice on data protection matters, concerns and issues to the internal Departments and/or Divisions of the Commission;

INTEGRITY COMMISSION

- Development of legal documents for internal Departments and Divisions at the Commission concerning various data protection concerns, matters and issues unique to the relevant Divisions and/or Department of the Commission;
- Creation of an Internal Data Protection Team which includes staff members from each Department and Division at the Commission;
- Identification and Implementation of external training opportunities for members of the Internal Data Protection and Privacy Team and other key staff members at the Commission;
- Review and, where necessary, amend legal contracts, agreements, memoranda of understanding to successfully address all data protection concerns;
- Review and, where necessary, amend policies and procedures for the Registry Department to successfully address the data protection concerns, matters and issues;
- Review and, where necessary, amend policies and procedures for the Information Technology and Business Processes Department to successfully address the data protection concerns, matters and issues; and
- Audit and improve data protection resources and facilities to best deal with information confidentiality, security and integrity for all Divisions and Departments, especially, Registry and Information Technology and Business Processes.

Chapter 16 - Internal Audit Department

Internal Audit Department Dashboard

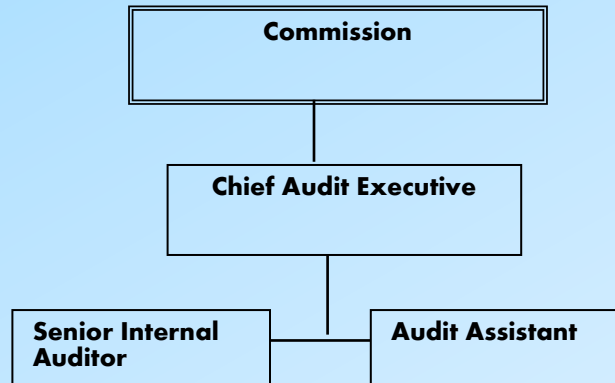
Human Resource Capacity



33%

(1 of 3 staff member)

STRUCTURE



In October 2021, subsequent to the receipt of approvals from the Ministry of Finance and the Public Service and the Parliament of Jamaica, the Integrity Commission established an Internal Audit Department (IAD). The Commission's IAD has sought to guide the Commission's resolute commitment of upholding Good Governance and Anti- corruption initiatives as it will lead by example.

During the reporting period, the IAD provided independent and objective oversight that adds value to and improves the Commission's operations through a systematic and disciplined approach. This included monitoring the Commission's compliance with legislations and its adherence to policies, procedures and operational guidelines. The adequacy of controls and risk management initiatives were also assessed.

In accordance with FAA Act, the IAD ensured adequate coverage of the business areas identified as high risk in its annual risk assessment and the provision of relevant recommendations for improvements to the Commission's governance and risk management processes. Assessments and engagements are guided by the International Standards for the Professional Practice of Internal Auditing (IPPF) and Government of Jamaica (GoJ) Internal Audit Manual.

The IAD reports to the Audit, Finance and Technology Committee of the Board of Commissioners, which oversees its performance and adherence to the annual audit plan in addition to unplanned verifications and audits. Quarterly follow-ups of the status of the implementation of audit recommendations were completed to track management's actions in response to audit recommendations.

OUR ACHIEVEMENTS

During the 2023/2024 fiscal year, the IAD covered the following:

- Guiding the development of a risk aware culture.
- Creating a unified vision of an adequate internal control structure with an emphasis on accountability.
- Verification of salary related arrears.
- Implementation of an Audit Management Software.
- Audit Review of the Foreign, Commonwealth Development Office (FCDO) Grant Funds Account.
- Review of Fixed Asset Administration.
- Provided Business and Process improvement recommendations.
- Pre-implementation Review of the Electronic Declaration System (eDS).

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Chapter 17 - Recommendations for Legislative Amendments and Best Practices

Recommendations Under Consideration

The Integrity Commission, pursuant to Section 60(2), and Section 4 of the Second Schedule, of the Integrity Commission Act, 2017, has made numerous recommendations in its five (5) preceding Annual Reports which were submitted to the Houses of Parliament.

The recommendations are currently being considered by the Joint Select Committee of Parliament which was established to “*review and report*” on the Integrity Commission Act, 2017.

The recommendations which have been made by the Commission, over the requisite period, and which are under the consideration of the Joint Select Committee, fall within the following main thematic areas:

1. Staggering and Transitional Arrangements of Board Membership
2. Termination of the Appointment of a Commissioner
3. Examination and Completeness of Statutory Declarations
4. Disclosure of Registrable Interests
5. Gifts to Parliamentarians/Public Officials from Relatives
6. Offence For Misleading, Obstructing Or Non-Compliance With Request From The Director Of Investigation
7. Review of Obligation Not To Announce Or Comment On Investigations
8. Actions Of The Commission Not Void For Want Of Form
9. Regulations to the Integrity Commission Act
10. Review of Obligation To Keep Certain Matters, Documentation and Information Secret and Confidential
11. Duty Of Public Officials To Report Act Of Corruption
12. Correction of Observed Typographical Errors in the Integrity Commission Act.

The verbatim recommendations and submissions, which were made to the Houses of Parliament and the Joint Select Committee, can be reviewed in the Commission’s 4th Annual Report (2021/2022 – Pgs.21-39) which is accessible via: -

https://integrity.gov.jm/sites/default/files/annual_report/IC%20Annual%20Report%20for%20the%20FY%202021-2022.pdf

Included herein, as **Appendix # 5**, is the full suite of recommendations that has been submitted to the Joint Select Committee of Parliament, as well as a further set of recommendations which are contained in the Commission’s 5th Annual Report.

The Commission continues to await the deliberations and/or recommendations of the Joint Select Committee in keeping with its mandate to review the Integrity Commission Act, 2017, pursuant to Section 60 of the referenced Act.

Recommendations Arising From Completed Reports Of Investigations

During the course of the financial year, the Director of Investigation made several recommendations in keeping with Section 54 of the Integrity Commission Act and anti-corruption initiatives geared at improving public procurement and contract administration as well as improving systems of governance and eradicating corruption enabling devices.

The following recommendations and anti-corruption initiatives were made to Competent Authorities and other germane Ministries, Departments and Agencies:

1. **Investigation Conducted into the Circumstances Surrounding Procurement activities undertaken in the Renovation of the Spanish Town High School**

Recommendations to the Financial Secretary and the Permanent Secretary in the Ministry of Education and Youth

The DI recommends that the Permanent Secretary in consultation with the Financial Secretary conduct an audit of the financial transactions in relation to the renovation works conducted at the Spanish Town High School to determine the extent of any loss which may have been occasioned by the breach of Section 19 of the FAA Act and cause such funds to be recovered from the Accounting/Accountable Officer and any other officer(s) responsible, consistent with Section 20 of the referenced Act.

Connectedly, the DI recommends that the Permanent Secretary in the Ministry of Education and Youth cause the necessary disciplinary actions to be taken against the former Principal and the Bursar, if they are still in the Public Service, having regard to all the circumstances of this case.

Recommendations to the Spanish Town High School

The DI recommends that the respective Public Officers at the Spanish Town High School, who are charged with the responsibility of administering the award of government contracts, become familiar with, and strictly adhere to, the Public Procurement Act, and the Government of Jamaica Handbook of Public Sector Procurement Procedures; specifically, in relation to the following:

- a. The management of conflict of interest, specifically as it concerns the overlapping of roles and duties in various Committees; and
- b. The importance of the preparation of a Procurement Plan consistent with Section A1.6 of the GPPH which requires all procuring entities to have in place a Procurement Plan.

The DI recommends that all Officers concerned with the administration of the procurement process at the Spanish Town High School undergo intensive training in public procurement and contract administration.

The DI recommends that the Spanish Town High School take reasonable steps to ensure that mechanisms are implemented to guard against persons acting in overlapping roles which may give rise to inappropriate conduct. Further and more specifically, the DI recommends that the Spanish Town High School immediately desists from facilitating circumstances where a Board member intervenes inappropriately in the Procurement and Financial administration process irrespective of whether the services provided are voluntary or otherwise.

Recommendations to the Minister of Education and Youth

The DI recommends that, if not yet done, the Minister of Education and Youth considers the tenure of Miss Joy Douglas, Board Chairperson of the Spanish Town High School. The DI's recommendation is supported by inter alia the finding at paragraph 6.1.7 above.

The DI also recommends that training be facilitated for all Board Members of the Spanish Town High School to apprise them of their roles, responsibilities and the scope and limitations of their respective authority, so as to prevent a reoccurrence of the breaches and irregularities highlighted herein.

The Chief Public Procurement Officer in the Ministry of Finance and the Public Service

In an effort to ensure that value for money is achieved in public sector procurement, the DI recommends that the Chief Public Procurement Officer in the Ministry of Finance and the Public Service give due consideration to the development of standardized Value for Money criteria geared at aiding Public Bodies in, amongst other things, ensuring compliance with this objective.

2. **Investigation Concerning Allegations of Conflict of Interest and Breaches of Government of Jamaica Staff Orders and/or germane policies at the Bureau of Standards Jamaica**

Recommendations to the Bureau of Standards Jamaica

For the reasons stated at paragraph 6.3 above, it is recommended that Mr. Greg Douglas be permanently removed from the BSJ's Technical Committee for Medicinal Cannabis.

Having regard to the breaches identified at paragraph 6.7 above, the DI recommends that disciplinary proceedings be instituted against Mr. Douglas. The DI further recommends that in the event that he is allowed to continue in his employment at the BSJ, strict measures should be implemented to guard against Mr. Douglas gaining an unfair advantage within the industry by virtue of his employment. This occurrence would almost certainly be damaging to BSJ's reputation thereby reducing public confidence in the entity.

It is further recommended that the BSJ's decision regarding Mr. Douglas' removal from the referenced Technical Committee and the circumstances of same, should be made public.

Recommendations to Public Servants/Officials

It is recommended that public servants take all necessary steps to avoid the creation of actual or potential conflicts involving their duties and functions as public officers and their private interests and affiliations. Where the possibility exists that a conflict may arise, it is recommended that public servants disclose and document the full nature and extent of such conflicts, in accordance with the relevant public entity's internal conflict of interest policy and/or the Government of Jamaica Staff Orders for the Public Service.

Recommendations to Heads of Entities and Accountable Officers

7.4 It is recommended that Heads of Entities and other Accountable Officers of public bodies ensure that policies regarding the identification, management and resolution of conflicts of interest are implemented and robustly enforced, along with other transparency and accountability mechanisms. It is the responsibility of an Accountable Officer to contribute to the maintenance of public trust in the activities and operations of public bodies.

Recommendation to the Office of the Prime Minister and the Ministry of Justice

It is recommended that the body of local anti-corruption legislation be expanded to include the criminalization of acts and/or omissions which constitute the willful and/or negligent non-disclosure of a conflict of interest. It is further recommended that this legislation be applicable to public servants operating at all levels of government, as well as elected and appointed public officials.

This recommendation is made against the background of the significant adverse impact of conflicts of interest, which has the capacity to undermine legitimate decision-making, compromise the development and application of policy, distort the rule of law and affect the allocation of public resources, thereby encouraging corruption.

The DI notes the inclusion of similar provisions in now repealed Regulations 36 and 40 of the Contractor General Act Public Sector Procurement Regulations, 2008.

Regulation 36, Public Sector Procurement Regulations, 2008

“36(1) It is the duty of any public officer directly or indirectly involved with the procurement process and particularly in the preparation of bidding documents, evaluation, contract negotiations and contract management and payments to—

- (a) declare to the head of his entity or chairman of the entity’s procurement committee any potential conflict of interest in relation to a proposed Government contract;
- (b) declare to the head or chairman, any relationship with a bidder, supplier, contractor or consultant and refrain from taking part in either the decision making process or the implementation of any prospective Government contract where such a relationship exists.

(2) Every personal relationship shall be disclosed in writing or, if in a meeting orally and then minuted...”

Regulation 40, Public Sector Procurement Regulations, 2008

“40. A person who—

- (a) contravenes these Regulations; or
- (b) aids, abets or otherwise knowingly facilitates or is an accessory to the contravention of these Regulations, commit an offence and is liable, on summary conviction in a Resident Magistrate’s Court....”

3. Concerning Allegations of Impropriety, Irregularities and Conflict of Interest at the Factories Corporation of Jamaica Limited (FCJ)

Recommendations to the Factories Corporation of Jamaica Limited (FCJ)

The DI recommends that, if not yet done, the FCJ implements a policy which addresses conflict of interest, specifically at the Board level in keeping with the Public Bodies Management and Accountability Act. Additionally, the FCJ should ensure that the policy provides clear and unequivocal prohibitions against conflict(s) of interest including formal disclosures and documentary evidence of recusals from deliberations, regarding any conflict of interest situation which may arise.

The DI's recommendation is premised on the fact that, in the instant matter, there was no internal policy documents within the FCJ speaking to the treatment of conflict(s) of interest. Notwithstanding the foregoing, the lapse which facilitated the erroneous appointment and subsequent compensation of serving board members in their private capacity as Attorneys for the referenced Caymanas Economic Zone Project constituted an actual conflict of interest.

Further to the foregoing, the DI recommends that in the procurement of services, which are excluded from the GOJ procurement guidelines, the 50 Commonwealth Caribbean Anticorruption Strategies: New Institutional Framework, the FCJ ensures that clear terms of reference and contract terms and conditions are outlined by way of a written document, in an effort to ensure the responsible allocation of public resources, accountability and transparency at all levels.

The DI strongly recommends that the FCJ desists from awarding contracts to serving Board Members, in an effort to avoid creating actual or perceived Conflicts of Interest.

Recommendations to the Permanent Secretary, Ministry of Economic Growth and Job Creation (MEGJC)

By virtue of the fact that the FCJ is now under the leadership of the MEGJC, the DI recommends that the MEGJC implements a clear guideline/framework which governs the treatment of the acquisition of government lands, terms and conditions in respect of the engagement and conveyance fees for Attorneys, to which entities such as the FCJ and other public bodies, must give keen adherence.

The DI's recommendation is premised on the need for clarity and transparency in the acquisition and disposition of government-owned lands.

Despite the limitation period imposed under Section 20(2) of the Financial Administration and Audit Act, in relation to the institution of Surcharge Proceedings (not more than three years from date of occurrence), the DI recommends that the Permanent Secretary implement mechanisms to prevent the misuse of public resources and to immediately commission an audit into the financial affairs and governance arrangements of the FCJ.

Recommendations to the Most Honourable Prime Minister

Given the prevalence of conflicts of interests in Jamaica, and the detrimental impact they have on public confidence in government and good governance, it is recommended that the Most Honourable Prime Minister commission a general review of this issue with a view to introducing legislation and/or regulations to clarify how these should be managed.

The DI further recommends, that consideration be given to the creation of a regime to facilitate the application/institution of pecuniary sanctions and/or forfeiture proceedings against officials who benefit from knowingly engaging in the practice.

4. **Concerning Allegations of Conflict of Interest, Corruption and Irregularities in Relation to the Acquisition of Shares in FirstRock Capital Holdings Limited, by the Airport Authority of Jamaica (AAJ) and the Norman Manley International Airport Limited (NMIAL)**

Recommendation to the President and CEO of the AAJ and the NMIAL

The DI recommends that the Accounting Officer and the Board of Directors of the AAJ and the NMIAL immediately implement the necessary administrative mechanisms to ensure that proper records are kept when taking decisions in relation to their financial undertakings. The DI's recommendation is based on the failure of the AAJ and the NMIAL to adequately document all the critical steps that were undertaken to acquire the shares in question. The state of affairs observed in the instant case is inconsistent with the provisions and spirit of the Financial Audit and Administration Act and the Public Bodies Management and Accountability Act as well as the tenets of good governance, transparency and accountability.

The DI recommends that the necessary checks and balances be implemented to ensure that the Accounting Officer and the Board of Directors of the AAJ and the NMIAL scrupulously adhere to their internal policies as well as the laws, policies, regulations or guidelines which govern their operations.

The DI recommends that the AAJ and NMIAL ensure that all members of Boards of Directors become familiar with the Financial Administration and Audit Act, Public Bodies Management & Accountability Act (2001) and other applicable legislation, particularly section 17(2) of the latter, which addresses the issue of conflict of interest management and other critical governance issues. The DI's recommendation is prompted by Mr. Deidrick's admission that the AAJ's finance team was unaware of the Public Bodies (Amendment) Regulations at the time of the decision to invest by way of private placement.

The DI recommends that the AAJ and the NMIAL facilitate a training programme for their respective Board members in corporate governance, with primary focus on the management of conflicts of interest, ethics and integrity and prudent financial management. The DI's recommendation is based on the plethora of breaches identified in the course of this investigation.

The Minister of Transport and Mining and/or other relevant Ministers

As it relates to the negligent conduct of a number of the Board Directors of the AAJ and NMIAL, the DI recommends that, if not yet done, the Honourable Minister of Transport and Mining gives serious consideration to the tenure of the referenced Directors. The DI also recommends that checks be made to ascertain whether any of those Directors are presently serving on other public Boards and where this is found, considerations be given to those appointments as well. The foregoing may mitigate the possibility of the conduct identified in this matter being replicated in other entities.

The DI further recommends, that in making the foregoing considerations, credit be given to those Directors who attempted to carry out the necessary due diligence, declared conflict and abstained from participating in the decision making process as well as those who were not given an opportunity to participate in the decision making process. See paragraphs 5.11.11 to 5.11.15 above.

Recommendation to the Honourable Minister of Finance and Financial Secretary, Ministry of Finance and the Public Service

Given the risks which are associated with the emerging complexities and uncertainties in today's investment environment and the need for public bodies to ensure financial prudence, the DI recommends that the Ministry of Finance and the Public Service conducts a comprehensive audit of the investment related autonomy given to public bodies with a view to developing a comprehensive policy or legislative framework that will allow those entities to better identify, manage and mitigate investment risks and facilitate financial prudence.

As it relates to the insubstantial assessment/due diligence conducted by the AAJ and NMIAL and the breaches identified in the decision making process with respect to the investments in FirstRock Capital Investment Limited, the DI recommends that the Financial Secretary and/or the Honourable Minister of Finance and the Public service cause a comprehensive review to be undertaken of the investments in question with a view to determining whether the investment was financially prudent and whether value for money was obtained. The DI further recommends that where it is found that the government suffered loss due to a breach of fiduciary on the part of the Accounting Officer and the Board of Directors, that the appropriate sanctions be imposed.

Recommendation to the Permanent Secretary, Ministry of Transport and Mining

As it relates to the conduct and stewardship of Mr. Deidrick in his capacity as Accounting Officer of the AAJ and NMIAL and the breaches of policy and law identified, the DI recommends that the Permanent Secretary of the Ministry of Transport and Mining conducts a comprehensive review of said conduct and stewardship and take such action as may be necessary and appropriate in the all the circumstances of the instant case.

Recommendations to the Most Honourable Prime Minister

Given the prevalence of conflicts of interests in Jamaica, and the detrimental impact they have on public confidence in government and good governance, it is recommended that the Most Honourable Prime Minister commissions a general review of this issue with a view to introducing legislation and/or regulations to clarify how these should be managed.

The DI further recommends, that consideration be given to the creation of a regime to facilitate the application/institution of pecuniary sanctions and/or forfeiture proceedings against officials who benefit from knowingly engaging in the practice.

5. **Concerning Allegations of Irregularities in the Approval Processes which resulted in the Construction of a Residential Development, located at #11 Charlemont Drive, Kingston 6, contrary to, inter alia, the permits issued by the KSAMC and NEPA and the Building Act.**

Recommendation to the Chief Executive Officer, Kingston & St. Andrew Municipal Corporation (KSAMC) and Director of Public Prosecutions (DPP)

The DI recommends that the KSAMC take action against Mr. Mark Barnett Mrs. Annette Francis Barnett and Mr. Phillip Smith for breaching the building permit which was granted for the development located at #11 Charlemont Drive, Kingston 6. The foregoing, by extension, contravened Section 17(2) of the Building Act which stipulates, that it is an offence to breach section 17 (1) and that any person who contravenes the provision, shall be liable on conviction to the penalty specified in relation to that offence in the First Schedule.

After consultations with the Director of Corruption (DCP) (see appendix 2), the DPP is hereby alerted to the noted breaches of the applicable legislation for appropriate action, in relation to the prosecution of any viable offence as the DPP may determine.

The DI recommends that the KSAMC implement measures to ensure adherence to the provisions outlined in Sections 33 and 34 of the Building Act, in relation to its inspection and post permit-monitoring responsibilities/functions.

The DI's recommendation is made on the basis that neither the requisite Certificates of Compliance at each stage of construction nor a Certificate of Occupancy were issued for the development located at #11 Charlemont Drive, Kingston 6. The Building Act was enacted with the objectives of facilitating the application of national building standards for ensuring safety in the built environment, enhancing amenities and promoting sustainable development. The effective implementation of the Building Act, 2018, by the KSAMC is therefore integral in accomplishing these objectives.

The DI recommends that Mr. Robert Hill, Chief Executive Officer, KSAMC institute disciplinary proceedings against Mr. Xavier Chevannes, Chief Engineering Officer, KSAMC in relation to his failure to execute his statutory functions under Section 10 of the Building Act, 2018. The DI appreciates that though the Chief Engineering Officer does not necessarily, personally execute all the duties associated with his office, it cannot be ignored that he is charged with the overall responsibility of ensuring that the functions are executed according to law.

The DI recommends that Mr. Robert Hill, Chief Executive Officer, KSAMC institute disciplinary proceedings against Mr. David Clarke, Senior Building Officer, Kingston & St. Andrew Municipal Corporation (KSAMC) in relation to his failure to identify and record the breaches of the permit issued by the KSAMC in relation to the development at #11 Charlemont Drive, in accordance with his job description and the stipulations of the Building Act.

The DI's recommendation is premised on the fact that the Municipal Corporation relies on the integrity, thoroughness and accuracy with which Building Inspectors and Senior Building Inspectors

conduct inspections and seek to uphold the entity's rules and regulations. Mr. Clarke's failure to do so in this instance, directly led to the completion of the residential development at #11 Charlemont Drive in clear breach of the Kingston and St. Andrew Municipal Corporation's building permit.

Recommendation to the Chief Executive Officer, National Environment & Planning Agency (NEPA)

The DI is advised, and does verily believe, that Ms. Morjorn Wallock is no longer in the employ of NEPA, and therefore a recommendation for disciplinary action in respect of her, would be futile. Notwithstanding, the DI recommends that NEPA's Legal and Enforcement Division, conducts a review of its enforcement policies and procedures with a view to ensuring that, where breaches are detected, as in the present; the necessary enforcement actions are taken. The DI accepts that the instant development was undertaken during the Covid19 pandemic and therefore the entity's enforcement machinery must have been impacted in one way or the other. Notwithstanding, there is no reason why the enforcement instruments could not have been served, which, to all appearances, would have required less direct human interactions than the site visits and inspections through which the referenced breaches were identified.

