

**JAMAICA'S PROGRESS REPORT  
SINCE MARCH 2006 OAS MEETING OF EXPERTS**

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1. The Report on Jamaica's implementation of the Convention's provisions chosen for review in the 1<sup>st</sup> Round made various recommendations, which Jamaica is taking steps to address. We have started with the recommendations that certain oversight or monitoring bodies should be strengthened.
  
2. One such body, and the most important in Jamaica's anti-corruption institutional framework, is the Commission for the Prevention of Corruption. This Commission is the body with responsibility for receiving and analyzing statutory declarations by public servants of their assets, liabilities and income. In order to strengthen this Commission, the Government has agreed to create additional posts for investigators to be added to its staff, and to allocate the funds to pay for them. This will allow the Commission to further strengthen its investigative functions in relation to statutory declarations, suspected acts of corruption and complaints regarding alleged acts corruption.
  
3. In our earlier progress reports Jamaica had noted that although thousands of public servants had submitted statutory declarations, many had not done so. The Commission has

reported these persons to the Director of Public Prosecutions (“the DPP”), and the DPP has instituted criminal prosecutions against some of the persons involved. In May of this year, the first two cases were completed and resulted in convictions. The compliance level has increased significantly over the last few months.

4. Another relevant oversight body is the Office of the Contractor General (“the OCG”). That office is an independent body that answers to Parliament and which is authorized to investigate the award and implementation of all Government contracts and the grant, issue, suspension and revocation of all Government licences. The OCG has been particularly active over the months since the last meeting of this Committee. It has established a new system of reporting on Government contracts, which should lead to greater accountability and transparency.
5. In July of 2006 the OCG made a public announcement that only 25 of 191 public bodies had complied with the new procedure. The OCG threatened to institute criminal proceedings against non-compliant bodies. With the assistance of the Attorney General’s Office, a significant majority of public bodies have now complied.

6. In March of this year, the OCG referred several public bodies to the DPP for their failure to comply with a July 11, 2006 Requisition from his office. The Requisition had required the Principal and/or Accounting officers of these public bodies to submit, inter alia, a 2006 4<sup>th</sup> Quarter Contract Award Report to the OCG by January 1, 2007. As failure to comply with a lawful requirement of the OCG is a criminal offence pursuant to Section 29 of The Contractor General Act, the matter has been referred to the DPP for necessary action.
7. At the time of Jamaica's evaluation, the Access to Information Act only applied to 7 public bodies. It now applies to all public bodies and departments of government. Numerous requests for access to information have been made and complied with. The Access to Information Appeals Tribunal has been fully established and staffed, and has heard numerous appeals in cases where access was not granted by the public body involved. In a number of cases the result of the appeal is that the citizen has been allowed access to the documents.
8. Jamaica also recently passed legislation that establishes an independent oversight body for the Police Force and its

auxiliaries, including the Island Special Constabulary Force. A significant feature of this body will be the inclusion of representatives from civil society. This body will be responsible for (among other things) overseeing policing methods and monitoring the use of resources allocated to the force, and it is expected that it will assist in reducing corruption in the police force, by assisting in ensuring accountability, adherence to policy guidelines and observance of proper policing standards by the Police Force.

9. Finally, as part of the justice system reform project, the Government has recently promulgated a Code of Conduct for Justices of the Peace. This Code addresses various matters that were considered in the first round such as conflicts of interest. It essentially provides a guideline for Justices of the Peace to act responsibly and to demonstrate a high level of integrity in the carrying out of their duties.

B. St. Michael Hylton

April 29, 2007