Recommendation to the Chairman and Board, National Water Commission

As it relates to the egregious conduct of Mr. Mark Barnett, the DI recommends that the NWC apply such sanction as it deems appropriate and necessary to restore public confidence in its leadership and to demonstrate that such conduct cannot and will not be tolerated in public office. The DI's recommendation is premised on the fact that Mr. Barnett is the holder of a public office within a large and longstanding public body and therefore, he is required, at a minimum, to uphold the laws of Jamaica, to discharge his fiduciary duties without reservations or equivocation and to always comport himself in a way which is consistent with the dignity of that office.

Additionally, and equally important, the NWC is a critical component of the development approval process in Jamaica, therefore, the head of that entity, and its officers, should not be seen or found to be in contravention of the laws governing the development process.

Recommendation to the Chairman of the General Legal Council

As it relates to the conduct of Mrs. Annette Francis Barnett and her office as an Attorney-at-Law, the DI recommends that the General Legal Council takes such actions as it may deem necessary and appropriate having regard to **Canon 1b** of the **Legal Profession (Canons of Professional Ethics) Rules**

The Most Honourable Prime Minister and the Honourable Minister of Local Government and Community Development

In light of the breaches found herein, and the need to ensure that development occurs within the built environment in a sustainable manner, the DI recommends the introduction of legislation, which:

- (a) Imposes pecuniary penalties on developers who willfully violate building and development permits for financial gain. More particularly, profits attributable to breaches should be forfeited. Additionally, developers should also face debarment in respect of planning and development approval for an appropriate time period post breach; and

- (b) Require collaboration and coordination between the Registrar of Titles, Local Authorities and other germane entities in a way which ensures that titles are not issued for developments which are constructed in breach of planning, building and development permits.

6. **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)**

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

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)

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)

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.

7. **Investigation Report into concerns that the Honourable Mrs. Marisa Dalrymple-Philibert, Member of Parliament and Speaker of the House of Representatives, made false statements in the Statutory Declarations filed by her for the years 2015 to 2021.**

"The Director of Corruption Prosecution

The DI recommends that this report be referred to the Director of Corruption Prosecution for consideration.

The Commissioner of Customs

The DI recommends that this report be referred to the Commissioner of Customs to recover the duties and to apply such penalties as the Commissioner may deem to be appropriate in the circumstances. The DI's recommendation is premised on the finding that the vehicle acquired by Mrs. Dalrymple-Philibert was used contrary to section 32(1) of the Customs Act.

The Clerk to the Houses of Parliament

The DI recommends that the Clerk to the Houses of Parliament undertakes a review of the approval process for the payment of Motor Vehicle Allowances at the Houses of Parliament with a view to ensuring that it is both fit for purpose and fraud proof. The DI's recommendation is premised on the payments made to Mrs. Dalrymple-Philibert up to 2020, in breach of the Motor Vehicle Policy, the Terms and Conditions of the 20% Concession granted to her and by extension the Customs Act.

Financial Secretary

The DI recommends that this report be referred to the Financial Secretary to take such action as may be necessary to recover the Allowances paid in breach of Circular 13 and the Terms and Conditions of the 20% Duty Concession in question.

The Most Honourable Prime Minister

The DI recommends that this report be referred to the Prime Minister for him to take such disciplinary and/or administrative actions which both recognizes the seriousness of Mrs. Dalrymple-Philibert's conduct and to deter reoccurrence. The DI further recommends that a national training program be developed for Members of Parliament in the area of ethics and the applicable government policies, regulations and legislation.

The Director of Information and Complaints

The DI recommends that the Director of Information and Complaints requests that Mrs. Dalrymple-Philibert resubmit a complete and accurate Statutory Declaration as required by the ICA.

The DI's recommendation is premised on the omission observed with respect to Mrs. Dalrymple-Philibert's Statutory Declarations and the impact this has on the Commission's ability to conduct a thorough analysis with a view to certifying same as complete."

8. **Investigation Report concerning investigations into allegations of breaches of the Corruption Prevention Act, the Customs Act and the Integrity Commission Act by Councillor Mr. Lambert Weir of the St. Ann Municipal Corporation.**

"The Director of Corruption Prosecution

The DI recommends that this report be referred to the Director of Corruption Prosecution for consideration.

The Commissioner of Customs

The DI recommends that this report be referred to the Commissioner of Customs to recover the duties and to apply such penalties as the Commissioner may deem to be appropriate in the circumstances. The DI's recommendation is premised on the finding that the vehicle acquired by Mr. Weir was used contrary to section 32(1) of the Customs Act. The section provides inter alia,

"If any goods which are ordinarily liable to duty at a given rate are allowed by law to be, and are in fact, entered at a lower rate of duty, ... on any special conditions, or for use for some special purpose, or because they are the property of or intended for use by some particular person or functionary, and if such conditions are not observed, or the goods are at any time within three years of the date of importation thereof used for any other than the specified purpose, ... such goods, unless the full duties thereon shall have been paid, shall be forfeited, and the importer and any person who shall be knowingly concerned in the use of such goods contrary to such conditions, or for some purpose other than that specified, or in any way contrary to this section shall each incur a penalty of not less than treble the import duties payable on the goods nor more than treble the value of the goods."

The Permanent Secretary, Ministry of Local Government and Community Development

The DI recommends that the Permanent Secretary in the Ministry of Local Government and Community Development undertakes a review of the approval process for the payment of Upkeep and Travel Allowances at the St. Ann Municipal Corporation with a view to ensuring that it is both fit for purpose and fraud proof. The DI's recommendation is premised on the payments made to Mr. Weir for at least three (3) years in breach of the Terms and Conditions of the 20% Concession granted to him and by extension the Customs Act.

Financial Secretary

The DI recommends that this report be referred to the Financial Secretary to take such action as may be necessary to recover the Upkeep and Travelling Allowances paid to Mr. Weir in breach of Circular 13 and the Terms and Conditions of the 20% Duty Concession in question.

INTEGRITY COMMISSION

The Minister of Local Government and Community Development and the Chairman of the St. Ann Municipal Corporation

The DI recommends that this report be referred to the Minister of local Government and Community Development and the Chairman of the St. Ann Municipal Corporation for them to take such disciplinary and/or administrative actions which both recognizes the seriousness of Mr. Weir's conduct and to deter reoccurrence. The DI further recommends that a national training program be develop for Councillors in the area of ethics and the applicable government policies, regulations and legislation

Chapter 18 - Appendices

INTEGRITY COMMISSION

Appendix 1- Days Taken to Complete the Investigation of Cases Referred to the DCP

	Date Received	Declarant	Employer	Date Closed	Days Taken to Complete
1.	2022-03-10	Wayne Salmon	Petrojam Limited	2023-09-07	546
2.	2022-03-10	Ava Williams	Jamaica Customs Agency	2023-09-26	565
3.	2022-03-10	Sheryll Blair	Petrojam Limited	2023-09-07	546
4.	2022-10-05	Cheryl Robinson	Kingston & St. Andrew Municipal Corporation	2023-07-20	288
5.	2022-10-05	Donovan Thompson	Kingston & St. Andrew Municipal Corporation	2023-07-20	288
6.	2022-10-05	Dwight McLeod	Kingston & St. Andrew Municipal Corporation	2023-07-20	288
7.	2022-10-05	Javaughn Davis	Kingston & St. Andrew Municipal Corporation	2023-07-20	288
8.	2022-01-20	Leslie Campbell	Houses of Parliament	2023-09-07	595
9.	2022-04-07	Syretta Hoilett	Jamaica Customs Agency	2022-11-22	229
10.	2018-12-02	Christopher Wilks	South East Regional Health Authority	2023-03-01	1550
11.	2018-12-02	Yvonne Munroe-Whitemore	South East Regional Health Authority	2023-02-10	1531
12.	2018-12-02	Trudy-Ann Johnson	South East Regional Health Authority	2023-03-01	1550
13.	2018-12-02	Keith Clarke	South East Regional Health Authority	2023-03-01	1550
14.	2018-12-02	Moina Spencer	South East Regional Health Authority	2023-03-01	1550
15.	2022-01-28	Ishmael Francis	Transport Authority	2022-08-15	199
16.	2022-01-28	Janet Brown	Transport Authority	2022-05-31	123
17.	2022-01-28	Griff Morris	Transport Authority	2022-06-09	132

INTEGRITY COMMISSION

	Date Received	Declarant	Employer	Date Closed	Days Taken to Complete
18.	2022-01-28	Christopher Williams	Transport Authority	2022-08-15	199
19.	2022-01-28	Catherine Sinclair	Transport Authority	2022-06-09	132
20.	2022-01-28	Audie Bartley	Transport Authority	2022-08-15	199
21.	2022-01-28	Anthony Bloomfield	Transport Authority	2022-08-15	199
22.	2022-01-28	Andrea Bryan	Transport Authority	2022-05-31	123
23.	2022-01-28	Alborn Legg	Transport Authority	2022-08-15	199
24.	2022-01-28	Arthlyn Adams	Transport Authority	2022-05-31	123
25.	2022-01-28	Avery Sommerville	Transport Authority	2022-06-09	132
26.	2022-01-28	Chevis Gilzeane	Transport Authority	2022-06-09	132
27.	2022-01-28	Dawn Lawrence	Transport Authority	2022-06-09	132
28.	2022-01-28	Everton McKenley	Transport Authority	2022-08-15	199
29.	2022-01-28	Faithfulness Odih	Transport Authority	2022-06-09	132
30.	2022-01-28	Garnett Lester	Transport Authority	2022-06-09	132
31.	2022-01-28	Headeann Hall	Transport Authority	2022-06-09	132
32.	2022-01-28	Ingrid Allen-Davis	Transport Authority	2022-05-31	123
33.	2022-01-28	Jason Davidson	Transport Authority	2022-06-09	132
34.	2022-01-28	Fallon Kelley	Transport Authority	2022-06-09	132
35.	2022-01-28	Albert Taylor	Transport Authority	2022-06-09	132
36.	2022-01-28	Winston Edwards	Transport Authority	2022-06-09	132
37.	2022-01-28	Vivian Young	Transport Authority	2022-06-09	132
38.	2022-01-28	Veneita Swaby	Transport Authority	2022-06-09	132
39.	2022-01-28	Totlyn Wallace-Palmer	Transport Authority	2022-06-09	132
40.	2022-01-28	Terri-Ann Williams	Transport Authority	2022-06-09	132
41.	2022-01-28	Sherieffa Gurdon	Transport Authority	2022-06-09	132

INTEGRITY COMMISSION

	Date Received	Declarant	Employer	Date Closed	Days Taken to Complete
42.	2022-01-28	Shelley-Ann Brown	Transport Authority	2022-05-31	123
43.	2022-01-28	Opal Daley	Transport Authority	2022-05-31	123
44.	2022-01-28	Nordia Brown	Transport Authority	2022-05-31	123
45.	2022-01-28	Noel Francis	Transport Authority	2022-06-09	132
46.	2022-01-28	Pauline Morris	Transport Authority	2022-06-09	132
47.	2022-01-28	Wayne Emanuel	Transport Authority	2022-08-15	199
48.	2022-01-28	Michael Williams	Transport Authority	2022-08-15	199
49.	2022-01-28	Murrine Wilson	Transport Authority	2022-06-09	132
50.	2022-01-28	Mavreen Hetman	Transport Authority	2022-08-15	199
51.	2022-01-28	Lelieth Barnes	Transport Authority	2022-05-31	123
52.	2022-01-28	Latoya Lindsay	Transport Authority	2022-08-15	199
53.	2022-01-28	Nikeita Walters	Transport Authority	2022-06-09	132
54.	2022-01-28	Samantha Pryce	Transport Authority	2022-06-09	132
55.	2022-01-28	Sheneisha Sutherland	Transport Authority	2022-06-09	132
56.	2022-01-28	Tamisha Frankson	Transport Authority	2022-06-09	132
57.	2022-01-28	Travelle Miller	Transport Authority	2022-06-09	132
58.	2022-01-28	Volit Catnot	Transport Authority	2022-06-09	132
59.	2022-01-28	Calecia Dobson	Transport Authority	2022-06-09	132
60.	2022-01-28	Christine Campbell-Buckeridge	Transport Authority	2022-05-31	123
61.	2022-01-28	Craig Brown	Transport Authority	2022-08-15	199
62.	2022-01-28	Heather Williams-Grindley	Transport Authority	2022-06-09	132
63.	2022-01-28	Jevaughn Robinson	Transport Authority	2022-06-09	132

INTEGRITY COMMISSION

	Date Received	Declarant	Employer	Date Closed	Days Taken to Complete
64.	2022-01-28	Jodian Nelson-Mitchell	Transport Authority	2022-06-09	132
65.	2022-01-28	John Greaves	Transport Authority	2022-06-09	132
66.	2022-01-28	Karen McPherson	Transport Authority	2022-08-15	199
67.	2022-01-28	Kimone May	Transport Authority	2022-08-15	199
68.	2022-01-28	Krista Morrison	Transport Authority	2022-06-09	132
69.	2022-01-28	Lloyd Bowen	Transport Authority	2022-08-15	199
70.	2022-01-28	Marline Bailey-Thompson	Transport Authority	2022-05-31	123
71.	2022-01-28	Osbourne Brown	Transport Authority	2022-08-15	199
72.	2022-01-28	Rochelle Hird	Transport Authority	2022-06-09	132
73.	2022-01-28	Winston Morris	Transport Authority	2022-08-15	199
74.	2021-02-02	Lambert Weir	St. Ann Municipal Corporation	2022-10-31	636
75.	2022-05-26	Marisa Dalrymple-Philbert	Houses of Parliament	2023-02-28	278
			Total		21048
			Average days Taken		192

Appendix 2 - Days Taken to Complete the Investigation of Complaints & Referrals

For the financial year 2023/2024, 76 cases were completed by the Investigation Division. The average time taken to complete these cases is 222 days, see the table below for further details:

	Date Received/Date Commenced	Declarant/ Investigation	Employer	Date Investigation was Completed	Days Taken to Complete
1.	2022-03-10	Wayne Salmon	Petrojam Limited	2023-09-07	546
2.	2022-03-10	Ava Williams	Jamaica Customs Agency	2023-09-26	565
3.	2022-03-10	Sheryll Blair	Petrojam Limited	2023-09-07	546
4.	2022-10-05	Cheryl Robinson	Kingston & St. Andrew Municipal Corporation	2023-07-20	288
5.	2022-10-05	Donovan Thompson	Kingston & St. Andrew Municipal Corporation	2023-07-20	288
6.	2022-10-05	Dwight McLeod	Kingston & St. Andrew Municipal Corporation	2023-07-20	288
7.	2022-10-05	Javaughn Davis	Kingston & St. Andrew Municipal Corporation	2023-07-20	288
8.	2022-01-20	Leslie Campbell	Houses of Parliament	2023-09-07	595
9.	2022-04-07	Syretta Hoilett	Jamaica Customs Agency	2022-11-22	229
10.	2018-12-02	Christopher Wilks	South East Regional Health Authority	2023-03-01	1550
11.	2018-12-02	Yvonne Munroe-Whitemore	South East Regional Health Authority	2023-02-10	1531
12.	2018-12-02	Trudy-Ann Johnson	South East Regional Health Authority	2023-03-01	1550
13.	2018-12-02	Keith Clarke	South East Regional Health Authority	2023-03-01	1550
14.	2018-12-02	Moina Spencer	South East Regional Health Authority	2023-03-01	1550
15.	2022-01-28	Ishmael Francis	Transport Authority	2022-08-15	199
16.	2022-01-28	Janet Brown	Transport Authority	2022-05-31	123
17.	2022-01-28	Griff Morris	Transport Authority	2022-06-09	132
18.	2022-01-28	Christopher Williams	Transport Authority	2022-08-15	199
19.	2022-01-28	Catherine Sinclair	Transport Authority	2022-06-09	132
20.	2022-01-28	Audie Bartley	Transport Authority	2022-08-15	199
21.	2022-01-28	Anthony Bloomfield	Transport Authority	2022-08-15	199
22.	2022-01-28	Andrea Bryan	Transport Authority	2022-05-31	123
23.	2022-01-28	Alborn Legg	Transport Authority	2022-08-15	199
24.	2022-01-28	Arthlyn Adams	Transport Authority	2022-05-31	123
25.	2022-01-28	Avery Sommerville	Transport Authority	2022-06-09	132
26.	2022-01-28	Chevis Gilzeane	Transport Authority	2022-06-09	132
27.	2022-01-28	Dawn Lawrence	Transport Authority	2022-06-09	132

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	Date Received/Date Commenced	Declarant/ Investigation	Employer	Date Investigation was Completed	Days Taken to Complete
28.	2022-01-28	Everton McKenley	Transport Authority	2022-08-15	199
29.	2022-01-28	Faithfulness Odih	Transport Authority	2022-06-09	132
30.	2022-01-28	Garnett Lester	Transport Authority	2022-06-09	132
31.	2022-01-28	Headeann Hall	Transport Authority	2022-06-09	132
32.	2022-01-28	Ingrid Allen-Davis	Transport Authority	2022-05-31	123
33.	2022-01-28	Jason Davidson	Transport Authority	2022-06-09	132
34.	2022-01-28	Fallon Kelley	Transport Authority	2022-06-09	132
35.	2022-01-28	Albert Taylor	Transport Authority	2022-06-09	132
36.	2022-01-28	Winston Edwards	Transport Authority	2022-06-09	132
37.	2022-01-28	Vivian Young	Transport Authority	2022-06-09	132
38.	2022-01-28	Veneita Swaby	Transport Authority	2022-06-09	132
39.	2022-01-28	Totlyn Wallace-Palmer	Transport Authority	2022-06-09	132
40.	2022-01-28	Terri-Ann Williams	Transport Authority	2022-06-09	132
41.	2022-01-28	Sherieffa Gurdon	Transport Authority	2022-06-09	132
42.	2022-01-28	Shelley-Ann Brown	Transport Authority	2022-05-31	123
43.	2022-01-28	Opal Daley	Transport Authority	2022-05-31	123
44.	2022-01-28	Nordia Brown	Transport Authority	2022-05-31	123
45.	2022-01-28	Noel Francis	Transport Authority	2022-06-09	132
46.	2022-01-28	Pauline Morris	Transport Authority	2022-06-09	132
47.	2022-01-28	Wayne Emanuel	Transport Authority	2022-08-15	199
48.	2022-01-28	Michael Williams	Transport Authority	2022-08-15	199
49.	2022-01-28	Murrine Wilson	Transport Authority	2022-06-09	132
50.	2022-01-28	Mavreen Hetman	Transport Authority	2022-08-15	199
51.	2022-01-28	Lelieth Barnes	Transport Authority	2022-05-31	123
52.	2022-01-28	Latoya Lindsay	Transport Authority	2022-08-15	199
53.	2022-01-28	Nikeita Walters	Transport Authority	2022-06-09	132
54.	2022-01-28	Samantha Pryce	Transport Authority	2022-06-09	132
55.	2022-01-28	Sheneisha Sutherland	Transport Authority	2022-06-09	132
56.	2022-01-28	Tamisha Frankson	Transport Authority	2022-06-09	132
57.	2022-01-28	Travelle Miller	Transport Authority	2022-06-09	132
58.	2022-01-28	Volit Catnot	Transport Authority	2022-06-09	132
59.	2022-01-28	Calecia Dobson	Transport Authority	2022-06-09	132
60.	2022-01-28	Christine Campbell-Buckeridge	Transport Authority	2022-05-31	123
61.	2022-01-28	Craig Brown	Transport Authority	2022-08-15	199
62.	2022-01-28	Heather Williams-Grindley	Transport Authority	2022-06-09	132
63.	2022-01-28	Jevaughn Robinson	Transport Authority	2022-06-09	132

INTEGRITY COMMISSION

	Date Received/Date Commenced	Declarant/ Investigation	Employer	Date Investigation was Completed	Days Taken to Complete
64.	2022-01-28	Jodian Nelson-Mitchell	Transport Authority	2022-06-09	132
65.	2022-01-28	John Greaves	Transport Authority	2022-06-09	132
66.	2022-01-28	Karen McPherson	Transport Authority	2022-08-15	199
67.	2022-01-28	Kimone May	Transport Authority	2022-08-15	199
68.	2022-01-28	Krista Morrison	Transport Authority	2022-06-09	132
69.	2022-01-28	Lloyd Bowen	Transport Authority	2022-08-15	199
70.	2022-01-28	Marline Bailey-Thompson	Transport Authority	2022-05-31	123
71.	2022-01-28	Osbourne Brown	Transport Authority	2022-08-15	199
72.	2022-01-28	Rochelle Hird	Transport Authority	2022-06-09	132
73.	2022-01-28	Winston Morris	Transport Authority	2022-08-15	199
74.	2021-02-02	Lambert Weir	St. Ann Municipal Corporation	2022-10-31	636
75.	2022-05-26	Marisa Dalrymple-Philbert	Houses of Parliament	2023-02-28	278
76.	2014-11-27	Report of Investigation Conducted into the Circumstances Surrounding Procurement Activities Undertaken in the Renovation of the Spanish Town High School	N/A	2023-04-20	3066
77.	2016	Report of Investigation - Concerning the Allegations of Impropriety, Irregularities and Conflict of Interest at the Factories Corporation of Jamaica Limited (FCJ)	N/A	2023-05-12	2688
78.	2022-06-10	Report of Investigation - Concerning Allegations of Conflict of Interest and Breaches of Government of Jamaica Staff Orders and or Germane Policies at the Bureau of Standards Jamaica	N/A	2023-01-27	231
79.	2021-07-01	Report of Investigation - Concerning Allegations of Conflict of Interest, Corruption and Irregularities in Relation to the Acquisition of Shares in FirstRock Capital Holdings Limited, by the Airport Authority of Jamaica (AAJ) and the Norman Manley International Airport Limited (NMIAL)	N/A	2023-05-24	692
80.	2022-09-05	Report of Investigation - Concerning Allegations of	N/A	2023-09-29	389

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	Date Received/Date Commenced	Declarant/ Investigation	Employer	Date Investigation was Completed	Days Taken to Complete
		Irregularities in the Approval Processes which led to the Construction of a Residential Development Located at #11 Charlemont Drive, Kingston 6			
81.	2022-02-10	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 MTM	N/A	2024-01-05	694
			Total		28808
			Average days Taken		222

Appendix 3 - Areas of Impact – Contract Monitoring

During the course of the Financial Year, the Division as part of its core functions provided a number of recommendations to Public Bodies in respect of the Procurement Process. These recommendations are summarized below:

No	Date of Recommendation	Public Body/ Entity	Project Title	Observation	Recommendation	Action Taken by PB
1	1-Apr-23	SRHA	Expansion and Renovation to the Malvern Health Centre, Malvern, St. Elizabeth	An inspector from the Commission attended two meetings at the project site on February 28, 2023, and April 5, 2023, respectively, and observed the following: a) The progress of the work was significantly behind what was indicated on the contractor's work schedule/program. b) The scheduled completion date for the project has passed and the project is less than 25% completed.	A requisition letter from the Commission was sent outlining the issues observed and a request was made for the following: a) A copy of the request for an extension of time submitted by the contractor and the SRHA's response to the contractor's request	The PB advised that the contractor was informed of the shortcomings and likely punitive actions in accordance with the contract.
2	11-Apr-23	Jamaica Fire Brigade	Procurement of Firefighters' Protective Clothing - Lots 3 (Helmets) - Contracts Awarded to Advance Procurement Limited	The Commission noted that an invoice, rather than a purchase order or formal contract document, was issued by the Jamaica Fire Brigade for the procurement opportunity. The Commission found it peculiar that the PB seemingly prepared and issued an invoice to the supplier, which is typically issued by the vendor to the purchaser as a request for payment. The Commission reminded that a formal contract document contains clauses and conditions that not only bind the supplier to provide the referenced goods but also serve to protect the PB from exposure to possible litigation and avoidable expenses throughout the procurement process.	The Commission recommended that the PB utilize appropriate documentation when engaging suppliers in contractual arrangements in the future to avoid unnecessary hindrances.	The PB in its letter dated April 19, 2023, advised that the invoice utilized for this procurement opportunity was justifiable
3	12-Apr-23	Ministry of National Security	Renovation Works at the Ramble Police Station, Hanover	Commission made reference to correspondence received under cover letter dated April 12, 2023, which states inter alia that, 'The	Commission wishes to advise the Ministry that the abovementioned project had works being executed in	No action taken

INTEGRITY COMMISSION

No	Date of Recommendation	Public Body/ Entity	Project Title	Observation	Recommendation	Action Taken by PB
				contractor was not required to submit any bonds or insurance per the contract'.	the Police Station and its environs whilst it was still occupied. With the absence of insurance on the project, what recourse is made available should an officer or citizen visiting the Police Station, be injured as a result of the ongoing works.	
4	13-Apr-23	Urban Development Corporation (UDC)	Hellshire Sewage Treatment Plant Expansion	A representative of the Commission visited the referenced project site on April 13, 2023, and noted that no workmen evidenced on the site and all equipment were parked in a group format	Commission requested that details be provided on the cause for the delays /cessation of the works. The information was to include the time loss to date, the total liquidated damages charged to the Contractor thus far, the impact the delays would have on the project's completion and also steps taken by the UDC/Contractor to resolve the issues at its earliest, as the extended completion date for the project had expired.	The entity sent multiple warning letters to the contractor.
5	23-Apr-23	Institute of Forensic Science and Legal Medicine	Procurement of Funeral Home Services	The Commission conducted a meeting with the representatives from PB to clarify and resolve the exchange of correspondence pertaining to the discrepancies identified throughout the Bid Document.	The Commission suggested that the procurement opportunity should have undertaken in lots given the unique nature of the services being procured. The Commission maintained its view that the evaluation criteria of the Bid Document cannot be objectively assessed.	IFSLM ignored IC's recommendation and attempted to obtain approval from PPC. PPC referred the Institute to OPPP for administrative guidance, who supported the recommendations made by IC. Process was subsequently aborted.
6	25-Apr-23	South East Regional Health Authority (SERHA)	Supply, Delivery, Installation and Commission of Digital Radiographic Machines for the Kingston & St. Andrew Health Department	The Authority did not clearly define the basis upon which bids would be evaluated as the document was void of any evaluation criteria.	In a letter dated March 22, 2023, the Commission recommended that, for the sake of transparency and objectivity, the document be amended via an addendum to	The PB responded to our initial letter by way of letter dated March 28, 2023, informing that the award would be made on the basis of responsiveness to eligibility criteria then lowest price.

INTEGRITY COMMISSION

No	Date of Recommendation	Public Body/ Entity	Project Title	Observation	Recommendation	Action Taken by PB
					include bid evaluation criteria.	
7	30-May-23	Ministry of National Security	Hellshire Sewage Treatment Plant Expansion	The Commission referred to correspondence received under cover of a letter dated April 25, 2023, which states, among other things, that "The contractor was not required to submit any bonds or insurance per the contract	Commission wishes to advise the Ministry that the abovementioned project had works being executed in the Police Station and its environs whilst it was still occupied. With the absence of insurance on the project, what recourse is made available should an officer or citizen visiting the Police Station, be injured as a result of the ongoing works. Under requisition letter dated May 30, 2023.	No action taken
8	30-May-23	FLA	Private Security Guard Services	The entity did not provide its comparable estimate following a request for information, citing concerns about possible corruption of the process.	A letter was sent to the FLA requesting them to provide the comparable estimate by June 13, 2023.	Comparable Estimate was provided in a response dated June 12, 2023
9	30-Jun-23	National Health Fund (NHF)	Renovation of Space for the New Pharmacy at the Junction Health Centre – St. Elizabeth	The Commission made reference to the following observations made at a site visit conducted on May 31, 2023: Observation of the work progress at the site visit revealed that there were no work activities being executed nor were there workers on the site. The work progress since the commencement date of January 12, 2023, and a completion date of July 12, 2023, showed that the work had a significantly slow pace. For the project to achieve a timely completion, it would require that the pace and quality of the works/activities be significantly improved. The contractor's Work Schedule/ Programme also needed to be updated.	A requisition letter from the Commission was sent outlining the issues observed and requested the following: - a. A copy of all Bonds and Insurances submitted by the contractor.	The PB advised that the contractor was made aware of the shortcomings outlined.
10	30-Jun-23	Ministry of National Security	Renovation Works – Seaview Gardens Police Station	<i>"The Commission wishes to advise the Ministry of its concern given the absence of insurance on the abovementioned project. What recourse is made available should an</i>	A requisition letter from the Commission was sent outlining the issue observed	No action taken

INTEGRITY COMMISSION

No	Date of Recommendation	Public Body/ Entity	Project Title	Observation	Recommendation	Action Taken by PB
11				<i>officer or citizen visiting the Police Station, be injured as a result of the renovation works given that the police station will be an active work site for the Contractor while still in use by the police officers and the general public."</i>		
	19-Oct-23	CHASE Fund	Construction of Savanna-la-mar Infant School – Westmoreland	A final completion walkthrough for the project was conducted on October 2, 2023. It was observed that the water trough was pooling water and not draining properly, and the paint on the walls appeared to be deteriorating. Additionally, there was evidence of excessive debris on the roof of the building, including leftover waterproofing material and some construction equipment such as buckets.	A requisition letter dated October 19, 2023, was sent to Entity.	PB instructed the Contractor to make good on all defects. Final Completion was subsequently achieved after corrections were made.
12	24-Oct-23	National Housing Trust (NHT)	Infrastructure and Housing Development, Friendship Phase 2, St. James (Contractor- West Indies Home Contractors (WIHCON), \$6,340,110,000.00	During a routine visit to the project on September 27, 2023, it was observed that on a particular road within the development, excavation cuts on the hill behind several units exceeded five (5) meters and appeared to pose a safety risk for residents. Additionally, on the same road, a group of units had settled foundations and structural cracks in the building.	A requisition letter dated November 22, 2023, was sent to the entity, noting the Commission's observations and outlining the issues observed	The PB in its letter dated December 13, 2023, provided documentation to support the action to be taken by the contractor to address both issues that were identified.
13	29-Nov-23	Jamaica Customs Agency	Supply and Delivery of Motor Vehicles - 2 lots	Incoterms method was not correctly stated. No formula provided for price evaluation and the minimum qualifying score for lot 2 did not correspond with lot 1.	That the entity issues an addendum providing clarity on the incoterms, insert the financial score formula and address the minimum score disparity	JCA issued an addendum via GOJEP reflecting all the recommendations made by IC.
14	23-Nov-23	National Fisheries Authority	Procurement of Outboard Fuel for Fisher Folks	The Evaluation Criteria was inadequate	It was recommended that there be a further breakdown of points using sub criteria where necessary.	
15	22-Nov-23	Court Administration Division	Procurement of Metal Detectors and Electrical Works IRO Parish and Family Courts	The Entity stated that the eligibility documents (TCC and PPC) are to remain valid throughout the process is unclear and	That the entity issues an addendum providing clarity on the validity period for the eligibility	CAD issued an addendum providing the recommended clarifications

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No	Date of Recommendation	Public Body/ Entity	Project Title	Observation	Recommendation	Action Taken by PB
16				the award criteria is ambiguous	documents and specify award criteria (lowest prices / most advantageous)	
	1-Dec-23	Western Regional Health Authority	Procurement of 220lbs Washing Machine for the Savanna-La-Mar Public General Hospital	a) The manner, place, date and time for the opening of bids omitted b) Incoterm method not specified c) Criterion not stated as to which approach will guide the award of contract d) Post-qualification requirements not outlined in tender document	That the entity issues an addendum to provide the manner, place, date and time of bid opening, state the applicable Incoterms method, specify the award criterion (lowest priced or most advantageous) and provide post-qualification criteria	The recommended amendments were made to the Tender Document through the issuance of an addendum
17	1-Dec-23	Church Teacher's College	Mandeville – The Construction of a Language & Writing Laboratory on the College's Main Campus	At the Site Meeting held on Wednesday, November 29, 2023, it was observed by representatives of the Commission that the windows on the first floor were not at the height as per the drawings and some windows were also omitted from a wall. In light of the foregoing, the Commission is requesting that you confirm whether instructions were issued for this change in the design and to provide evidence of same.	Church Teacher's College	PB confirmed these changes were instructed.
18	1-Dec-23	National Housing Trust (NHT)	Infrastructure and Housing Development, Friendship Phase 2	A site visit was conducted on September 27, 2023 of the project were the following observations were made by the Commission's representative: 1. where an equipment was observed undertaking vertical cuts which appears to be in excess of five (5) meters, to a particular hillside behind several units along road No. 12. 2. Additionally, it was also observed along road No. 12, that there are approximately fourteen (14) duplex units which appears to have had settlement failures to the fill material at the external rear of the buildings, which may have resulted in several structural cracks to the concrete walls.	Requisition letter to be drafted based on documentation reviewed for additional information.	No Action Taken

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No	Date of Recommendation	Public Body/ Entity	Project Title	Observation	Recommendation	Action Taken by PB
19	8-Jan-24	National Works Agency	Preparation of the Project Proposal submission for the PIMS - Barham Bridge Project, Westmoreland	a) The name, functional title and address of one or more officers or employees of the procuring entity, through which communications should occur, was omitted. b) The final day to submit clarifications is stated as January 3, 2023	Ensure that the observed omissions are included in the bid documents for future procurement opportunities	Response received Jan 23, 2024: a) Being that the procurement opportunity is managed online via GOJEP, communications occur through this medium, hence why no names were stated in the ad / tender document. b) The error was in relation to the bid submission deadline and not the clarification period, which was confined to only the advisement, all other documents/correspondences included the correct date. The error in the advertisement would have no material consequences. c) The NWA will seek to ensure that the administrative error is not repeated for future procurement opportunities.
20	8-Jan-24	National Works Agency	Preparation of the Project Proposal submission for the PIMS - Llandewey Bridge Project, St. Thomas	The name, functional title and address of one or more officers or employees of the procuring entity, through which communications should occur, was omitted	Ensure that the observed omissions are included in the bid documents for future procurement opportunities	Response received Jan 23, 2024: Procurement has been cancelled as NWA incorrectly referenced the related civil works procurement for the Preparation of the Project Proposal Submission for the Public Investment Management System (PIMS)
21	22-Jan-24	Petrojam Limited	Supply of a 600 KVA Standby Generator	Clause ITB 45.1 of the Tender Document states that performance security is not required while Clause GCC 17.1 of the Contract Document states that performance security shall be required.	That the entity issues an addendum to clarify whether a performance security is required	Petrojam issued an addendum advising that a performance security of 10% of contract value is required

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No	Date of Recommendation	Public Body/ Entity	Project Title	Observation	Recommendation	Action Taken by PB
22	22-Jan-24	Caribbean Maritime University	Provision of Pest Control Services for the Caribbean Maritime University and its Offsite Locations	<i>"a) ITB 10.1 of the Tender Document states that the deadline for clarification is Tuesday, January 24, 2024, however the stipulated date occurs on a Wednesday b) ITB 23.1 and ITB 25.1 of the Tender Document states that the deadline for the submission of bids is Wednesday, February 2, 2024, however the stipulated date falls on a Friday c) ITB 28.1 of the Tender Document states that bid opening shall take place on Wednesday, February 2, 2024, however the stipulated date falls on a Friday."</i>	That the entity issues an addendum to clarify the deadline for clarification, deadline for the submission of bids and the bid opening date	The entity issued an addendum advising the correct deadline for clarifications, bid submission and the date/time of bid opening
23	26-Jan-24	National Housing Trust (NHT)	Infrastructure and Housing Development, Friendship Phase 2	A site visit was conducted on September 27, 2023 of the project were the following observations were made by the Commission's representative: 1. where an equipment was observed undertaking vertical cuts which appears to be in excess of five (5) meters, to a particular hillside behind several units along road No. 12. 2. Additionally, it was also observed along road No. 12, that there are approximately fourteen (14) duplex units which appears to have had settlement failures to the fill material at the external rear of the buildings, which may have resulted in several structural cracks to the concrete walls. A requisition was sent to the NHT in letter dated November 22, 2023, raising the concerns. The NHT provided a response in a letter dated December 13, 2023, which is being reviewed and other concerns have been highlighted which is to communicated to the NHT. Subsequent to reviews of the information provide, a further requisition letter dated January 26, 2024, was sent to the NHT regarding concerns of the steep embankments behind	Requisition letter dated January 26, 2024, was prepared and sent	The NHT provided a response in letter dated February 16, 2024, which provided additional documentation to address the concerns raised by the Commission.

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No	Date of Recommendation	Public Body/ Entity	Project Title	Observation	Recommendation	Action Taken by PB
				some of the units on Road No. 12 and details of the proposed structure to be utilised in the area to mitigate against slope failure.		
24	2-Feb-24	Ministry of Local Government and Rural Development	Rehabilitation of Chambers Pen Main Road and Break Heart Roads, Chambers Pen, Hanover	Further to the foregoing, representatives from the Commission visited the referenced project site on December 12, 2023, and noted that the following concerns: -	Ministry of Local Government and Rural Development	No action taken
25	15-Feb-24	Petrojam Limited	Replacement of Cables and Accessories Damaged in Refinery Fire	1. Inconsistent times provided in Tender Document and Ad for bid submission deadline and bid opening	That the entity issues an addendum to clarify the deadline for bid submission and bid opening, and review the scoring methodology.	The entity issued an addendum advising the correct deadline bid submission and the date/time of bid opening
26	1-Mar-24	Office of Utilities Regulation	Procurement of Servers	Incoterms method not specified	That the entity Regulation issue an addendum to bidders indicating the Incoterm method which applies to this procurement.	Response received from entity on March 11, 2024 advising that since bid submission deadline had already passed, they won't be able to issue an addendum.
27	1-Mar-24	Court Administration Division	Procurement of Soundproof Kiosks for the Courts - All Island	1. Inconsistent reference number quoted 2. Inconsistent times/dates provided in Tender Document, Ad and Key Dates document for clarification, bid submission deadline and bid opening 3. Incorrect date provided for BOJ's exchange rate for currency conversion 4. Inconsistency with required docs to be provided for domestic supplier vs foreign supplier 5. No info provided on the percentage of contract value and form the performance security should be presented in 6. Inconsistency with the amount of successfully completed contracts info to be provided 7. Inconsistency with required warranty (minimum 10 years) and scoring criteria related to warranty period (covering up to 5 years).	That the entity issues an addendum to clarify the deadline for the submission of clarifications, bid submission, bid opening and clarify applicable date of BOJ's rate of exchange. Also, clarify if foreign supplier should provide evidence of work for the past 5 years, provide required info on performance security, and the minimum number of contract information to be provided. Lastly, as the minimum warranty period is 10 years, we are recommending that the categories be adjusted to factor in this requirement.	Response from entity received on March 20, 2024 advising that the procurement was re-tendered on March 19, 2024 and issues identified were rectified in modified tender document.

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No	Date of Recommendation	Public Body/ Entity	Project Title	Observation	Recommendation	Action Taken by PB
28	6-Mar-24	Development Bank of Jamaica Limited	The Supply, Installation, and Commissioning of a 550 KVA Standby Generator	1. Inconsistent dates provided in Tender Document and Ad for clarification deadline, bid submission deadline and bid opening 2. Incorrect date provided for BOJ's exchange rate for currency conversion 3. Incoterms method not specified	That the entity issues an addendum to clarify the deadline for the submission of clarifications, bid submission, bid opening, clarify applicable date of BOJ's rate of exchange and indicate the Incoterm method which applies to this procurement.	Response from entity received on March 18, 2024 corrected all deviations observed.
29	8-Mar-24	Jamaica Special Economic Zone Authority	Procurement of Consultancy Services for Design, Space Planning and Supervision of Interior Works (Architectural Services)	1. Inconsistency with bid validity period 2. Inconsistency with points allocation as it relates to Methodology of Work 3. Differing dates provided in tender doc and ad regarding deadline for submission of clarification	Given that the bid submission date has passed, we are recommending that the entity clarify the bid validity period and the maximum points being allocated to Methodology of Work and inform the bidders, in writing, of the JSEZA's decision. We also implore the JSEZA to cross check their deadline date to minimize the occurrence of any discrepancy.	Entity advised that point allocation was addressed through a clarification, inconsistency with bid validity period was an oversight and due to an extension of the bid submission deadline, conflicting clarification dates are immaterial.
30	22-Mar-24	National Irrigation Commission Limited	Supply and Delivery of (260) 800 Gallon and (255) 650 Gallon Water Tanks	1. Inconsistency with reference number quoted 2. Inconsistency with the basis of evaluation of bids stated in tender document 3. Inconsistency with the required documents to be submitted in different sections of the tender document 4. Ambiguity regarding whether warranty is required for this procurement 5. Required documents to be submitted contained in 5 different clauses in tender document with no comprehensive listing provided	That the entity issues an addendum to clarify the reference number of the procurement, amend ITB 37.3(a) to include the other criteria related to the basis of evaluation of bids and include item (b) found at ITB 20.1(a) of the BDS, under the Post-Qualification Requirements for consistency with the documents required. Additionally, advise whether warranty is required and develop a comprehensive list that captures all the required documents to be presented at bid submission, which will improve the likelihood of	Response from entity received on April 2, 2024 advised that the Initial Requisition Letter was received after bid closing date hence an addendum could not be issued. However, the amended bidding document which corrected all deviations identified was issued to suppliers on March 27, 2024 and a copy shared with IC as well.

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No	Date of Recommendation	Public Body/ Entity	Project Title	Observation	Recommendation	Action Taken by PB
31	29-Mar-24	Public Broadcasting Corporation of Jamaica (PBCJ)	Renovation of Building 1	IC requisitioned the following items to which the PBCJ responded "None issued": a. A copy of all Payment Certificates with respective receipts of payment; and b. A copy of the Practical Completion Certificate In light of the foregoing, IC is making reference to the Clauses 13 and 16 in the Contract which indicates the Public Body's obligation to provide these documentation and as such did not perform these Clauses since none were issued. Notwithstanding, the IC requests some documentation with breakdown of payment as per contract and recommends that for future procurement opportunities the PBCJ ensure that the contract is performed in accordance with the all stipulated Conditions	receiving responsive bids. A requisition letter from the Commission was sent outlining the issue observed	No action taken.
32	29-Mar-24	North East Regional Health Authority (NERHA)	Renovation of the Maternity Ward at the Alexandria Community Hospital	Further to the foregoing, representatives from the Commission visited the referenced project site on March 12, 2024, and noted that the following concerns at the Alexandria Community Hospital: - a. The landing for the wheel chair access ramp to the side of the building is not completed; b. The manhole frames and covers are not installed; c. The electrical Panel is not labelled; d. The main entrance door does not seal properly when closed and will allow the AC to escape; e. The handles on the main door are not aligned properly; f. The light in the delivery room is not install; g. The emergency door to the side of the building is not properly sealed;	A requisition letter from the Commission was sent outlining the issue observed	The Contractor was informed that liquidated damaged would be applied.

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No	Date of Recommendation	Public Body/ Entity	Project Title	Observation	Recommendation	Action Taken by PB
33				<p>h. The main bathroom has two broken wall tiles to be replaced;</p> <p>i. The last stall (second shower) in the main bathroom has missing wall tiles; and</p> <p>j. The counter top for the main bathroom was joined at one corner and the joint was not done properly.</p> <p>In the foregoing regard, we are requesting that all defect works are remedied in a timely manner, given that the building is scheduled to be taken over by the Hospital to facilitate the commencement of other projects on the property. Please indicate whether Liquidated Damages will be applied to the Contractor given that the contract period has elapsed. If the answer is in the affirmative, kindly provide all supporting documents</p>		
	29-Mar-24	North East Regional Health Authority (NERHA)	Construction of Special Care Nursery at Annotto Bay Hospital	Representatives from the Commission visited the referenced project site on March 12, 2024, and the office would like to commend the Consultant and Contractor at the Annotto Bay Hospital for the outstanding quality of the works observed to date.	A requisition letter from the Commission was sent outlining the issue observed	No action required.

Appendix 4 - Areas of Impact – Licences and Asset Divestment/ Acquisition

During the course of the Financial Year the Division, as part of its core functions, provided a number of recommendations to Public Bodies in respect of the Divestment and Licensing process. These recommendations are summarized below:

No	Date of Recommendation	Public Body/ Entity	Project Title	Observation	Recommendation	Action Taken by PB
1	April 27, 2023	Urban Development Cooperation	Development of Lands in Hellshire, St. Catherine – Licence and Lease of Lands Part of Hellshire	That a section of the referenced land appears to be illegally occupied.	The UDC was gently reminded of Section 38 of the Limitation of Action Act which essentially bars the Crown from making any challenge to a claim of title by any person who “Squats” or occupies lands owned by the Crown for a period of sixty (60) years of occupation of the property with undisturbed and uninterrupted possession. The UDC was advised to regularly inspect the properties assigned to ensure that no one is illegally occupying the lands. The UDC should also issue Notices asserting UDC’s ownership to persons who have been observed to be illegally occupying the land and/or erect the said Notice on an area that all members of the public will have sight of. The land should be fenced and the boundaries easily identifiable	No response required
2	May 2, 2023	SCJ Holdings Limited	Lease of Properties – 100 Acres of Land Part of Lottery, Trelawny to Land Quest Farms and 2 acres of Land Part of Golden Grove, St. Thomas to Raman Sherriffe	Submissions were made to the SCJ Land Divestment and Monitoring Committee for decision however the rental rates were subject to a valuation.	That a copy of the Valuation Reports be submitted	No response required
3	June 9, 2023	SCJ Holdings Limited	Sale of Lot 20B and Lots 20D-20V West Albion, St. Thomas	Objection was raised by the LDAC Advisory Committee on its review of the matter regarding the sale of the Lots without first obtaining sub-divisional approvals	The LADA Unit recommended that going forward sub-division approvals are obtained prior to the sale of the properties	No response required

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No	Date of Recommendation	Public Body/ Entity	Project Title	Observation	Recommendation	Action Taken by PB
4				from the Municipal Corporation		
	July 25, 2023	Clarendon Municipal Corporation	Lease of Property – Rock River, Clarendon	<p>The Commission noted the advertisement and its lack of salient information regarding the subject property. Reference was made to our letter dated October 10, 2022.</p> <p>,</p>	<p>The Corporation was reminded of sections 5.2.1 (1) and (2) of the Policy Framework and Procedures Manual for Divestment of Government-owned Lands 2015 (The Policy). The referenced policy is relevant to all custodians of Government-owned land and as such, "while mechanisms may vary, all government agencies divesting land shall adhere to the policy framework and the guiding principles."</p> <p>The Unit further advised that consistency should be maintained in the preparation of evaluation reports submitted and recommended that going forward, the format of the evaluation reports should be amended to include the following:</p> <ol style="list-style-type: none"> 1. The medium utilized for advertisement of the property; 2. The number of bids received; 3. The compliance of the bidder/applicant with the requirements; 4. The mode of divestment; 5. The evaluation criteria utilized; 6. The score sheet indicating the breakdown of scores assigned to each bidder/applicant; 7. The award criterion; 8. The recommendation for award of contract. 	No response required
5	August 10, 2023	Clarendon Municipal Corporation	Lease of Property — Rocky River Clarendon	<p>The Commission noted the advertisement and its lack of salient information regarding the subject property and took the opportunity to again remind the Corporation of section 5.2.1 (1) and (2) of the Policy Framework and Procedures Manual for Divestment of Government-owned</p>	<p>The referenced policy is relevant to all custodians of Government-owned land and as such, "while mechanisms may vary, all government agencies divesting land shall adhere to the policy framework and the guiding principles."</p> <p>Additionally, the Clarendon Municipal Corporation was advised that in an effort to maintain consistency of the</p>	Response Letter Dated September 11, 2023 Clarendon Municipal Corporation indicated that no agreement has been concluded for the rental of the premises. On revision, it was discovered that the process was not in accordance with the Policy Framework and Procedure Manual for Divestment of Government Owned Land

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No	Date of Recommendation	Public Body/ Entity	Project Title	Observation	Recommendation	Action Taken by PB
				Lands 2015 (The Policy). Reference was also made to our letter dated October 10, 2022	evaluation reports prepared and submitted by Public Bodies, it is recommended that going forward the format of the reports be amended to include the following: 1. The medium utilized for of the property; 2. The number of bids received; 3. The compliance of the bidder/applicant with the requirements; 4. The mode of divestment; 5. The evaluation criteria utilized; 6. The score sheet, indicating the breakdown of scores assigned to each bidder/applicant; 7. The award criterion; and 8. The recommendation for award of contract.	
6	August 16, 2023	Tourism Product Company	Concessionaire Service for Roaring River Park & Caves, Petersfield, Westmoreland	During a site visit to the location, the Director of Investigation's representatives observed the following activities: 1. Erected candles at several points in the cave which were ignited and continuously burning throughout out; and 2. Unknown individuals singing/chanting around baskets filled with several items, performing, on the face of things, what appeared to be a ritual of sorts.	TPDCo was requested to indicate whether it had knowledge of the activities prior to the site visit held on July 12, 2023 and to provide the nature and scope of the knowledge as well as details on any and all actions undertaken by TPDCo. TPDCo was reminded of the following clauses in the Lease Agreement between the TPDCo. and the Sugar Company of Jamaica Holdings Limited which, of significance, may be related to the above stated activities and reposes due care to be taken by the TPDCo in respect of the referenced existential lease: (a) Clause 2.8; (b) Clause 2.13; (c) Clause 2.15; (d) Clause 2.21; (e) Clause 4.3; and (f) Clause 4.4	Response letter dated August 25, 2023 TPDCo indicated that it did not have prior knowledge of the activities although a private security guard is posted at the entrance to the caves. The entity has had anecdotes of similar activities in the nature of rituals taking place in areas outside and surrounding the caves, but never to such magnitude as was observed on July 12, 2023. TPDCo has since commissioned signs to be posted and personnel briefed to inform guests. that "No open flames and foreign objects are allowed inside the caves". All security personnel will then be asked to actively enforce the rules of the cave.
7	August 23, 2023	Tourism Product Development Company	Concessionaire Service for Roaring River Park & Caves, Petersfield, Westmoreland	1. Evaluation Criteria – 'Technical Proposal – Marketing and Advertising Programme The Commission noted that a total of ten (10) points were allotted to the 'Marketing and	It was pointed out that an additional criterion could not be added at this juncture. Evaluation - Staff Complement By way of example, the following could have been	In its response dated September 8, 2023 TPDCo indicated that it would amend the Evaluation Criteria "Technical Proposal – Marketing and Advertisement Programme" and compose a correspondence to the sole

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No	Date of Recommendation	Public Body/ Entity	Project Title	Observation	Recommendation	Action Taken by PB
8				<p>Advertising Programme' criterion. Notwithstanding, the referenced criterion was broken down as follows:</p> <p>(a) The Evaluation of the proposed marketing mix (1-5 points – maximum score being 5 points); and</p> <p>(b) An assessment of the marketing structure of the organization (1-3 points - maximum score being 3 points). Notably, the maximum score which could be attained for the above-mentioned breakdown is 8 points. TPDCo was requested to indicate the manner in which the remaining two (2) points which were not included in the component breakdown will be treated with.</p> <p>Evaluation Criteria – 'Staff Complement'. An allotment of 1 – 6 points was indicated as it relates to the "Adequacy of staff in terms of experience in proposed services to be offered".</p> <p>The Commission noted that a breakdown was not provided regarding the referenced component and ought to have been indicated to enable the objective assignment of points.</p>	<p>included to remedy the anomaly:</p> <p>Staff with > 0 and < 3 years; experience – 2 points;</p> <p>Staff with ≥ 3 and < 5 years; experience – 4 points; and</p> <p>Staff with ≥ 5 years' experience – 6 points</p> <p>The TPDCo was requested to indicate how it intends on going forward with the aforementioned.</p>	<p>bidder informing of the corrected evaluation criteria which will now read a) "An evaluation of the proposed marketing mix (product, pricing, distribution and promotion) and how these compare with other similar operations in the market)1 - 5 points.</p> <p>b) An assessment of the marketing structure of the organization, the marketing objectives, and strategies) additional 1 – 5 points.</p> <p>1. The proposed solution for Criteria "Staff Complement" is to amend the evaluative criteria to incorporate a breakdown of the allotment points. – The bidder will be informed in writing of the amendment prior to the evaluative.</p> <p>2. The criteria will now read:</p> <p>Staff with >0 and <3 years' experience – 2 points</p> <p>Staff with ≥3<5 years' experience – 4 points</p> <p>Staff with ≥5 years' experience – 6 points</p>
	August 30, 2023	Housing Agency of Jamaica	Divestment of two (2) Parcels of Land located at West Point Vistas, Hopewell, Hanover	<p>The following observations were made in respect of:</p> <p>(1) The Information Document for the subject divestment; and</p> <p>(2) The Tender Opening process which was undertaken on Friday, August 18, 2023.</p> <p>The Eligibility Criteria in respect of the captioned divestment was not clearly</p>	<p>It is important to ensure at all times when undertaking divestment opportunities that the information being accessed by prospective bidders be clear and unambiguous.</p> <p>Whereas submissions were permitted to be made electronically and by virtue of this provision the qualification document — "Letter from a registered Financial Institution" can be</p>	The tender opportunity was retendered

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No	Date of Recommendation	Public Body/ Entity	Project Title	Observation	Recommendation	Action Taken by PB
				<p>identified and /or classified accordingly and bidders were not advised that the non-submission of the referenced requirement /criteria would disqualify them from progressing any further in the Tender Process. The instruction stated <i>inter alia</i> that "...Each Proposal must be accompanied by a Guarantee Deposit" and the consequence of non-submission of the referenced information was not conveyed to the bidders.</p> <p>1. Bidders were permitted to submit their proposals either <i>via</i> hardcopy by way of the Tender Box located at HAJL, 13 Caledonia Avenue, Kingston 5 or electronically <i>via</i> email to the following designated email address: procurement@hajlgov.jm</p> <p>2. One bid was received in response to the tender call and the sole proposal was submitted by LCH Development Limited <i>via</i> a hardcopy submission which was deposited in the Tender Box;</p> <p>3. The Information Document indicated that proposals submitted by prospective bidders were required to be accompanied by a "Guarantee" either in the form of a Guarantee Deposit or a Bid Bond in the sum of Five Million Dollars (\$5,000,000.00) payable to the HAJL;</p> <p>4. The Bid Receipt Record</p>	<p>accepted, the manner in which electronically received bids/ documents received were handled in this instance is of concern. All documents received, whether in hardcopy or via electronic mode, must be transparently opened/presented during the Tender Opening Ceremony in the presence of all officers and the submission made to the official email address noted in the Information Document, that is, procurement@hajl.gov.jm</p> <p>Nevertheless, the submission of a bidder's qualification document subsequent to the submission of the original bid represents a modification of the bid and ought to have been submitted utilizing the bid modification method outlined in the instruction to Bidders as the options to submit bids had not indicated that both methods could be utilized concurrently. It is noted that the submission of the Guarantee Deposit in the form of the manager's cheque was not "sealed, marked and dispatched as for proposal submission" nor was a date, time or signature inserted in the Bid Receipt Record at the point of receipt of same to adequately evidence that the document was submitted prior to the close of tender. The Commission noted that the submission of the Guarantee was a mandatory requirement.</p> <p>In going forward the HAJ may:</p> <p>1. Refer to section 5.2.5 of the Land Divestment Policy Manual for Government-Owned Lands, 2015 regarding "Divestments in Special</p>	

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No	Date of Recommendation	Public Body/ Entity	Project Title	Observation	Recommendation	Action Taken by PB
				<p>captured the following column headings: i. Time; ii. Date; iii. Bidder; iv. Number of Packages; and v. Signature</p> <p>a. It is noted that the Bid Receipt Record indicated that at 11:08am on August 15, 2023, one package was received from LCH Development Company Limited and a signature was affixed to this line entry, evidencing the bidder's submission. All relevant columns were completed.</p> <p>b. A second line entry was noted in the Bid Receipt Record, which recorded the receipt of "NCB manager's cheque 0182691 - \$5,000,000.00" in the column entitled "Bidder". Notably, all other columns were devoid of information.</p> <p>c. The referenced manager's cheque, though carefully folded and stapled such that the wording of the correspondence could not be seen, was not submitted in a sealed envelope and did not reference the name of the bidder.</p> <p>d. During the tender process a member of the HAJL present at the Tender Opening Ceremony, left the Ceremony to retrieve a document at a location on the building other than the Tender Box/ envelope comprising the bid submission by LCH Development Limited. The document produced on the HAJ representative's return was in the form of a letter from the National Commercial Bank dated August 15, 2023, regarding LCH Development</p>	<p>cases" pertaining to divestments being carried out subsequent to unsuccessful public offerings; or</p> <p>2. Retender the divestment opportunity and in so doing:</p> <p>a. Modify the instruction to bidders to clearly outline the eligibility criteria and may consider the inclusion of a requirement that the bidder provides documentation which can evidence its tax compliance status;</p> <p>b. Establish clear guidelines on the manner in which the receipt and processing of bids received electronically will be treated with; and</p> <p>c. Ensure that the bid receipt record is properly maintained and modifications to bids are treated with, strictly in accordance with the instruction to bidders.</p>	

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No	Date of Recommendation	Public Body/ Entity	Project Title	Observation	Recommendation	Action Taken by PB
				<p>Limited confirming that "the referenced company and/or its directors have sufficient resources to honour any obligation in relation to this bid". This was attached to an email sent on August 15, 2023, at 7:41 pm with the following subject heading: 'Request for Proposal — Divestment of Prime Investment Properties — West Point Vistas Hopewell, Hanover.' The sender, sent the email to the email address of the above referenced HAJL representative. The content indicated an apology for not including the Financial Institution's Letter with the application and supporting document delivered on even date and directed the recipient to see the attached NCB letter.</p> <p>An examination of the Instruction to Bidders provided to the public in the Information Document indicated, inter alia, that a "Bidder may modify or withdraw their Proposal after submission provided that written notice of the modification or withdrawal is received by the HAJL prior to the prescribed deadline for Submission of proposal." The instruction further advised that "The Bidder's modification or withdrawal notice shall be prepared, sealed, marked and dispatched as for proposal submission". On further examination of the bid proposal submitted, the Commission noted that the Form of Bid Submission "Bidding Form 1 —</p>		

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No	Date of Recommendation	Public Body/ Entity	Project Title	Observation	Recommendation	Action Taken by PB
9				Monetary Offer Submission Form" submitted by the bidder was not signed by the bidder though the name of the company was indicated. Consequently, a valid offer would not have been proffered and the Commission suggested that this would deem the bid non-responsive.		
	September 27, 2023	National Land Agency	Sale of Lot 430 Valley View Drive	1. The advertisement for Lot 430 Valley View Drive indicated a close of tender scheduled for 10:00am on October 6, 2023. However, the corresponding Tender Opening time was scheduled for 10:15pm on even date. The time stated appears to be an error.	The National Land Agency is to indicate the manner in which it intends on treating with disseminating any new information to the public regarding same	Awaiting response
10	September 5, 2023	Tourism Product Development Company Limited	Concessionaire Service for Roaring River Parks & Caves Petersfield, Westmoreland	1. Through a follow up on activities noted during a site visit at the cave on the property, the TPDCo had indicated that "...since observing these activities on July 12, 2023, signs have been commissioned for posting and personnel briefed to inform guests that "NO Open Flames and Foreign Objects Are	1. The TPDCo was asked to provide documentary evidence reflecting the signage on the location upon erection or indicate the expected timeframe within which the TPDCo intends to undertake the stated activity	Response Letter Dated September 18, 2023 TPDCo in response submitted documentary evidence, reflecting the installation of signage on the captioned location, which was completed today, September 8, 2023: 1. Copy of revised quotation from Carlton and Sons dated August 28, 2023 for two (2) signs to be installed on existing surfaces instead of one (1) sign to be installed on newly erected posts: 2. Purchase order from TPDCo issued to Carlton and Sons on September 8, 2023; 3. Photos of the erected sign

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No	Date of Recommendation	Public Body/Entity	Project Title	Observation	Recommendation	Action Taken by PB
11				<p>Allowed Inside of the Caves" and that all security personnel will be then asked to actively enforce the rules of the cave" ... The TPDco submitted a) a copy of a quotation from Carlton & Sons Limited and b) A copy of the Cave Notice</p>		
	September 1, 2023	Factories Corporation of Jamaica	Lot 179 Haughton Court, Hanover	<ol style="list-style-type: none"> The eligibility criteria and Award Criteria were not clearly categorized in the Information Memorandum. Section 4.6 item h of the Information Memorandum states that "FCJ without further qualification, and solely in its discretion, reserves the right to h) Request any other information it requires to evaluate the submission s. Failure to provide the information requested may result in the proposal being disqualified" 	<p>The referenced criteria should be clearly outlined/categorized as this may reduce any ambiguity regarding what the bidder will need to satisfy in order to participate in the process as well as provide a clear indication of the determination of award.</p> <ol style="list-style-type: none"> The FCJ was advised that the proponents can only be assessed on information requested in the Information Memorandum. Notwithstanding and with respect of the preliminary examination of the proposals, we note that the FCJ can request clarification from the applicants where discrepancies are identified. This request for clarification however, should not benefit any one applicant and should be without prejudice to the interest of the other applicants. 	In its response dated September 13, 2023 the FCJ noted the suggestions and advised that going forward the necessary adjustments will be made to the Information Memorandum to address the concerns noted.

Appendix 5 - Recommendations Made to the Joint Select Committee and Parliament

RECOMMENDATIONS FOR PROPOSED LEGISLATIVE AMENDMENTS TO THE INTEGRITY COMMISSION ACT, 2017

FEBRUARY 2022

NO.	RECOMMENDATION AND SUPPORTING NARRATIVES	PUBLICATION PERIOD	STATUS
1	<p><u>Staggering and Transitional Arrangements of Board Membership</u></p> <p>Section 10 of the Integrity Commission Act provides that “an appointed Commissioner shall”, subject to the provisions of the Act, hold office for a period not exceeding seven years and may be eligible for reappointment. However, if, for any reason, there is no reappointment of the persons who served as “appointed Commissioners” during the previous term, the Commission will be constituted by entirely new “appointed Commissioners”. The clear disadvantage inherent in a continuation in force of the prevailing arrangement is a lack of continuity in the work of a Commission comprised of new members not having had the advantage of direct knowledge or experience in the operation of the Commission. If a mechanism to stagger the term of appointment of the “appointed Commissioners” were to be adopted this would ensure a smooth transition at all times and the maintenance and preservation of the institutional memory of the Commission.</p>	<p>2018/2019 Annual Report</p> <p>Pg. 7</p>	
2	<p><u>Termination of the Appointment of a Commissioner</u></p> <p>Section 15 provides for the termination of appointment of a Commissioner and gives the Governor General the power to terminate the appointment of an “appointed Commissioner” for reasons set out in Section 15(1). Subsection (2) states, however, “if the Governor General decides that the question of termination of the appointment of an appointed Commissioner ought to be investigated”, then the procedure is set out thereafter how this should be done. It is the view of the Commission that section 15(1) should provide without reference to the Governor General, that an “appointed Commissioner” may be removed from office only for inability to discharge the functions of his office (whether arising from infirmity of body or mind or any other cause) or for misbehaviour, and shall not be so removed except in accordance with the provisions of Subsections (2)(3)(4) and (5) of this section.</p>	<p>2018/2019 Annual Report</p> <p>Pg. 7</p>	

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3	<p><u>Examination and Completeness of Statutory Declarations</u></p> <p><u>Section 32(1)(a)</u> requires the Director of Information and Complaints to receive, keep on record and examine all statutory declarations filed with the Commission.</p> <p>Further, <u>Sections 42(1) and (3)</u>, requires that the Director of Information and Complaints cause every statutory declaration to be examined and where he “...is satisfied that the statutory declaration has been duly completed”, to issue, in writing thereafter, confirmation to the declarant that his declaration was duly completed.</p> <p>Given the statutory obligations ascribed to the Director of Information and Complaints when coupled with the approximately 31,000 declarations that are received by the Commission annually, due consideration should be given to defining or clarifying the words “examine”, “duly completed” and “compliant”. The referenced clarification would remove any ambiguity on the part of the Commission and/or its stakeholders regarding the declarations being “complete”.</p> <p>Additionally, in relation to the publication of the summary of the statutory declarations of the Prime Minister and the Leader of the Opposition, the form “Part B”, should be amended to remove the requirement of the Chairman to certify that “a full declaration has been made...” to stipulating instead, that “a declaration has been made...”</p> <p>The terminology “full” would connote that the Chairman is confident that all assets, liabilities and income have been declared by the respective parties, all elements of the Statutory Declarations have been thoroughly interrogated and that no matter requiring investigation or further action on the part of the Commission will arise. In the alternative, it is not prudent to have a third party attest to a “full” declaration submitted by a Public Official, having had no bearing or input into the preparation of the referenced declarations.</p>	<p>2019/2020 Annual Report</p> <p>Recommendation # 1</p> <p>Pg. 21-22</p> <p>&</p> <p>2018/2019 Annual Report</p> <p>Recommendation</p> <p>Pg. # 7</p>	
4	<p><u>Disclosure of Registrable Interests</u></p> <p>Given the complex nature of corruption-related investigations, the use of corporate vehicles and other illicit schemes, the Commission is of the considered opinion that due consideration should be given to amending <u>Section 39 of the ICA</u>, to require declarations from Parliamentarians in relation to:</p> <ul style="list-style-type: none"> a. Membership in Political, Trade or Professional Organisations; b. Contracts with the Government; c. Directorship/Beneficial Interest in Corporate Bodies and Government Boards; d. Beneficial Interest in Land; e. Trustee or Beneficiary of a Trust; and 	<p>2019/2020 Annual Report</p> <p>Recommendation #</p> <p>Pg. 22-23</p> <p>&</p> <p>2018/2019 Annual Report</p>	<p>Please refer to Special Report to Parliament on the Status of Statutory Declarations- November 22, 2021, Pg. 6</p>

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	<p>f. Any other substantial interest that may result in a potential conflict of interest.</p> <p>This recommendation will assist in the Commission's efforts to detect and investigate matters relating to actual, potential or perceived conflicts of interest and nepotism and other corruption enabling acts.</p> <p>Consequently, the amendment and/or addition of a "Part A(2)" of the Statutory Declaration Form, to require declarations in relation to registrable interest, which may present a conflict of interest with duties as a Public Official/Officer should be given priority consideration.</p> <p>The aforementioned amendment would assist analysts in the review of assets, liabilities and relationships of declarants and greatly assist the Commission in attaining one of the principal objects of the Act, which is to "<i>further encourage and promote propriety and integrity among persons exercising public functions in Jamaica.</i>"</p>	Pg. 8	
5	<p><u>Gifts to Parliamentarians/Public Officials from Relatives</u></p> <p>Section 40 (3) and (4) of the Integrity Commission Act, provides as follows:</p> <p><i>"(3) Subject to subsection (4), any parliamentarian or public official who receives a gift which exceeds in value, the amount of one hundred thousand dollars or such other amount prescribed by the Minister by order, shall declare the gift in the Item specified as Item 14 in the Third Schedule.</i></p> <p><i>(4) Subsection (3) does not include such gift as may be prescribed, or any personal gift that is received by a parliamentarian or public official from a relative of that parliamentarian or public official."</i></p> <p>It is recommended that <u>Section 40(4) of the Integrity Commission Act</u> be deleted. On the face of it, this sub-section can create a loop-hole, and is a potential corruption enabler. It is conceivable that a relative of a Parliamentarian or a Public Official could be used as a conduit for the exchange of an illicit benefit, designed to confer a benefit or an advantage to himself or another person.</p>	<p>2020/2021 Annual Report</p> <p>Pg. 17</p> <p>&</p> <p>2019/2020 Annual Report Recommendation # 3.</p> <p>Pg.23</p>	Discussed at the proceedings of the Integrity Commission Parliament Oversight Committee of October 14, 2021
6	<p><u>Offence For Misleading, Obstructing Or Non-Compliance With Request From The Director Of Investigation</u></p> <p>The Integrity Commission Act has repealed <u>Section 29 of the Contractor-General Act</u> and no subsequent and <u>equal</u> provision has been provided.</p> <p><u>Section 51 of the Integrity Commission Act</u> empowers the Director of Investigation to be advised of matters relating to government contracts and prescribed licences. In doing so, the Director is entitled to be advised of, among other things, (i) the</p>	<p>2020/2021 Annual Report</p> <p>Recommendation # 2</p>	

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	<p>award, variation and termination of government contracts, (ii) to have access to documents and (iii) to have access to premises where work on a government contract has been, is being or is to be carried out.</p> <p>Despite these vast powers, the Commission notes that unlike <u>Section 43(1)(b)</u> which creates an offence for failure to provide information required by the Director of Information and Complaints, there is no similar provision in law or sanction in relation to the Director of Investigation upon which he can rely in the execution of the functions under Section 51 of the Integrity Commission Act, 2017. The absence of such a provision restricts the dissuasive and timely remedies that should be available to the Director of Investigation having regard to the entitlements stated in the Integrity Commission Act, 2017.</p> <p>It is, therefore, recommended that due consideration be given to the inclusion of an offence in circumstances where the work of the Director of Investigation, in accordance with <u>Section 51</u>, is (i) obstructed or hindered, (ii) where a person fails to comply with the Director's lawful requirement, and (iii) where a person willfully makes a false statement to mislead or misleads or attempts to mislead the Director of Investigation or any other person in the execution of his function under the Integrity Commission Act, 2017.</p>	<p>Pg. 17</p> <p>&</p> <p>2019/2020 Annual Report</p> <p>Recommendation #4</p> <p>Pg.23</p>	
7	<p><u>Review of Obligation Not To Announce Or Comment On Investigations</u></p> <p>With respect to Section 53(3) which addresses confidentiality regarding all matters under investigation, it is recommended that the Commission be vested with the authority to comment on the initiation of investigations and on aspects of an on-going investigation as deemed necessary and appropriate.</p>	<p>2020/2021 Annual Report</p> <p>Recommendation #3</p> <p>Pg. 17</p> <p>2019/2020 Annual Report</p> <p>Recommendation # 5</p> <p>Pg.24</p> <p>&</p> <p>2018/2019 Annual Report</p> <p>Pg. 7-8</p>	<p>Discussed at the proceedings of the Integrity Commission Parliament Oversight Committee of October 14, 2021.¹³</p>

¹³ See Position Paper prepared by the Integrity Commission dated November 24, 2021.

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8	<p><u>Actions Of The Commission Not Void For Want Of Form</u></p> <p>The Integrity Commission Act has repealed <u>Section 22 of the Contractor-General Act</u> and no subsequent and equal provision has been provided. Given the complexity and variety of matters being treated with by the Commission, it is recommended that the Act be amended to include the provision that the proceedings of the Commission and/or a Director shall not be rendered void for want of form.</p>	<p>2020/2021 Annual Report</p> <p>Pg. 18</p> <p style="text-align: center;">&</p> <p>2019/2020 Annual Report</p> <p>Recommendation # 6</p> <p>Pg. 24</p>	
9	<p><u>Regulations to the Integrity Commission Act</u></p> <p><u>Section 60 (1)</u> provides that the Commission may make Regulations subject to affirmative resolution in both Houses of Parliament. It is the considered view of the Commission that Regulations ought to have been prepared before the Act came into operation. The Commission is of the view that these Regulations should be made subject to negative rather than by affirmative resolution. The process by way of negative resolution will take a shorter period for them to be passed in Parliament. One ought to bear in mind that Regulations are essential for the smooth operation of proceedings to be carried out under the Act. They codify operational processes, practices and procedures in respect of matters such as the filing of Statutory Declaration of Assets and Liabilities for parliamentarians and public officials and the day to day operation of the Commission.</p>	<p>2018/2019 AR</p> <p>Pg. 8</p>	

NEW RECOMMENDATIONS FOR AMENDMENTS TO THE INTEGRITY COMMISSION ACT

NO.	RECOMMENDATION AND SUPPORTING NARRATIVES	PUBLICATION PERIOD	STATUS
10	<p><u>Review of Obligation To Keep Certain Matters, Documentation and Information Secret and Confidential</u></p> <p>The Integrity Commission references Section 56(1) of the Integrity Commission Act, which provides, amongst other things, that “...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...”</p> <p>The Integrity Commission, having reviewed the referenced Section of the Act, is of the opinion that due consideration should be given to amending Section 56(1) of the Act with a view to achieving a proportionate balance between matters which are deemed “secret and confidential”, and should rightfully be treated as such, and the broader objectives of openness and transparency which are crucial to anti-corruption efforts and are deemed to be international best practices.</p> <p>In giving consideration to this recommendation, due regard must also be given to the broad anti-corruption and public education mandate given to the Integrity Commission viz-a-viz the role of transparency in key areas of its work and the international thrust towards open-government initiatives, amongst other practical anti-corruption principles.</p> <p>The continued <i>carte blanche</i> inclusion of Section 56 within the Act is antithetical to the principles which are espoused by anti-corruption authorities inclusive of the principles of being able to:</p> <p>“...communicate and engage with the public regularly in order to ensure and secure public confidence.” (Jakarta Principle # 16); and</p> <p>The participation of Society in the fight against corruption, which incidentally, is strengthened through “...enhancing transparency and promoting public participation, ensuring the public has adequate and effective access to information; the undertaking of public information activities and initiatives...” (Article 13 – UNCAC)</p> <p>The intention of the recommendation is to allow the Commission sufficient latitude to execute its mandate whilst also responsibly facilitating transparency in key operational areas which will complement the work of the Commission and build overall public confidence in the anti-corruption efforts.</p> <p>In the alternate the current provision could be deleted.</p>		

INTEGRITY COMMISSION

11	<p><u>Duty Of Public Officials To Report Act Of Corruption</u></p> <p>It is recommended that consideration be given to adopting legislation similar to the Turks and Caicos Islands Integrity Commission Ordinance, Sections 79(1) and (2). In this regard, it is suggested that the Integrity Commission Act be amended to include a provision which requires a public official who knows or suspects that another person has been, is or is likely to be engaged in an act of corruption, to report his knowledge or suspicion to the Commission. A public official who fails to report his knowledge or suspicion as required commits an offence and is liable on summary conviction to a fine or to imprisonment for six months, or to both.</p> <p>The provisions of Section 79 (1) and (2) of the Turks and Caicos Ordinance is reproduced verbatim hereunder:</p> <p><i>“Duty of public officials to report act of corruption</i></p> <p><i>79. (1) A public official who knows or suspects that another person has been, is or is likely to be engaged in an act of corruption shall report his knowledge or suspicion to the Commission.</i></p> <p><i>(2) A public official who fails to report his knowledge or suspicion as required by subsection (1) commits an offence and is liable on summary conviction to a fine of \$5,000 or to imprisonment for six months, or to both.”</i></p>		
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OBSERVED TYPOGRAPHICAL ERRORS IN THE INTEGRITY COMMISSION ACT

The Commission, in its review of the Integrity Commission Act, has also noted a number of typographical errors, to include references to other provisions of the Act which are inaccurate and require correction. Such inaccuracies, by way of example, include:

- Section 5(4)(a) of the Act – A reference is made to “Commissioner” rather than “Commission”;
- Page 68 – Amendment Standing Order 73D (e) – the section referenced should be “54” and not “34” as stated in the Act.

The Commission anticipates that similar typographical corrections will be effected during the course of the current review of the legislation being undertaken.

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RECOMMENDATIONS FOR AMENDMENTS TO OTHER LEGISLATION

NO.	RECOMMENDATION AND SUPPORTING NARRATIVES	PUBLICATION PERIOD	STATUS
12	<p><u>The Public Procurement Act</u></p> <p>The Public Procurement Act be amended to explicitly require decertification, debarment/suspension and cross-debarment of government contractors who engage in, and/or are convicted of fraudulent practices or who consistently fail to perform their contracts to the required standard.</p>	<p>2020/2021 Annual Report</p> <p>Recommendation #5</p> <p>Pg. 18</p> <p>2019/2020 Annual Report</p> <p>Recommendation # 11</p> <p>Pg.25</p>	
13	<p><u>The Public Procurement Act</u></p> <p>The Public Procurement Act 2015, as amended, was brought into force April 1, 2019. The Commission recognizes that the Act which has been amended and the various Regulations thereto, need to be consolidated in order to provide ease of reference and clarity as to the procedures and requirements in relation to public procurement. It is also recommended that a new procedural handbook be issued which would reflect the current requirements of the Act, Regulation and Orders.</p>	<p>2020/2021 Annual Report</p> <p>Recommendation #6</p> <p>Pg. 18</p> <p>2019/2020 Annual Report</p> <p>Recommendation # 10</p> <p>Pg.25</p>	

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14	<p><u>The Evidence Act</u></p> <p>Section 31G of the Evidence Act deals with the admissibility of computer generated evidence, which requires that direct evidence, whether oral or by the tendering of a certificate, be presented to show that each device responsible for the production of the document being tendered is reliable. This represents a departure from the common law presumption that, in the absence of evidence to the contrary, the relevant mechanical instruments were in proper working order at the material time. This will ultimately result in the exclusion of relevant, probative evidence, where the device in question cannot be located or otherwise accounted for. It is therefore recommended that Section 31G of the Evidence Act be repealed or alternatively, that the common law presumption be codified in statute.</p>	<p>2020/2021 Annual Report</p> <p>Recommendation #7</p> <p>Pg. 18</p> <p>2019/2020 Annual Report</p> <p>Recommendation # 5</p> <p>Pg.24</p>	
15	<p><u>The Witnesses' Expenses Act</u></p> <p>The schedule of rates in the Witnesses' Expenses Act should be updated in order to facilitate Sub-Sections 50(1) and 50(2) of the Integrity Commission Act in relation to the reimbursement of witness expenses. The schedule of rates is wholly outdated and does not reflect expenses reasonably incurred by a witness who is required to attend and/or give evidence to the Integrity Commission.</p>	<p>2020/2021 Annual Report</p> <p>Recommendation #8</p> <p>Pg. 18</p> <p>2019/2020 Annual Report</p> <p>Recommendation # 12</p> <p>Pg.25</p>	

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16	<p><u>The Interception of Communications Act</u></p> <p>Notwithstanding Section 48(4) of the Integrity Commission Act, 2017, it is desirous that the Integrity Commission be named a designated person to whom communication data may be disclosed by a telecommunications provider, in instances where there are reasonable grounds for believing that the subscriber to the telecommunications service is the subject of an investigation in connection with an offence. It is recommended, therefore, that the Integrity Commission is included as a designated person, pursuant to Section 16 of the Interception of Communications Act, who may require data for the purpose of investigating a person suspected of committing an offence under the Integrity Commission Act and/or the Corruption Prevention Act.</p>	<p>2020/2021 Annual Report</p> <p>Recommendation #9</p> <p>Pg. 18-19</p> <p>2019/2020 Annual Report</p> <p>Recommendation # 8</p> <p>Pg.24</p>	
17	<p><u>The Committal Proceedings Act</u></p> <p>It is recommended that Section 6(2)(a) of the Committal Proceedings Act be amended to indicate that where a statement has been recorded by an Investigating Officer of the Integrity Commission, the requirements for the admissibility of the written statement in Section 6(2)(a) has been satisfied. There are offences in the Corruption Prevention Act which are indictable offences triable in the Circuit Court and in order to advance the investigation and prosecution of matters, the Integrity Commission should be permitted to collect and rely on statements which would readily meet the requirements under the Committal Proceedings Act.</p>	<p>2020/2021 Annual Report</p> <p>Recommendation #10</p> <p>Pg. 19</p> <p>2019/2020 Annual Report</p> <p>Recommendation # 9</p> <p>Pg.25</p>	

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18	<p><u>Amendments To Offences And Penalties Under The Corruption Prevention Act</u></p> <p>It is recommended that the offences and penalties of the Corruption Prevention Act be amended in the following manner to include:</p> <ol style="list-style-type: none"> a. the development of sentencing guidelines for all corruption and bribery offences commensurate with the gravity of the offence; b. the imposition of term bans from office and forfeiture of pensions, in the case of Public Officers who are found guilty of an act of corruption or breach of fiduciary duties, prescribed good governance and integrity legislation and standards; c. In addition to fines, request the offender to repay sums equivalent to the value of gratification, bribe received or economic loss suffered as a result of the act of corruption; d. Include a requirement and/or the duty of any Public Official or Officer, directly or indirectly involved with the procurement process, to declare an interest, to include a conflict of interest and create an offence where there is non-compliance. 	<p>2019/2020 Annual Report</p> <p>Recommendation # 7</p> <p>Pg.24</p>	
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Position Statement of the Integrity Commission of Jamaica

Regarding Section 53 (3) of the Integrity Commission Act – the ‘Gag Clause’

Submitted to the Integrity Commission

Parliament Oversight Committee on November 24, 2021

During the proceedings of the Integrity Commission Parliament Oversight Committee of October 14, 2021, certain issues concerning Section 53(3) of the Integrity Commission Act (ICA) were raised for discussion.

Section 53(3) of the ICA provides as follows:

“Until the tabling in Parliament of a report under Section 36, all matters under investigation by the Director of investigation or any other person involved in such investigation shall be kept confidential, and no report or public statement shall be made by the Commission or any other person in relation to the initiation or conduct of an investigation under this Act.”

The primary justification that has been advanced for imposing and retaining the Section 53(3) ‘gag’ is that it prevents the Integrity Commission (IC) from injuring the reputation of public officials, when it makes an announcement of its commencement of an investigation into allegations of corruption, misconduct, impropriety and/or irregularity which may directly or indirectly implicate a public official.

The proponents of the ‘gag’ generally contend that a person is presumed innocent until proven guilty and that this presumption is undermined, to the detriment of the implicated public official, when an investigation is announced or otherwise commented upon.

The IC does not share these views. It has, by way of its three (3) Annual Reports, to date, tabled the following recommendations in Parliament regarding Section 53(3):

Recommendation in First Annual Report 2018/2019 (Pages 7-8)

"With respect to Section 53(3), which deals with the confidentiality of investigations and reports, it is widely believed that the present provision is “inconsistent with the objective of transparency in the functioning of the commission”. It is our view, that the Commissioners should be given the option of reporting in general terms the stage of an investigation, without commenting specifically on the individuals being investigated or what they are being investigated for. We are further of the view that such disclosure should be restricted to the Government entity that is involved and the cause of the Commission's interest if the Commissioners deem such disclosure appropriate and taking into account the need for the protection of the reputations of individuals and institutions whose culpability have not been established to the satisfaction of the Commission."

Recommendation in Second Annual Report 2019/2020 (Page 24)

"With respect to Section 53(3), which addresses confidentiality regarding all matters under investigation, it is recommended that the Commission be vested with the authority to comment on investigations as deemed necessary and appropriate."

Recommendation in Third Annual Report 2020/2021 (Page 17)

“With respect to Section 53(3), which addresses confidentiality regarding all matters under investigation, it is recommended that the Commission be vested with the authority to comment on the initiation of investigations and on aspects of an on-going investigation as deemed necessary and appropriate.”

The IC reiterates the foregoing recommendations and, in addition, now wishes to place the following positions on the record:

(1) The IC believes that the maintenance of the ‘gag’ is inimical to the public interest and the public good. Considering that Jamaica is perceived to be highly corrupt, the ‘gag’ only serves to further undermine public confidence and trust in the country’s institutions and leaders. Corruption loathes transparency. It thrives in the dark. The ‘gag’, because it suppresses information is, therefore, self-defeating.

(2) The IC is not aware of any similar statutory ‘gag’ being imposed upon any other law enforcement agency in Jamaica. The IC, therefore, believes that the ‘gag’ should be cause for significant public alarm and concern.

(3) The announcement of an investigation by the IC, it being a law enforcement agency, does not, *ipso facto*, undermine the presumption of innocence.

(4) More particularly, the announcement of an investigation by the IC, into an allegation, cannot logically undermine the presumption of innocence, or tarnish someone’s reputation, when the announcement follows an allegation that has already been introduced into the public domain by a 3rd party.

(5) The IC does not make allegations against persons or entities, nor does it tarnish or impugn their reputations. Rather, the IC, as a quasi-judicial body, seeks to unearth or to determine, via its investigations, the veracity of the inferences or allegations of misconduct that have already been made by 3rd parties against public officials. This is a statutory mandate of the IC.

(6) Public allegations or inferences of corruption, misconduct, impropriety or irregularity that implicate public officials, typically arise from proceedings of the Committees of Parliament, published reports of agencies of the state, media reports, or public statements or requests made by Parliamentarians and politicians, or by others, to have said allegations or inferences investigated.

(7) The Office of the Contractor General (OCG), an IC legacy agency, in its 24th and 2010 Annual Report to Parliament, at pages 37 to 41, lists a matrix of twenty-one (21) major OCG Investigations that were initiated and/or completed by it during the 4 1/2 year period which preceded February 2011.

In all 21 instances, announcements of the investigations were made.

Committee members, as well as members of the public, are encouraged to review the referenced pages of the OCG’s 2010 Annual Report which can be found on the IC’s website.

The matrix clearly establishes what is a glaring double-standard on the issue regarding, (a) the making of allegations, and (b) what has been deemed by some to be damage done to the reputation of the persons who were implicated by the announcements that were subsequently made by the OCG of the commencement of its investigations into the allegations.

The matrix discloses that it was Parliamentarians and politicians themselves, and not the OCG, that had made the initial public allegations which, in turn, had prompted eight (8) of the referenced OCG Special Investigations, and the making of the subsequent public announcements regarding the commencement of the investigations.

It is also noteworthy that in eight (8) of the remaining 13 instances, the allegations that led to the OCG's Investigations were allegations that were first publicly made in the print and electronic media by 3rd parties.

To say, therefore, that in such circumstances the OCG or the IC has tarnished someone's reputation by its mere announcement of an investigation is not only misleading, but raises the following germane questions:

(a) When a public allegation which implicates someone has been made by a 3rd party, in what way does a subsequent announcement by the IC of its commencement of an investigation into that allegation, injure the reputation of the individual concerned?

(b) What good purpose is served by hiding from the public the fact that the IC has commenced an investigation into said allegations?

(c) When a public request is made by a 3rd party for an investigation to be conducted by the IC into a specific allegation which implicates someone, is the making of that request viewed as tarnishing the reputation of the person who is implicated by the allegation? If no, then why should a subsequent announcement by the IC that it has acceded to the request be regarded as tarnishing the person's reputation?

(8) Government members of the Integrity Commission Parliament Oversight Committee have reasoned that, instead of seeking to remove the Section 53(3) 'gag', the IC should utilize the facility of a Special Report to Parliament under Section 36(3) of the ICA, to make announcements of its commencement of investigations. The argument suggests that once the report is tabled in the Houses of Parliament, the announcement of the IC's investigation would thereby become public.

However, if the mischief that the 'gag' is seeking to cure is to prevent the tarnishing of the reputations of public officials by prohibiting the IC from making a public announcement of its investigations, then how is that mischief cured when the IC is allowed to make the same public announcement via the tabling of a report in Parliament? Is not the presumed offending public announcement made in either case?

(9) Of even greater concern is the fact that the IC was upbraided by the Parliament Oversight Committee 'for not following the law', by its failure to use the facility of Section 36(3) to announce its investigations. A proper construction of Section 36(3), however, discloses that the Section was never intended for that purpose.

Section 36(3) of the ICA provides as follows:

"The Commission may, at any time, submit a report relating to any particular matter which, in the opinion of the Commission, requires the specific attention of the Parliament."

The qualifying words are "*which, in the opinion of the Commission, requires the specific attention of the Parliament.*" However, the IC's announcement of an investigation is not something which "requires the specific attention of Parliament."

Section 36(3) cannot, therefore, in the IC's view, be lawfully used in such circumstances.

(10) The recommended authority of the IC to make an announcement of the commencement of its investigations, or to otherwise make guarded comments concerning its investigations, is something that is intended for the benefit of the public, primarily to inform it of matters that are under consideration by the IC.

(11) The IC's making of such announcements will, among other things, ensure that members of the public, who are in a position to assist the IC in its investigations, can come forward and do so. This serves the public interest, for if the public is not aware of what the IC is doing, its capacity to effectively function is thereby undermined.

(12) Unlike the IC, law enforcement agencies in Jamaica and in other countries do have the discretionary power to make public announcements about their investigations. They are not gagged. This suggests that blanket statutory gags are unusual and do raise curious questions.

(13) The IC's UK counterpart, the UK's Serious Fraud Office (SFO), presents an eloquent example of the foregoing. In its guidance, given in its "policy on making information about our cases public," it states the following as circumstances in which it will exercise its discretionary authority to make announcements about its investigations:

(a) When "there are operational reasons for announcing the investigation (such as a call for witnesses);" or

(b) When "there is some other substantial reason why the announcement of the investigation would be in the public interest."

There is no gag!

(14) Further, a vivid and recent example of one the Commonwealth's leading anti-corruption law enforcement agencies exercising its discretionary authority to make public statements about its investigations, occurred on October 1, 2021.

On that day, Australia's New South Wales (NSW) Independent Commission Against Corruption (ICAC) confirmed that it was investigating whether the NSW Premier 'breached public trust by exercising public functions in circumstances where she was in a position of conflict between her public duties and her private interest, or encouraged corrupt conduct.'

(15) Having regard to all of the foregoing, the IC respectfully calls upon the Parliament of Jamaica to repeal Section 53(3) of the ICA, and to reserve to the IC the discretionary authority to make statements about its investigations as it sees fit.

The five (5) member panel of Jamaica's IC is required by law to include two (2) retired Appellate or Supreme Court Judges, one of whom must sit as the Chairman of the Commission.

The IC currently has, as its Chair, a distinguished retired President of Jamaica's Court of Appeal. On the panel also sits another eminent retired Justice of Jamaica's Supreme Court. As experienced judicial luminaries, and arbiters of justice, they, more than anyone else, would be seized with the need, as well as the 'know-how', to balance the public interest in being informed about the IC's investigations, against the individual's right to being presumed innocent until proven guilty.

Surely, public confidence can be reposed in the IC to exercise the discretionary authority to comment on the IC's investigations in a responsible and judicious manner, and in a way that best serves the interest of the Jamaican state, the Jamaican public and the Jamaican taxpayer.

INTEGRITY COMMISSION

OFFICIAL STATEMENT MADE BY THE INTEGRITY COMMISSION TO THE JAMAICA PARLIAMENT ON THE INTEGRITY COMMISSION ACT – SECTION 53(3) AND ‘THE BLOOMBERG CASE’

BLOOMBERG LP v ZXC [2022] UKSC 5

The Integrity Commission Act states that its aim is to promote and enhance standards of ethical conduct among Jamaica's public officials. In order for that to be done, the Act has created the Integrity Commission and has given it the responsibility of monitoring and investigating government contracts and licences.

Notwithstanding that legal duty, the very Act, in Section 53(3), has barred the Integrity Commission from making a public statement that it is initiating or conducting an investigation in a matter. It does not matter how serious the circumstances may be. The law states that the public is not to be told that the Integrity Commission is initiating or conducting an investigation. The public is to be left in the dark.

The Integrity Commission views this situation as very contradictory. It defeats the whole purpose of the law. On several occasions, the Integrity Commission has proposed that the section be amended. However, Parliament has not, to date, given a favourable response to the proposal.

Consequently, the Integrity Commission is concerned that some of our Parliamentarians may be supportive of the Section 53(3) status quo which, if preserved, will obscure transparency in matters of national affairs where alleged wrongdoing is concerned. It is the respectful view of the Commission that any such stance would be contrary to good governance.

The Integrity Commission is further very disappointed that there is at least one senior Parliamentarian who has publicly indicated an intention and willingness to rely on a recent United Kingdom Supreme Court decision [Bloomberg LP v ZXC] which he is erroneously claiming is supportive of Parliament's view that the public should be kept in the dark as regards whether the Integrity Commission is initiating or conducting an investigation.

The Integrity Commission is firmly of the view that that case provides no comfort or support for the secrecy that Jamaica's Parliamentarians are advocating.

In the Bloomberg case, there was a Letter of Request that had passed between two countries. It contained material that was confidential between the two countries. Bloomberg got hold of the letter and reported some of its contents which revealed the suspicions of investigators as regards the activities of a company and one of its officers. There was disclosure of personal details of the individual concerned. The Trial Judge found that there was a clear public interest that the contents of the Letter of Request should not be published, and that the confidentiality of the investigation should be maintained.

The Supreme Court of the United Kingdom upheld that position in the particular circumstances. The judgment was to the effect that there had been a misuse of private information.

INTEGRITY COMMISSION

The Integrity Commission of Jamaica is not seeking to publish any details in respect of any individual. It is of the view that it should be able to announce that it is, is not, or will be investigating a matter where there is a complaint or allegation of wrongdoing in a public office. Nothing more. An individual or body that has made a complaint to the Integrity Commission is entitled to know if an investigation is being conducted or not.

It is interesting to note that, notwithstanding the Bloomberg case, the police and Parliament in England announced to the world that the Prime Minister of that country was being investigated by the relevant bodies for breaches of the law passed by that Parliament.

That clearly shows that in England the ruling in the Bloomberg case is regarded as fitting the particular circumstances of that case only, and is not of general application. In any event, Jamaica is a sovereign country which is not bound by decisions of the Supreme Court of the United Kingdom, or of any other country for that matter.

In the Bloomberg case, the complainant was an American citizen residing in the United Kingdom. He was a private citizen who had no public responsibility. He was neither elected nor appointed to a position that required accountability to the public.

The Integrity Commission Act is concerned with public officials and their conduct in public office in Jamaica. Public officials who have nothing to hide should not fear the revelation that an investigation is being conducted as a result of an allegation or complaint of wrongdoing in a public office.

The Integrity Commission urges Parliamentarians to do the right thing and amend the Integrity Commission Act as suggested by the Integrity Commission.

JOINT SELECT COMMITTEE SUBMISSION

Integrity Commission- Submission #1/2022

PROTECTED DISCLOSURES ACT

1. Purpose

As the Designated Authority for the Protected Disclosures Act, 2011 (PDA), the Integrity Commission, having conducted a detailed review of the PDA, hereby submits its recommendations for amendments to the PDA, as well as, provides an overview of its plan to execute the provisions of the referenced Act.

2. Background

By letter dated January 4, 2022, the Committee Clerk wrote to Mr. Greg Christie, Executive Director of the Integrity Commission, indicating that a Joint Select Committee of Parliament has been appointed to review and report on the Protected Disclosures Act, 2011. In this regard, input has been sought from the Integrity Commission.

3. Recommendations for Amendments

a. Interpretation Section

“improper conduct”

...

h) conduct that tends to show unfair discrimination on the basis of gender, race, place of origin, social class, colour, religion or political opinion”

The recommendation is to include “political affiliation” in the list of words used to describe conduct in “h)”, in order to eliminate any *lacuna* and avoid ambiguity.

b. Section 4(2)

The recommendation is to include appropriate verbiage from Section 2(4) of the Third Schedule, in relation to removing the restriction on disclosures imposed by the Official Secrets Act or by any other law, thus making it applicable to the preliminary stages of the disclosure and not only at the investigation stage. (If by making the disclosure it is an offence then you would not have the protection and some public employees are required to take an oath)

c. Section 10(1)(d)

The recommendation is to amend Section 10(1)(d) to add permission to an employee who made a disclosure on a prior occasion to an employer who refused to deal with the disclosure or commence an investigation in the circumstances outlined in Section 19(2), to make the disclosure to the Designated Authority.

d. Section 15

Some Public Servants who have taken the Oath of Secrecy or are at certain government agencies are restricted by law from making a disclosure. For example, an entity's Act may also contain a provision which makes it an offence to disclose information obtained during the course of his employment. It is therefore recommended that appropriate verbiage from Section 2(4) of the Third Schedule, in relation to removing the restriction on disclosures imposed by the Official Secrets Act or by any other law, thus making it applicable to the preliminary stages of the disclosure and not only at the investigation stage.

Clarity is required in relation to the effect of Section 4(2) when read with Section 15, in order to ensure that one section does not offend the other and prevent an employee from making a "protected" disclosure.

e. Section 21(1)

The Integrity Commission is the Designated Authority for the purpose of this Act. As a result, it is being recommended that Section 21(1) be amended to read as follows:

"21 (1) In this Act, the Designated Authority for the purpose of this Act means:

- (a) The Integrity Commission; or*
- (b) Any other entity so designated by the Minister by Order."*

Similar wording has been utilized in Section 3(1) of the Proceeds of Crime Act, in relation to naming the Asset Recovery Agency.

f. Part V- Oversight Functions

- a) In the performance of its oversight and investigative functions, in particular, the ability to summon witnesses or request the provision of documents or information, the recommendation is to expand the lawful authority of the Designated Authority during the course of an investigation, to entitle it to do the following:
 - To have access to all documents or other property in connection with a protected disclosure (subject to certain restrictions similar to that reflected in Section 53 of the Integrity Commission Act); and
 - To enter premises occupied by any person, in order to make such enquiries or to inspect and secure copies of such documents or other property as the Designated Authority considers necessary to any matter being investigated (before entering any premises, save and except for government-owned premises, a warrant from a Judge of the Parish Court or a Justice of the Peace must be obtained).

This recommendation can also be considered in relation to the Third Schedule.

- b) In relation to protected disclosures concerning the Designated Authority, it is recommended that a provision be included to indicate that such disclosures should be made to and investigated by, the Major Organized Crime and Anti-Corruption Agency (who has been recommended to be a Prescribed Person).

g. PART VI Miscellaneous

-Sections 23, 24 and 25

- All references to the Resident Magistrate's Court should be amended to read the Parish Court.

-Section 23

With respect to failure to comply with a requirement imposed by the Designated Authority in Section 23(2) and to reflect the gravity of the obligation to comply, the following amendments are suggested:

- The fine should be increased from Two Hundred and Fifty Thousand Dollars to Five Hundred Thousand Dollars; and
- The term of imprisonment should increase from not exceeding three months to not exceeding six months.

It is recommended that a Section be created to address concerns which have been highlighted by Designated Officers, in relation to certain challenges that they may face during the execution of the duties in this role. In this regard, the following should be considered:

- i. Details of the protection to be provided to a Designated Officer during the course of carrying out his functions (taking into consideration circumstances where the Designated Officer is threatened with physical injury to himself, his immediate family or his property or is subject to occupational detriment);
- ii. The tenure and the conditions under which a Designated Officer can be appointed; and
- iii. The positions within an entity which are to be exempted from being a Designated Officer.

h. First Schedule

The Act lists eighteen (18) entities as Prescribed Persons. In this regard, the following amendments are recommended:

- i. Amend this to exclude Commission for the Prevention of Corruption and the Office of the Contractor General which have been subsumed into the Integrity Commission;
- ii. Delete Inland Revenue and replace with Tax Administration Jamaica;
- iii. Add Child Protection Family Services Agency (CPFSA); and
- iv. Add Major Organised Crime and Anti-Corruption Agency (MOCA).

i. Proposed Fourth Schedule- Instrument of Appointment for Designated Officer

The Integrity Commission, as the Designated Authority, recommends the inclusion of a Fourth Schedule, pursuant to Section 13(3) of the Act, in relation to a prescribed form to be used by employers/prescribed persons when assigning a Designated Officer. In this regard, please see proposed appointment instrument for consideration:

[ENTITY'S LOGO]

**PURSUANT TO SECTION 13 (3) OF THE
THE PROTECTED DISCLOSURES ACT, 2011**

INSTRUMENT OF APPOINTMENT

GREETINGS:

In exercise of the power vested in me by virtue of Section 13(3) of the Protected Disclosures Act, 2011, I, [Name and Title of Head of Entity] at the [Name of Entity] DO HEREBY APPOINT you the said, to perform the functions of Designated Officer in the for a period of five (5) years with effect from the 1st day of June 2022.

As Designated Officer, you are hereby conferred with the requisite authority in accordance with Section 13(4) of the Protected Disclosures Act ,to receive, take steps to investigate or otherwise deal with any disclosure made, and generally to perform functions as provided for in Part IV of the Protected Disclosures Act.

At any time during your tenure, the Head of Entity can revoke this appointment.

Given under my hand at the [Name of Entity]..... this 1st day of June in the Year of our Lord Two Thousand and Twenty Two.

Execution of the provisions of the Protected Disclosures Act- the Information and Complaints Division

On January 25, 2021, the Integrity Commission (IC) was named the Designated Authority for the Protected Disclosures Act, 2011 (PDA, 2011). The function of Designated Authority was previously executed by the Commission for the Prevention of Corruption, an entity was subsumed into the Integrity Commission (IC).

The Information and Complaints Division (ICD) is the primary Division of the IC charged with the responsibility of administering the provisions of the Protected Disclosures Act, 2011. The Complaints and Protected Disclosures Unit (CPDU) is the unit within the ICD which handles matters of complaints and Protected Disclosures. The CPDU comprises the Manager, Complaints and Protected Disclosure (MCPD), a Senior Complaints Review Officer (SCRO) and two (2) Complaints Review Officers (CROs).

Please note that each officer will be assigned a portfolio of entities to manage their compliance under the PDA, 2011. This includes approximately 190 Public Sector Entities, as well as numerous Private Sector Entities. Officers will also treat with protected disclosures made directly to the IC by an employee.

Officers will monitor the execution of the provisions to ensure compliance.

The Commission has already commenced the engagement of Prescribed Persons in relation to the requirement to prepare the Protected Disclosure Procedural Guideline for their entity. Some Prescribed Persons have submitted their draft Protected Disclosure Procedural Guidelines and same is being reviewed by the CPDU.

The Commission is also in the process of engaging the wider public sector with respect to the preparation of Protected Disclosure Procedural Guidelines.

The Hon. Mr. Justice (Ret'd) Seymour Panton, OJ, CD

Chairman, Integrity Commission

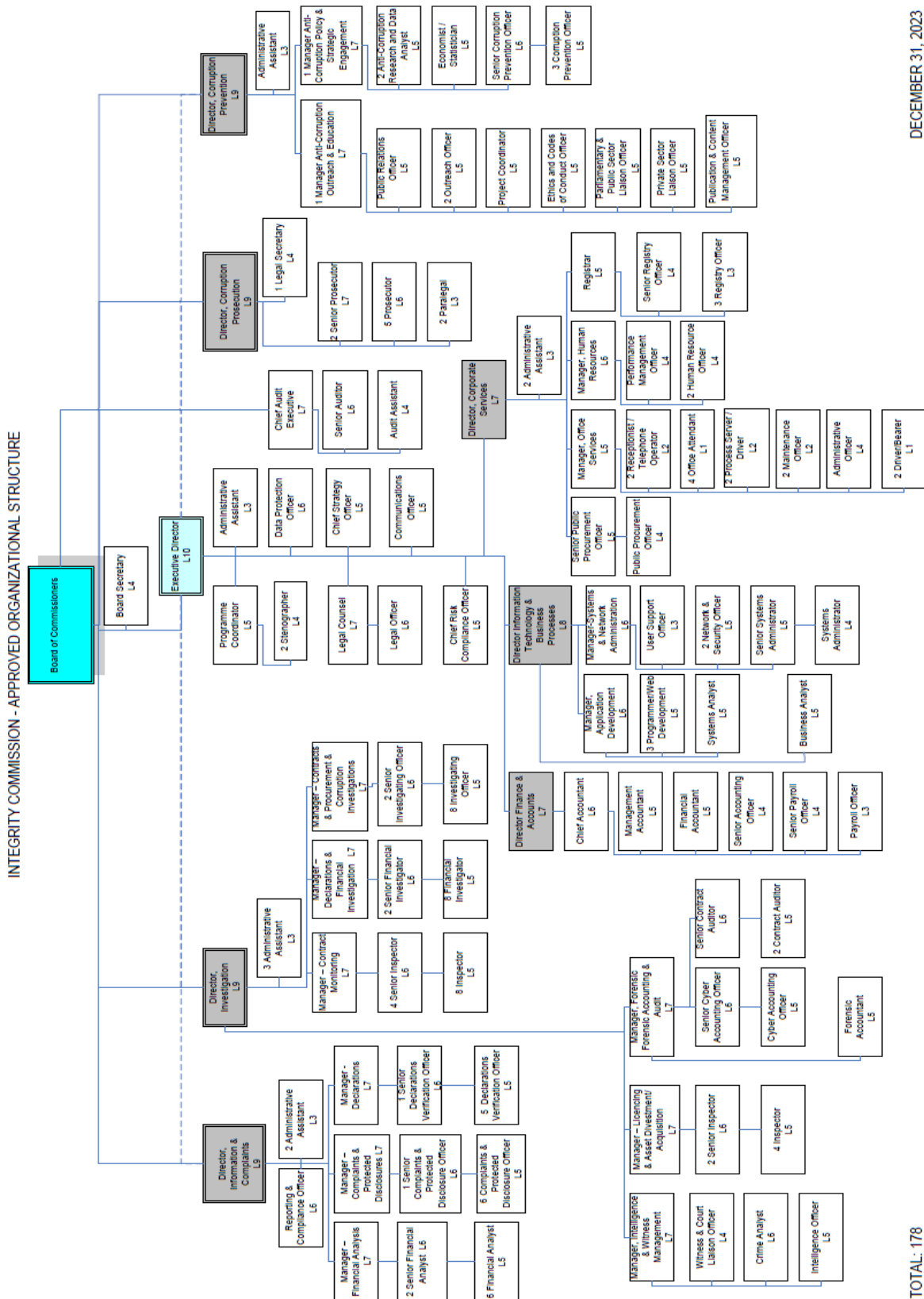
February 9, 2022

RECOMMENDATIONS FOR PROPOSED LEGISLATIVE AMENDMENTS TO THE INTEGRITY COMMISSION ACT, 2017 – INTEGRITY COMMISSION'S 5th ANNUAL REPORT

No.	Legislation	Current Provision	Recommended Changes
1	Integrity Commission Act	<p><u>Section 43 ICA</u>: <i>The provision of false information/responses to the Director of Information and Complaints should be a criminal offence similar to the provision of false information on a statutory declaration:</i></p> <p><i>- A declarant should not be able to provide false information/responses to the Director, if said information will be used as a basis to certify a statutory declaration."</i></p>	The referenced matter could be addressed by amending Section 43(2)(a) to state; "...knowingly makes a false statement in a statutory declaration or to the Director of Information and Complaints
2	Integrity Commission Act	<p>Section 43 (2) (a)</p> <p>"A person who knowingly makes a false statement in a statutory declaration commits an offence and is liable on summary conviction in a Parish Court to a fine not exceeding two million dollars, or to a term of imprisonment not exceeding two years and the court may make such order it thinks fit."</p>	<p>The amendment to section 43(2)(a) of the ICA is to add specific provisions to address various forms of false statements made in a Statutory Declaration. It is recommended to include three categories:</p> <p>(i) Failure to disclose a material fact;</p> <p>(ii) Misrepresentation; and</p> <p>(iii) Providing misleading information.</p>

INTEGRITY COMMISSION

No.	Legislation	Current Provision	Recommended Changes
3			If a person, therefore, knowingly makes a false statement in a Statutory Declaration falling under any of these categories, they commit an offence.
	Integrity Commission Act	<p>Fines – section 43 (1) - Maximum of Five hundred thousand- or six-months imprisonment.</p> <p>Fixed Penalty for Discharge Liability – Two hundred and fifty thousand dollars</p>	<ul style="list-style-type: none"> • Reduce the fixed penalty for the Discharge Liability Notice. • Include a minimum fine equivalent to Discharge Liability Notice for offences under section 43(1). • Include stricter penalties for repeat offenders.
4	Integrity Commission Act	No existing provision, though previously legislated under the <i>Contractor General Act</i>	A section to be inserted [possibly below section 43(1)] that makes provision for an offence if a person, without lawful justification or excuse, obstructs, hinders, or resists the Commission in carrying out its functions under the <i>Integrity Commission Act</i> , or if they fail to comply with any lawful requirement of the Commission in accordance with the <i>Integrity Commission Act</i> or any other enactment.



Appendix 7 - Audited Financial Statements

INTEGRITY COMMISSION

FINANCIAL STATEMENTS
MARCH 31, 2024

INTEGRITY COMMISSION

**FINANCIAL STATEMENTS
YEAR ENDED MARCH 31, 2024**

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Independent Auditor's Report

To the members of Integrity Commission

Report on the Audit of the Financial Statements

Opinion

We have audited the accompanying financial statements of the Integrity Commission (the "Commission"), which comprise the statement of financial position as at March 31, 2024, the statement of comprehensive income, the statement of changes in reserves, the statement of cash flows for the year then ended and notes to the financial statements, including a summary of significant accounting policies.

In our opinion, the accompanying financial statements give a true and fair view of the financial position of the Commission as at March 31, 2024, and of its financial performance and cash flows for the year then ended in accordance with International Financial Reporting Standards (IFRS).

Basis for opinion

We conducted our audit in accordance with International Standards on Auditing (ISAs). Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Statements* section of our report. We are independent of the Commission in accordance with the International Ethics Standards Board for Accountants Code of Ethics for Professional Accountants including International Independence Standards (IESBA Code) and we have fulfilled our other ethical responsibilities in accordance with the IESBA Code. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Responsibilities of management and those charged with governance for the Financial Statements

Management is responsible for the preparation of financial statements that give a true and fair view in accordance with IFRS and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Commission's ability to continue as a going concern, disclosing as applicable, matters related to going concern and using the going concern basis of accounting unless management intends to liquidate the Commission or to cease operations, or has no realistic alternative but to do so.

The Commissioners are responsible for overseeing the Commission's financial reporting process.

Independent Auditor's Report (cont'd)

To the members of Integrity Commission

Auditor's responsibilities for the audit of the financial statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with ISAs, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Commission's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Commission's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Commission to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that presents a true and fair view.

We communicated with management regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.



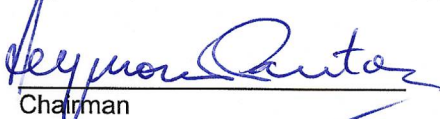
Chartered Accountants
June 24, 2024

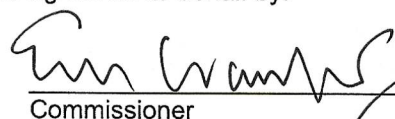
INTEGRITY COMMISSION

STATEMENT OF FINANCIAL POSITION AS AT MARCH 31, 2024

	Note	2024 \$	2023 \$ Restated
ASSETS			
Non-current Assets			
Plant and equipment	9	264,684,933	290,944,433
Right-of-use assets	15	525,360,275	616,600,016
Intangible assets	10	27,818,505	27,048,370
		<u>817,863,713</u>	<u>934,592,819</u>
Current Assets			
Loans receivable	11	840,864	413,316
Prepayments and deposits	12	35,674,162	46,933,304
Cash and bank balances	13	36,265,936	65,553,750
		<u>72,780,962</u>	<u>112,900,370</u>
TOTAL ASSETS		<u>890,644,675</u>	<u>1,047,493,189</u>
RESERVES AND LIABILITIES			
Reserves			
Transferred assets	14	-	-
Accumulated (deficit) surplus		<u>(41,823,463)</u>	<u>2,188,123</u>
		<u>(41,823,463)</u>	<u>2,188,123</u>
Non-current Liabilities			
Lease liabilities	15	551,671,143	617,534,343
Deferred income	16	269,195,445	307,858,946
		<u>820,866,588</u>	<u>925,393,289</u>
Current Liabilities			
Current portion of lease liabilities	15	65,863,200	58,978,394
Payables and accruals	17	45,738,350	52,211,342
Due to consolidated fund	18	-	8,722,041
		<u>111,601,550</u>	<u>119,911,777</u>
TOTAL RESERVES AND LIABILITIES		<u>890,644,675</u>	<u>1,047,493,189</u>

Approved, on behalf of the Commission on June 24, 2024 and signed on its behalf by:


Chairman


Commissioner


Executive Director

The accompanying notes form an integral part of the financial statements.

INTEGRITY COMMISSION

STATEMENT OF COMPREHENSIVE INCOME YEAR ENDED MARCH 31, 2024

	Note	2024 \$	Restated 2023 \$
Subvention	4, 16(a)	1,320,156,660	981,783,132
Grant income	7	<u>14,673,665</u>	<u>50,652,092</u>
		1,334,830,325	1,032,435,224
Administrative and general expenses	5, 9(d)	(1,201,019,112)	(938,667,460)
Direct expenses funded by Grant	7	(34,327,620)	(26,704,270)
Interest income		<u>59,217</u>	<u>95,588</u>
Surplus before depreciation, amortisation & finance charges		99,542,810	67,159,082
Depreciation and amortization of plant & equipment	9,10	(100,843,373)	(53,551,356)
Depreciation of right of use asset	15	(91,239,741)	(78,878,578)
Interest expense on long term lease	8,15	(43,196,773)	(39,515,551)
Foreign currency (loss) gain		(2,422,541)	2,343,021
Deferred income amortised	16	<u>100,964,694</u>	<u>53,551,356</u>
Net deficit for the year, being total comprehensive loss	19	<u><u>(37,194,924)</u></u>	<u><u>(48,892,026)</u></u>

The accompanying notes form an integral part of the financial statements.

INTEGRITY COMMISSION

STATEMENT OF CHANGES IN RESERVES YEAR ENDED MARCH 31, 2024

	Accumulated Surplus (deficit) \$
Balance at April 1, 2022	<u>51,080,149</u>
Net deficit, being total comprehensive loss for the year	(48,892,026)
Prior year adjustment (Note 9)	22,868,225
Prior year adjustment (Note 16)	<u>(22,868,225)</u>
Net deficit, being total comprehensive loss for the year	<u>(48,892,026)</u>
Balance at March 31, 2023	2,188,123
Net deficit, being total comprehensive loss for the year	<u>(37,194,924)</u>
	(35,006,801)
Fund transfer to The Accountant General (Note 11)	<u>(6,816,662)</u>
Balance at March 31, 2024	<u>(41,823,463)</u>

The accompanying notes form an integral part of the financial statements.

INTEGRITY COMMISSION

STATEMENT OF CASH FLOWS YEAR ENDED MARCH 31, 2024

		2024 \$	2023 \$ Restated
CASH FLOWS FROM OPERATING ACTIVITIES			
Net deficit for the year		(37,194,924)	(48,892,026)
Adjustments for items not affecting cash resources:			
Lease interest expense	8	43,196,773	39,515,551
Foreign exchange loss (gain)	8	2,422,541	(2,343,021)
Depreciation charge on right-of-use asset	15	91,239,741	78,878,578
Depreciation on plant and equipment	9	79,721,249	38,408,893
Amortisation charge on intangible assets	10	21,122,124	15,142,463
Net plant and equipment adjustment		(246,775)	-
Deferred income amortised	16	(100,964,694)	(53,551,356)
		99,296,035	67,159,082
Decrease/(Increase) in operating assets:			
Loans receivables		(427,548)	1,334,782
Prepayments and deposits		11,259,142	23,819,195
Increase/(Decrease) in operating liabilities:			
Payables and accruals		(6,472,992)	27,491,161
Due to consolidated fund		(8,772,041)	(1,056,661)
Net cash provided by operating activities		94,882,596	118,747,559
CASH FLOWS FROM INVESTING ACTIVITIES			
Acquisition of plant and equipment	9	(53,164,974)	(222,308,228)
Acquisition of intangible asset	10	(21,892,259)	(18,125,715)
Net cash used in investing activities		(75,057,233)	(217,565,718)
CASH FLOWS FROM FINANCING ACTIVITIES			
Lease payments	15	(102,175,167)	(63,584,577)
Payment to The Accountant General		(6,816,662)	-
Deferred income	16	62,301,193	209,914,300
Net cash provided by financing activities		(46,690,636)	123,461,498
Increase in cash and cash equivalents		(26,865,273)	24,643,339
Cash and cash equivalents at beginning of year		65,553,750	38,567,390
Effect of exchange rate movement on cash and cash equivalents		(2,422,541)	2,343,021
CASH AND CASH EQUIVALENTS AT END OF YEAR	13	36,265,936	65,553,750

The accompanying notes form an integral part of the financial statements.

INTEGRITY COMMISSION

NOTES TO THE FINANCIAL STATEMENTS YEAR ENDED MARCH 31, 2024

1. IDENTIFICATION

The Integrity Commission (the "Commission") was established under the Integrity Commission Act (2017) (the "Act"). The Commission is domiciled in Jamaica.

Among the objects and functions of the Commission are:

- (a) To promote and strengthen measures for the prevention, detection, investigation and prosecution of acts of corruption;
- (b) To ensure that government contracts are awarded, varied, renewed or terminated impartially, on merit and in a financially prudent manner;
- (c) To examine the practices and procedures of public bodies and make recommendations, in relation to the revision of those practices and procedures, which in the opinion of the Commission may reduce the likelihood or the occurrence of acts of corruption;
- (d) To prepare codes of conduct and other advisory material relating to corruption and guide public bodies in respect of matters within the purview of this Act;
- (e) To monitor current legislative and administrative practices in the fight against corruption;
- (f) To adopt and strengthen mechanisms for educating the public in matters relating to corruption; and
- (g) To compile and publish statistics relating to the investigation, prosecution and conviction of offences relating to acts of corruption.

2. STATEMENT OF COMPLIANCE AND BASIS OF PREPARATION

2.1 Statement of Compliance

The Commission's financial statements have been prepared in accordance and comply with International Financial Reporting Standards (IFRS), (2022: IFRS and IPSAS) and their interpretations issued by the International Accounting Standards Board and the relevant requirements of the Acts. There was no material impact on the Financial Statements arising from that change.

The financial statements have been prepared under the historical cost basis and are expressed in Jamaican dollars, unless otherwise indicated.

The preparation of financial statements in conformity with IFRS requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses for the year then ended. Actual results could differ from these estimates.

The estimates and underlying assumptions are reviewed on an ongoing basis. Revisions to accounting estimates are recognized in the period in which the estimate is revised, if the revision affects only that period, or in the period of revision and future periods, if the revision affects both current and future periods.

There are no significant assumptions and judgements applied in these financial statements that carry a risk of material adjustment in the next financial year.

2. STATEMENT OF COMPLIANCE AND BASIS OF PREPARATION (CONT'D)

2.2 Amendments to IFRS that are mandatorily effective for the current year

In the current year the Commission has applied a number of amendments to IFRS issued by the International Accounting Standards Board (IASB) that are mandatorily effective for the accounting period that begins on or after 1 January 2023.

The application of these amendments has not had any impact on the amounts reported or the presentation and disclosures in these financial statements but may impact the accounting for future transactions and arrangements.

		Effective for annual periods beginning on or after
<u>New Standard</u>		
IFRS 17	Insurance Contracts	January 1, 2023
<u>Amendments to Standards</u>		
IFRS 17	<i>Property, Plant and Equipment</i>	January 1, 2023
IAS 1 and IFRS Practice Statement 2	- Amendments regarding the disclosure of accounting policies	
IAS 8	Amendments regarding the definition of accounting estimates	January 1, 2023
IAS 12	Income taxes – clarifying application of the initial recognition exemption for temporary differences	January 1, 2023

Amendments to IAS 1: Disclosure of Accounting Policies

In February 2021, the IASB issued amendments to IAS1 and *IFRS Practice Statement 2 Making Materiality Judgements* with the aim of assisting entities to provide accounting policy disclosures that are more useful by:

- (1) Replacing the requirement to disclose '*significant*' accounting policies with a requirement to disclose '*material*' accounting policies
- (2) Adding guidance on how to apply the concept of materiality in making decisions about accounting policy disclosures. Guidance and examples are provided to assist the process of application. Entities will need to consider the size of transactions, other events or conditions and their nature in making the assessment.

2. Statement of compliance and basis of preparation (Continued)

2.4 Amendments to IFRS that are mandatorily effective for the current year (Continued)

In the current year management reviewed the accounting policy and disclosures of the previous financial year to assess their materiality. Careful consideration was given to standardized information or those that only duplicate or summarises the requirements of IFRSs in deciding whether to remove or retain these as material in enhancing the usefulness of these financial statements.

Amendments to IAS 8: *Definition of accounting estimated*

The amendment clarified how to distinguish between changes in accounting policies and changes in accounting estimates:

- The definition of a change in accounting estimates is replaced with a definition of accounting estimates. Under the new definition, accounting estimates are "monetary amounts in financial statements that are subject to measurement uncertainty".
- Entities develop accounting estimates if accounting policies require items in financial statements to be measured in a way that involves measurement uncertainty. Clarification is also given on how entities use measurement techniques and inputs to develop accounting estimates.
- The amendment clarifies that a change in accounting estimate that results from new information or new developments is not the correction of an error. In addition, the effects of a change in an input or a measurement technique used to develop an accounting estimate are changes in accounting estimates if they do not result from the correction of prior period errors.

This importance of the distinction is that changes in accounting estimates are applied prospectively to future transactions and other future events, while changes in accounting policies are generally applied retrospectively to past transactions and other past events as well as the current period.

The amendment did not have any significant impact on the Commission's financial statements.

2. STATEMENT OF COMPLIANCE AND BASIS OF PREPARATION (CONT'D)

2.3 New and revised IFRS in issue but not yet effective

At the date of authorisation of these financial statements, the following Standards, Interpretations and amendments thereto were in issue but were not effective or early adopted for the financial period being reported on:

		Effective for annual periods <u>beginning on or after</u>
<u>New Standards</u>		
IFRS 18	Presentation and Disclosures in Financial statements	January 1, 2027
IFRS 19	Subsidiaries without Public Accountability: Disclosures	January 1, 2027
IFRS S1	General Requirements for Disclosure of Sustainability-related Financial Information	January 1, 2024
IFRS S2	Climate-related Disclosures	January 1, 2024
<u>Revised Standards</u>		
IFRS 10 and IAS 28	Sale or Contribution of Assets between an Investor and its Associate or Joint Venture - Amendments to IFRS 10 and IAS 28	Effective date deferred indefinitely
IAS 1	<i>Presentation of Financial Statements</i> Classification of liabilities as Current or Non-current	January 1, 2024
	Amendment regarding the classification of debts with covenants	January 1, 2024
IAS 21	<i>The effect of Changes in Foreign Exchange Rates</i> Amendment on 'Lack of Exchangeability', providing guidance to specify when a currency is exchangeable and how to determine the exchange rate when it is not.	January 1, 2025
IFRS 16	<i>Leases</i> Amendment to clarify how a seller-lessee subsequently measures sale and leaseback transactions	January 1, 2024
IFRS 7 and IAS 7	<i>Financial Instruments: Disclosures and Statement of Cash Flows</i> Statement of Cash Flows: Amendments regarding supplier finance arrangements	January 1, 2024
IAS 7	Amendments requiring the use of the operating profit subtotal as defined in IFRS 18 as the starting point for the indirect method of reporting cash flows from operating activities. Additionally, the presentation alternatives for cash flows related to interest and dividends paid and received will be removed.	When IFRS 18 is applied, effectively for annual periods beginning on or after January 1, 2027

2. STATEMENT OF COMPLIANCE AND BASIS OF PREPARATION (CONT'D)

2.3 New and revised IFRS in issue but not yet effective (cont'd)

New and Revised Standards and Interpretations in issue not yet effective that are relevant

The Commission has assessed the impact of all the new and revised Standards and Interpretations in issue not yet effective and has concluded that the following are relevant to the operations of the Commission:

- **Amendments to IAS 1: *Classification of Liabilities as Current or Non-current***

In January 2020 and October 2022, the IASB issued amendments to IAS 1 to specify the requirements for classifying liabilities as current or non-current. The amendments clarify:

- What is meant by a right to defer settlement
- That a right to defer must exist at the end of the reporting period
- That classification is unaffected by the likelihood that an entity will exercise its deferral right
- That only if an embedded derivative in a convertible liability is itself an equity instrument would the terms of a liability not impact its classification
- Disclosures

The amendments are effective for annual reporting periods beginning on or after January 1, 2024 and must be applied prospectively.

The Commission is currently assessing the impact the amendments will have on current practice.

- **Amendments to IFRS 7 and IAS 7: *Disclosures – Supplier Finance Arrangements***

The amendments assist users of the financial statements to assess the effect of these arrangements on the entity's liabilities, cash flows and exposure to liquidity risks.

Characteristics of the supplier arrangements

One or more finance providers pay amounts an entity owes to its suppliers. The entity agrees to settle these amounts with the finance providers according to the contractual arrangement with them, which may be at terms and conditions at the same date or at later dates than that on which the finance providers pay the entity's suppliers.

Disclosure requirements

New disclosures are required to provide information about the impact of supplier finance arrangements on liabilities and cash flows, including terms and conditions of those arrangements, quantitative information on liabilities related to those arrangements as at the beginning and end of the reporting period and the type and effect of non-cash changes in the carrying amounts of those arrangements. The information on those arrangements is required to be aggregated unless the individual arrangements have dissimilar or unique terms and conditions. IFRS 7 requires quantitative liquidity risk disclosures of financial liabilities. In that context, supplier finance arrangements are included as an example of other factors that might be relevant to disclose.

The amendments are effective for annual reporting periods beginning on or after January 1, 2024. There are transition reliefs regarding comparative and quantitative information as at the beginning of the annual reporting period.

The Commission will apply the amendments as at the end of the 2025 reporting period. The amendment is not expected to have any significant impact of the financial statements on initial application.

2. STATEMENT OF COMPLIANCE AND BASIS OF PREPARATION (CONT'D)

2.3 New and revised IFRS in issue but not yet effective (cont'd)

- **IFRS 18: Presentation and Disclosures in Financial Statements (New Standard)**

The objective of the standard is to set out requirements for the presentation and disclosure of information in general purpose financial statements to help ensure they provide relevant information that faithfully represents an entity's assets, liabilities, equity, income and expenses that is useful to users of financial statements in assessing the prospects for future net cash inflows to the entity and in assessing management's stewardship of the entity's economic resources.

IFRS 18 identifies what a complete set of financial statements comprises and identifies this as 'primary financial statements'.

Statement of profit or loss

The standard requires that an entity classify all income and expenses within its statement of profit and loss into one of five categories: Operating, investing, financing, income taxes and discontinued operations, the first three of which are new. This is complemented by the requirement to present subtotals and totals for 'operating profit or loss', 'profit or loss before financing and income taxes' and 'profit or loss'.

Main business activities

For purpose of classification in the three new categories, an entity will need to assess whether it has a 'specified main business activity' of investing in assets or providing financing to customers., as. specific classification requirements apply to such entities. Judgement is required in determining the fact and circumstances relevant to a specified main business activity as an entity may have more than one business activity.

Investing Category

This category will generally include income and expenses from investments in associates, joint ventures and unconsolidated subsidiaries, cash and cash equivalents and other assets, if they generate a return individually and largely independently of the entity's other resources.

Financing category

For an entity that does not provide financing to customers as a specified main business activity, the financing category comprises income and expenses from liabilities arising from transactions that involve only the raising of finance, for example, debentures, loans, notes, bonds and mortgages. It would also include interest income and expenses and the effects of changes in interest rates from liabilities arising from transactions that do not involve only the raising of finance, for example, payables for goods or services, lease liabilities and defined benefit pension liabilities, but only if the entity identifies those amounts when applying another IFRS accounting standard' (other liabilities).

Those entities that provide financing to customers as a main business activity will classify in the operating category income and expenses from liabilities that arise from transactions that involve only the raising of finance related to the provision of financing to customers and make an accounting policy choice to classify in the operating category or financing category income and expenses from liabilities that arise from transactions that involve only the raising of finance not related to the provision of financing to customers.

2. STATEMENT OF COMPLIANCE AND BASIS OF PREPARATION (CONT'D)

2.3 New and revised IFRS in issue but not yet effective (cont'd)

Operating category

This category is intended to capture income and expenses from the entity's main business activities. IFRS 18 describes it as a residual category and it therefore will comprise all income and expenses not included within the other categories irrespective of volatility or their unusual nature. However, any income or loss from investments accounted for using the equity method is to be included in the investing category, regardless of the specified main business activity of the entity.

Retrospective application of the standard is mandatory for annual reporting periods starting from 1 January 2027 onwards but earlier application is permitted provided that this fact is disclosed.

The Commission is assessing the impact of this new standard on its financial statements and will implement the standard on the period it becomes effective.

- **IFRS S1: General Requirements for Disclosure of Sustainability-related financial information**

IFRS S1 sets out overall requirements with the objective to require an entity to disclose information about its sustainability-related risks and opportunities that is useful to the primary users of general purpose financial reports in making decisions relating to providing resources to the entity. It applies to all entities regardless of their accounting principles and practices.

The Commission will assess the extent to which compliance with the standard is required as part of its reporting obligation prior to the effective date which would apply to the 2025 reporting period. Such reporting is typically made in an entity's annual report.

- **IFRS S2: Climate-related Disclosures**

IFRS S2 sets out the requirements for identifying, measuring, and disclosing information about climate-related risks and opportunities to which the entity is exposed that is useful to the primary users of general purpose financial reports in making informed decisions regarding resource allocation to the entity. These are climate-related risks and opportunities that could reasonably be expected to affect the entity's cash flows. Climate-related financial disclosures cover matters of governance, strategy, risk management and metrics and targets.

The Commission will assess the extent to which compliance with the standard is required as part of its reporting obligation prior to the effective date which would apply to the 2025 reporting period. Such reporting is typically made in an entity's annual report.

2. STATEMENT OF COMPLIANCE AND BASIS OF PREPARATION (CONT'D)

2.4 Use of estimates and judgements:

The preparation of the financial statements in conformity with IPSAS, IFRS and the Acts, requires management to make judgements, estimates and assumptions that affect the application of policies and the reported amounts of, and disclosures related to, assets, liabilities, contingent assets and contingent liabilities at the reporting date and the income and expenses for the period then ended.

Actual amounts could differ from these estimates.

The estimates and associated assumptions are based on historical experience and/or various other factors that are believed to be reasonable under the circumstances, the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources.

Critical judgements in applying the Commission's accounting policies:

Critical judgements used in applying the Commission's accounting policies that have a significant risk of material adjustment in the next financial year relate to the estimated useful lives and residual values of plant and equipment, leases and other post-employment benefits.

a) *Depreciable assets*

Estimates of the useful life and the residual value of plant and equipment are required in order to apply an adequate rate of transferring the economic benefits embodied in these assets in the relevant periods. The Commission applies a variety of methods in an effort to arrive at these estimates from which actual results may vary. Actual variations in estimated useful lives and residual values are reflected in profit or loss through impairment or adjusted depreciation provisions.

b) *Leases - estimating the incremental borrowing rate*

If the Commission cannot readily determine the interest rate implicit in the lease, it uses its incremental borrowing rate (IBR) to measure lease liabilities. The IBR is the rate of interest that the Commission would have to pay to borrow over a similar term, and with a similar security, the funds necessary to obtain an asset of a similar value to the right-of-use asset in a similar economic environment. The IBR therefore reflects what the Commission 'would have to pay', which requires estimation when no observable rates are available or when they need to be adjusted to reflect the terms and conditions of the lease.

The Commission estimates the IBR using observable inputs (such as market interest rates) when available and is required to make certain entity-specific estimates (such as stand-alone credit rating).

3. SIGNIFICANT ACCOUNTING POLICIES

(a) Property and equipment

All property and equipment held for administrative purposes, are recorded at historical or deemed cost, less any subsequent accumulated depreciation and subsequent accumulated impairment losses.

Cost includes expenditure that is directly attributable to the acquisition of the asset. The cost of replacing part of an item of property, plant and equipment is recognized in the carrying amount of the item if it is probable that the future economic benefits embodied in the part will flow to the Commission and its cost can be reliably measured.

The cost of day-to-day servicing of property, plant and equipment is recognized in the statement of comprehensive income as incurred.

Depreciation is calculated on the straight-line basis over the estimated useful lives of such assets. The rates of depreciation in use are:

Computers	-4 years
Furniture, fixtures & equipment	- 10 years
Motor vehicles	- 5 years
Leasehold improvements	- 5 years
Licenses and software	- 3 years

(b) Long-term receivables

Long-term receivables are recognized at amortized cost. Appropriate allowances for estimated irrecoverable amounts are recognized in the statement of financial performance when there is objective evidence that the assets are impaired.

(c) Accounts payable

Accounts payables are stated at amortized cost.

(d) Cash and bank balances

Cash and bank balances comprise cash in hand and cash with banks.

(e) Leases

As lessee

The Commission applies a single recognition and measurement approach for all leases, except for short term leases and leases of low value assets. The Commission recognizes lease obligations as lease liabilities and right-of-use assets representing the right to use the underlying assets.

The Commission recognizes right-of-use assets at the commencement date of the lease (i.e., the date the underlying assets are available for use). The right-of-use assets are measured at cost, less any accumulated depreciation and impairment losses, and adjusted for any remeasurement of lease liabilities. The cost of right-of-use assets includes the amount of the initial lease liabilities recognized, initial direct costs incurred, and lease payments made on or before the commencement date less any lease incentives received. Right-of-use assets are depreciated on a straight-line basis over the shorter of the lease term and the estimated useful lives of the assets.

3. SIGNIFICANT ACCOUNTING POLICIES (CONT'D)

(e) Leases (cont'd)

As lessee (cont'd)

Assets and liabilities arising from a lease are initially measured on a present value basis. Lease liabilities include the net present value of the following lease payments:

- fixed payments (including in-substance fixed payments), less any lease incentives receivable.
- payments of penalties for terminating the lease, if the lease term reflects the Commission exercising that option.

Lease payments to be made under reasonably certain extension options are also included in the measurement of the liability. The lease payments are discounted using the lessee's incremental borrowing rates being the rate that the individual lessee would have to pay to borrow the funds necessary to obtain an asset of similar value to the right-of-use asset in a similar economic environment with similar terms, security and conditions.

(f) Subvention recognition

Income comprises recurrent subvention received from the Government of Jamaica ("GOJ") and interest income. Subvention from GOJ is recognized when it is received while interest income is recognized when it is earned.

(g) Provisions

Provisions are recognized when the Commission has a present legal or constructive obligation as a result of past events and it is probable that an outflow of resources will be required to settle the obligation. Provisions are measured at the management's best estimate of the expenditure required to settle the obligation at the reporting date and are discounted to present value where the effect is material.

(h) Financial instruments

Financial instruments include transactions that give rise to both financial assets and financial liabilities. Financial assets and liabilities are recognised on the Commission's statement of financial position when the Commission becomes a party to the contractual provisions of the instrument.

Financial liabilities and equity instruments issued by the Commission are classified according to the substance of the contractual arrangements entered into and the definitions of a financial liability and an equity instrument. An equity instrument is any contract that evidences a residual interest in the assets of the Commission after deducting all of its liabilities.

Financial assets include cash and bank deposits, accounts receivable, long-term receivables and other current assets except prepayments.

The fair values of the financial instruments are discussed in Note 21.

(i) Comparative information

Where necessary, comparative figures have been reclassified and or restated to conform to changes in the current year.

3. SIGNIFICANT ACCOUNTING POLICIES (CONT'D)

(j) Employee benefits

Employee benefits are all forms of consideration given by the Commission in exchange for service rendered by employees. These include current or short-term benefits such as salaries, statutory contributions, vacation leave, non-monetary benefits such as medical care; post-employment benefits such as pensions; and other long-term employee benefits such as termination benefits.

Employee benefits that are earned as a result of past or current service are recognized in the following manner:

- Short-term employee benefits are recognized as a liability, net of payments made, and charged to expense. The expected cost of vacation leave that accumulates is recognized when the employee becomes entitled to the leave.

(k) Foreign currencies

The financial statements are presented in the currency of the primary economic environment in which the Commission operates (its functional currency).

In preparing the financial statements of the Commission, transactions in currencies other than the Commission's functional currency, the Jamaican dollar, are recorded at the rates of exchange prevailing on the dates of the transactions. At each reporting date, monetary items denominated in foreign currencies are retranslated at the rates prevailing on the reporting date. Non-monetary items that are measured in terms of historical cost in a foreign currency are not retranslated.

Exchange differences arising on the settlement of monetary items and on the retranslation of monetary items, are included in the statement of comprehensive income for the period.

(l) Related party identification

The Commission's related parties comprise:

- (i) directly or indirectly the party:
 - controls, is controlled by, or is under common control with the Commission;
 - has an interest in the Commission that gives it significant influence over the Commission; or
 - has joint control over the Commission
- (ii) the party is a member of the key management personnel of the Commission
- (iii) the party is a close member of the family of an individual referred to above

A related party transaction is a transfer of resources, services or obligations between related parties, regardless of whether a price is charged.

INTEGRITY COMMISSION

NOTES TO THE FINANCIAL STATEMENTS YEAR ENDED MARCH 31, 2024

3. SIGNIFICANT ACCOUNTING POLICIES (CONT'D)

(m) Grants

Grants are recognized when there is reasonable assurance that the Commission will comply with the conditions attached to the grants and that the grants will be received.

Grants are recognised in profit or loss on a systematic basis over the periods in which the Commission recognises as expenses the related costs for which the grants are intended to compensate. Specifically, grants whose primary condition is that the Commission should purchase or otherwise acquire noncurrent assets are recognised as deferred income in the statement of financial position and transferred to profit or loss on a systematic and rational basis over the useful lives of the related assets.

4. SUBVENTION

Income represents subvention from the Government of Jamaica from the annual national budget as well as periodic allocations. Total Vote approved by Parliament was \$1,475,946,000 (2022: \$1,057,912,000) and \$38,600,000 (2022: \$38,622,000) for the recurrent and statutory budgets respectively.

The Commission's income is exempt from income tax under section 12(b) of the Income Tax Act.

	2024 \$	2023 \$ Restated*
Subvention received	1,387,079,000	1,257,494,000
Surrendered to the consolidated fund (unused amount)	<u>(32,180,655)</u>	<u>(79,664,296)</u>
	1,354,898,345	1,177,829,704
Deferred income	<u>(34,741,685)</u>	<u>(196,046,572)</u>
	<u>1,320,156,660</u>	<u>981,783,132</u>

INTEGRITY COMMISSION

NOTES TO THE FINANCIAL STATEMENTS YEAR ENDED MARCH 31, 2024

5. ADMINISTRATIVE AND GENERAL EXPENSE

	2024 \$	2023 \$ Restated
Staff costs (Note 6)	813,949,205	718,291,561
Legal and other professional fees	7,290,982	9,234,798
Computer maintenance and related expenses	19,694,296	17,343,608
Medical supplies	495,241	841,762
Staff welfare	1,457,503	1,724,672
Security	48,791,897	4,983,377
Janitorial	3,763,568	4,633,744
Dues and subscription	883,640	923,146
Insurance	5,907,243	2,860,522
Supplies and services	3,484,468	1,902,593
Motor vehicle expense	5,500,928	4,196,761
Travelling and subsistence	18,330,923	11,440,494
Rental of office, parking space, machinery	6,438,582	3,026,124
Maintenance of rental properties and parking lot	118,682,272	50,342,429
Utilities and communication	31,835,413	30,969,735
Repairs and maintenance	17,373,590	4,851,616
Commissioners' fees	39,203,755	37,327,396
Meals and entertainment	7,712,204	6,289,987
Postage and delivery	4,000	337,141
Printing and stationery	6,644,299	8,335,479
Audit fees	2,900,000	7,154,771
Advertising and promotion	23,847,835	24,504,412
Bank charges	29,282	1,500
Low value assets	4,016,920	5,331,798
Training and workshops	9,359,825	214,072
Conference expenses	603,926	-
General office expenses	2,817,315	4,472,187
Reversal of GCT (Note 9(d))	-	(22,868,225)
	1,209,062,618	938,667,460
	1,201,019,112	

6. STAFF COSTS

The number of employees at the end of the year was as follows:

	2024 \$	2023 \$
Temporary	14	9
Permanent	125	114
	139	123

The aggregate payroll costs for these persons were as follows:

	2024 \$	2023 \$
Salaries, wages and related costs	662,015,479	645,393,576
Gratuity payments	118,573,135	46,656,391
Statutory contributions	33,360,591	26,241,594
	813,949,205	718,291,561

INTEGRITY COMMISSION

NOTES TO THE FINANCIAL STATEMENTS YEAR ENDED MARCH 31, 2024

7. GRANT

This represents a grant received from The Government of the United Kingdom of Great Britain and Northern Ireland acting through the Foreign, Commonwealth and Development Office (FCDO). The grant was established by a Memorandum of Understanding (MOU) signed on November 2, 2020 to expire March 31, 2023. The MOU was extended effective as of March 30, 2023 to expire on March 31, 2025.

The total budget for the year is \$19,785,000 (£100,000), (2023: \$82,955,340 (£450,000)). The Grant received in the year was £200,000.

	2024 \$	2023 \$
Grant received	42,233,173	64,519,820
Deferred income for additions included in plant, equipment and intangible additions (Notes 9 & 10))	<u>(27,559,508)</u>	<u>(13,867,728)</u>
	<u>14,673,665</u>	<u>50,652,092</u>
Direct expenses:		
Purchase of goods and services	28,850,154	26,704,270
Consultancy services	<u>5,477,466</u>	<u>-</u>
	<u>34,327,620</u>	<u>26,704,270</u>
	<u>(19,653,955)</u>	<u>23,947,822</u>

8. INTEREST EXPENSE ON LONG TERM LEASES

IFRS 16 requires entities engaged in leasing activities to capitalize the future discounted cash outflow (lease rental payments), over the life of the agreement and report the amount as right of use assets. A similar amount is recognized as the lease liability representing the entity's obligation under the lease agreement. The interest rate used to discount the lease payments is also used to compute a finance charge on the lease obligation. This finance charge is reported as interest expense on long term leases.

INTEGRITY COMMISSION

NOTES TO THE FINANCIAL STATEMENTS YEAR ENDED MARCH 31, 2024

9. PLANT AND EQUIPMENT

	Leasehold Improvement \$	Furniture, Fixtures and Equipment \$	Computers \$	Motor Vehicles \$	Total \$
At Cost/Valuation					
Balance at March 31, 2022	3,013,626	59,967,163	176,843,795	43,553,027	283,377,611
Additions (restated (Note 9(d)))	-	131,149,500	85,281,760	5,876,968	222,308,228
Balance at March 31, 2023 as restated	3,013,626	191,116,663	262,125,555	49,429,995	505,685,839
Additions	-	13,481,786	39,683,188	-	53,164,974
Adjustment (Note 9 (c))	-	1,266,396	-	-	1,266,396
Balance at March 31, 2024	3,013,626	205,864,845	301,808,743	49,429,995	560,117,209
Accumulated Depreciation:					
Balance at March 31, 2022	3,013,626	35,679,685	105,974,282	31,664,920	176,332,513
Charge for year	-	5,582,336	26,493,572	6,332,985	38,408,893
Balance at March 31, 2023	3,013,626	41,262,021	132,467,854	37,997,905	214,741,406
Adjustment (Note 9 (c))	-	969,621	-	-	969,621
Charge for year	-	24,695,441	46,739,134	8,286,674	79,721,249
Balance at March 31, 2024	3,013,626	66,927,083	179,206,988	46,284,579	295,432,276
Carrying amount					
At March 31, 2024	-	138,937,762	122,601,755	3,145,416	264,684,933
At March 31, 2023 (restated)	-	149,854,642	129,657,701	11,432,090	290,944,433
At March 31, 2022	-	24,287,478	70,869,513	11,888,107	107,045,098

- (a) Transferred assets included in plant and equipment were fully depreciated as of 31 March 2022. See Note 14.
- (b) Plant and equipment acquired during the 2023 financial year were essentially brought into use near the end of that financial year. Therefore no depreciation was accounted on the acquisitions in 2023.
- (c) The adjustment comprise recognition of assets at cost not previously recognized in use by the Commission.
- (d) 2023 is restated for GCT erroneously expensed instead of capitalized on the assets acquired. totaling \$ 22,868,225 (FF&E \$16,564,624, Computers \$6,303,601). See Note 16(a).

INTEGRITY COMMISSION

NOTES TO THE FINANCIAL STATEMENTS YEAR ENDED MARCH 31, 2024

10. INTANGIBLE ASSETS

Intangible assets represent licenses and software with an estimated useful life of three (3) years.

Intangible assets in the statement of financial position were determined as follows:

	2024 \$	2023 \$
Balance at the beginning of the year	62,716,771	44,591,056
Additions	21,892,259	18,125,715
	<u>84,609,030</u>	<u>62,716,771</u>
Accumulated Amortisation		
Balance at the beginning of the year	(35,668,401)	(20,525,938)
Current year	(21,122,124)	(15,142,463)
	<u>(56,790,525)</u>	<u>(35,668,401)</u>
Carrying amount	<u>27,818,505</u>	<u>27,048,370</u>

Intangible assets acquired during the year were essentially brought into use near the end of the financial year. Therefore, no depreciation was accounted on the acquisitions.

Intangible assets are being amortised over 3 years for the license and software, unless there is significant impairment during the year.

11. LOANS RECEIVABLES

	2024 \$	2023 \$
Staff loans:		
Loan balance	831,805	407,127
Accrued interest	9,059	6,189
	<u>840,864</u>	<u>413,316</u>

The Commission has a motor vehicle revolving loan scheme to assist travelling officers to purchase reliable motor vehicles to be used in the performance of their official duties. The scheme was terminated during the year and the funds accumulated transferred to the Account General's Department (see the Statement of Changes in Reserves). Other staff loans up to a maximum of \$600,000 disbursed during the year were repaid or repayable within 12 months.

Guidelines for administering the loan include:

- (i) The loan amount for new vehicles should not exceed \$2,500,000 and for used vehicles the amount should not exceed \$1,500,000.
- (ii) An interest rate of 3% on the reducing balance is charged, if loans exceed the minimum amount of \$1,500,000 for new vehicles and \$1,000,000 for used vehicles.
- (iii) Loans should be repaid over a seven (7) year period for new vehicles and six (6) years for used vehicles
- (iv) Only one loan is permitted within a five (5) year period to each employee
- (v) The motor vehicle purchased should not be older than five (5) years
- (vi) All loans should be recovered by salary deduction.

INTEGRITY COMMISSION**NOTES TO THE FINANCIAL STATEMENTS
YEAR ENDED MARCH 31, 2024**

12. PREPAYMENTS AND DEPOSITS

	2024	2022
	\$	\$
Prepaid rent	6,331,851	-
Other prepayments	213,211	5,038,164
Security deposit	29,129,100	29,129,100
Deposit on fixed assets	-	12,766,040
	<u>35,674,162</u>	<u>46,933,304</u>

13. CASH AND BANK BALANCES

Cash and bank balances included in the statement of financial position and statement of cash flows are comprised of the following:

	2024	2023
	\$	\$
Petty cash	200,000	200,000
Cash in J\$ current accounts	239,742	7,461,600
Cash in foreign currency account - £184,499 (2023:- £288,622)	<u>35,826,194</u>	<u>57,892,150</u>
	<u>36,265,936</u>	<u>65,553,750</u>

14. TRANSFERRED ASSETS

This represents net assets of the three legacy entities merged. The assets are included in plant and equipment at a carrying amount of \$Nil as at March 31, 2023 (2023: \$Nil).

	2024	2023
	\$	\$
Office of the Contractor General	33,010,640	33,010,640
Commission for the Prevention for Corruption	(4,702,646)	(4,702,646)
Integrity Commission (Legacy)	<u>6,638,916</u>	<u>6,638,916</u>
	<u>34,946,910</u>	<u>34,946,910</u>

These assets were fully depreciated in the Commission's accounts as of 31 March 2022.

INTEGRITY COMMISSION

NOTES TO THE FINANCIAL STATEMENTS YEAR ENDED MARCH 31, 2024

15. RIGHT-OF-USE ASSETS/LEASE LIABILITIES

Recognised in non-current assets

	2024 \$	2023 \$
Balance at the beginning of the year	676,974,037	103,940,080
Derecognised	-	(103,940,080)
Additions	-	676,974,037
	<u>676,974,037</u>	<u>676,974,037</u>
Depreciation charge of right-of use assets		
Balance at the beginning of the year	(60,374,021)	(85,435,523)
Charge for the year	(91,239,741)	(78,878,578)
Derecognised	-	103,940,080
	<u>(151,613,762)</u>	<u>(60,374,021)</u>
Carrying amount	<u>525,360,275</u>	<u>616,600,016</u>

Amounts recognised in the statement of comprehensive income

Surplus/(deficit) for the year includes the following amounts relating to leases:

	2024 \$	2023 \$
Depreciation expense on right-of-use asset	91,239,741	78,878,578
Interest expense on lease liability (note 8)	43,196,773	39,515,551
Expense relating to short term leases	-	3,026,123

The total cash outflow for leases in 2024 was \$102,175,167 (2023: 63,584,577).

Net debt reconciliation

This section sets out an analysis of net debt and the movements in net debt for each of the years presented.

	2024 \$	2023 \$
Lease liability		
Net debt as at 1 April	676,512,737	23,607,726
Additional lease obligations	-	676,974,037
Cash flows- Lease payments	(102,175,167)	(63,584,577)
Non-cash flows - Interest expense	<u>43,196,773</u>	<u>39,515,551</u>
Net debt as at 31 March	<u>617,534,343</u>	<u>676,512,737</u>

INTEGRITY COMMISSION

NOTES TO THE FINANCIAL STATEMENTS YEAR ENDED MARCH 31, 2024

15. RIGHT-OF-USE ASSETS/LEASE LIABILITIES (CONT'D)

	2024 \$	2023 \$
Maturity Analysis		
Year 1	109,946,723	102,175,168
Year 2	114,617,183	109,946,723
Year 3	121,714,067	114,617,183
Year 4	116,153,371	121,714,067
Year 5	82,829,716	116,153,371
Over 5 years	224,073,622	306,903,338
	<u>769,334,682</u>	<u>871,509,850</u>
Less unearned interest	<u>(151,800,339)</u>	<u>(194,997,113)</u>
	<u>617,534,343</u>	<u>676,512,737</u>
<i>Analysed as:</i>		
Non-current	551,671,143	617,534,343
Current	65,863,200	58,978,394

The Commission contracted three long term leases in the 2023 financial year as detailed below. The Sagicor lease which is a new location was partially occupied at the end of the 2023 financial year due to works being completed by the lessor.

- (i) Thirty-six (36) parking spaces leased from National Water Commission which is located at 18 Oxford Road, Kingston 5. The lease term is for three (3) years commencing on the May 16, 2022 and expires May 15, 2025 with an option to extend.
- (ii) Office space leased from the Free Mason Association (Jamaica) Limited which is located at 45-47 Barbados Avenue, Kingston 5 (2nd Floor). The lease term is for one (1) year commencing on June 1, 2021 and expires May 31, 2022. The lease was not renewed or extended.
- (iii) Office space leased from Planning Institute of Jamaica (PIOJ) which is located at 16 Oxford Road, Kingston 5 (1st Floor). The lease term is for five (5) years commencing on January 1, 2023 and expires December 31, 2028 with an option to renew for a further five (5) years.
- (iv) Office space leased from Sagicor Life Jamaica Limited which is located at 63-67 Knutsford Boulevard, Kingston 5 (Sagicor Sigma Building 3rd to 6th floors). The lease term is for ten (10) years commencing September 1, 2021 and expires August 31, 2031. There is an option to renew the lease for 2 further consecutive terms of five years. The Sagicor lease payment commenced in May 2022, upon the Integrity Commission occupying the 4th floor of the Sagicor building. The monthly lease payment amount was \$1,163,959.38 and this monthly payment continued until January of 2023. The monthly payment for all four (4) floors of \$4,965,174.50 according to the lease agreement, commenced in February 2023, when the 3rd, 5th and 6th floors were ready to be occupied.

The lease agreements do not impose any covenants other than the security interests in the leased asset that is held by the lessor. Leased assets are not used as security for borrowing purposes.

The discount rate used for the leases approximate 6.8%.

INTEGRITY COMMISSION**NOTES TO THE FINANCIAL STATEMENTS
YEAR ENDED MARCH 31, 2024**

16. DEFERRED INCOME

This represents cash received under object thirty-two (32) and assets purchased directly through grant funding to acquire intangible assets, plant and equipment which is subsequently amortised to income over the life of the acquired assets.

	2024 \$	2023 \$ Restated
Opening balance	307,858,946	151,496,002
Assets acquired (Note 16 (a))	62,301,193	209,914,300
Amortization of assets being used	<u>(100,964,694)</u>	<u>(53,551,356)</u>
Closing balance	<u>269,195,445</u>	<u>307,858,946</u>

(a) The GCT on property and equipment acquired in 2023 were expensed in error. The comparative was restated to include the deferred revenue relating to the \$22,868,225 of GCT now capitalised on the assets (Note 9).

17. PAYABLES AND ACCRUALS

	2024 \$	2023 \$
Accrued vacation leave	29,245,745	40,176,409
Accruals	110,050	128,400
Other payables	10,607,555	5,006,533
Accrued audit fees	<u>5,775,000</u>	<u>6,900,000</u>
Closing balance	<u>45,738,350</u>	<u>52,211,342</u>

18. DUE TO CONSOLIDATED FUND

	2024 \$	2023 \$
General Consumption Tax payable	<u>-</u>	<u>8,722,041</u>
	<u>-</u>	<u>8,722,041</u>

INTEGRITY COMMISSION

NOTES TO THE FINANCIAL STATEMENTS YEAR ENDED MARCH 31, 2024

19. RECONCILIATION OF CASH-BASIS TO ACCRUAL BASIS

	2024	\$
Net deficit for the year, being total comprehensive loss		(42,154,680) <u>(37,194,924)</u>
Subvention utilised	1,354,898,345	
Grant received	<u>42,233,173</u>	
Total cash received		1,397,131,518
Cash spent on administrative and general expenses	(1,201,019,112)	
Deferred income	<u>25,660,211</u>	
		<u>(1,175,358,901)</u>
		221,772,617
Accrual-basis adjustments:		
Accrued vacation leave, net	10,930,664	
Prepayments, net	(9,259,142)	
Lease interest expense	(43,196,773)	
Depreciation charge on right-of-use asset	(91,239,741)	
Depreciation charge on plant, equipment and intangibles	(100,843,373)	
Deferred income amortised	(96,004,938)	
Reversal of rental expense	102,175,167	
Bank charges	29,282	
Foreign exchange loss	(2,422,541)	
Interest income	59,217	
Accruals, net	(4,457,672)	
Other	<u>1,140,309</u>	
		(233,072,541)
Grant:		
Deferred income	<u>(25,895,000)</u>	
		<u>(25,895,000)</u>
		<u>(37,194,924)</u>

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NOTES TO THE FINANCIAL STATEMENTS
YEAR ENDED MARCH 31, 2024

19. RECONCILIATION OF CASH-BASIS TO ACCRUAL BASIS (CONT'D)

	2023	
		\$
Net deficit for the year, being total comprehensive loss		<u>(48,892,026)</u>
Subvention utilised	1,177,829,704	
Grant received	64,519,820	
Total cash received		1,242,349,524
Cash spent on administrative and general expenses	(1,003,471,042)	
Deferred income	(173,178,347)	
		<u>(1,176,649,389)</u>
		65,700,135
Accrual-basis adjustments:		
Accrued vacation leave, net	(21,301,005)	
Prepayments, net	(23,819,195)	
General consumption tax irrecoverable, net	987,557	
Lease interest expense	(39,515,551)	
Depreciation charge on right-of-use asset	(78,878,578)	
Depreciation charge on plant, equipment and intangibles	(53,551,356)	
Deferred income amortised	53,551,356	
Reversal of rental expense	63,584,577	
Bank charges	1,500	
Foreign exchange gain	2,343,021	
Interest income	95,588	
Accruals, net	(3,357,595)	
Statutory liabilities	264,799	
Other	(1,129,551)	
		<u>(100,724,433)</u>
Grant:		
Deferred income	(13,867,728)	
		<u>(13,867,728)</u>
		<u>(48,892,026)</u>

INTEGRITY COMMISSION

NOTES TO THE FINANCIAL STATEMENTS YEAR ENDED MARCH 31, 2024

20. RELATED PARTIES

The Commission's statement of financial performance includes the following transactions, undertaken with related parties in the ordinary course of business:

	2024 \$	2023 \$
Transactions with Commissioners:		
Commissioners' fees	39,203,755	37,327,396
Remuneration for key management personnel:		
Executive Director	16,439,186	15,258,439
Director, Information and Complaints	13,321,893	12,363,443
Director of Corruption Prosecution	13,548,973	12,591,278
Director of Investigation	13,321,893	12,363,443
Director, Corruption Prevention	13,155,436	12,204,913
Director, Corporate Services	8,290,311	7,626,660
Director, Finance and Accounts	7,704,617	7,138,043
Director, Information Systems	10,940,399	10,148,552
Manager, Declaration and Financial Investigations	8,077,541	8,888,375
Manager, Financial Analysis	6,836,952	6,833,774
Employer contribution for personnel	4,222,660	3,960,444
	115,859,861	109,377,364
	155,063,616	146,704,760

21. FINANCIAL INSTRUMENTS

(a) Fair value

Fair value is the amount for which an asset could be exchanged, or a liability settled, between knowledgeable, willing parties in an arm's length transaction. A market price, where an active market (such as a recognized stock exchange) exists, is the best evidence of the fair value of a financial instrument. Market prices are not available for some of the financial assets and liabilities of the Commission. Fair values in the financial statements have therefore been presented using various estimation techniques based on market conditions existing at reporting date.

Generally, considerable judgement is required in interpreting market data to develop estimates of fair value. Accordingly, the estimates presented in these financial statements are not necessarily indicative of the amounts that the Commission would realise in a current market exchange.

The amounts included in the financial statements for cash and bank deposits, receivables and payables, reflect the approximate fair values because of short-term maturity of these instruments.

(b) Financial risk management

The Commission has exposure to the following risks from its use of financial instruments:

- Credit risk
- Liquidity risk
- Market risk
- Cash flow risk

The Commissioners, together with senior management have overall responsibility for the establishment and oversight of the Commission's risk management framework.

NOTES TO THE FINANCIAL STATEMENTS
YEAR ENDED MARCH 31, 2024

21. FINANCIAL INSTRUMENTS (CONT'D)

(b) Financial risk management (cont'd)

The Commission's risk management policies are established to identify and analyse the risks faced by the commission in order to set appropriate risk limits and controls, and to monitor risks and adherence to limits. Risk management policies and systems are reviewed regularly to reflect changes in market conditions and the Commission's activities.

(i) Credit risk

Credit risk is the risk that one party to a financial instrument will fail to discharge an obligation and cause the other party to incur a financial loss. The Commission's principal financial assets are cash and bank deposits; and receivables and prepayments.

Cash and bank balances

The credit risk on cash and bank deposits is limited as they are held with financial institutions with high credit rating.

At reporting date, there were no significant concentrations of credit risk and the maximum exposure to credit risk is represented by the carrying amount of each financial asset.

	2024	2023
	\$	\$
Loans receivable	840,864	413,316
Deposits	29,139,100	41,849,140
Cash and bank balances	36,265,936	65,553,750
	<u>66,245,900</u>	<u>107,816,206</u>

(ii) Liquidity risk

Liquidity risk is the risk that the Commission will not meet its financial obligations as they fall due. The Commission's approach to managing liquidity is to ensure, as far as possible, that it will always have sufficient liquidity to meet its liabilities when due, under both normal and stressed conditions, without incurring unacceptable losses or risking damage to the Commission.

The following are the contractual maturities of the financial liabilities excluding the impact of any netting agreement.

	Carrying Amount	Contractual Cash flow	Less than 1 year
	\$	\$	\$
March 31, 2024			
Other payables	10,607,555	10,607,555	10,607,555
March 31, 2023			
Other payables	5,006,533	5,006,533	5,006,533

(iii) Market risk

Market risk is the risk that changes in market prices, such as interest rates will affect the Commission's holding of financial instruments. The objective is to manage and control market risk exposures within acceptable parameters, while optimising the return.

21. FINANCIAL INSTRUMENTS (CONT'D)

(b) Financial risk management (cont'd)

(iii) Market risk (cont'd)

Interest rate risk:

Interest rate risk is the risk that the value of a financial instrument will fluctuate due to changes in market interest rates.

Interest-bearing financial assets comprise of bank deposits and staff loans, which have been contracted at fixed interest rates for the duration of their terms.

Fair value sensitivity analysis for fixed rate instruments

The Commission does not hold any fixed rate financial assets that are subject to material changes in fair value through profit or loss. Therefore, a change in interest rates at the reporting dates would not affect net income or equity.

22. LITIGATIONS

The Commission is a party to various claims and legal actions in the normal course of its activities. Although the ultimate result of legal proceedings cannot be predicted with certainty, it is the opinion of the Commission's management that the outcome of any claim which is pending, either individually or on a combined basis, will not have a material effect on the financial position of the Commission.

At the reporting date and up to the date of these financial statements no matters have been adjudicated or actioned against the Commission, on the advice of its legal representatives that require a provision or disclosure in these financial statements.

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