



Any reply or subsequent reference to this communication should be addressed to the Contractor-General and the following reference quoted:-

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**MEDIA RELEASE**

**CONTRACTOR GENERAL MAKES RECOMMENDATIONS FOR THE ESTABLISHMENT OF AN INDEPENDENT NATIONAL ANTI-CORRUPTION STATE AGENCY**

**Kingston; March 22, 2010** – Contractor General, Greg Christie has, today, written to the Prime Minister, the Leader of the Opposition, the Speaker of the House of Representatives and the President of the Senate, to recommend that consideration be given to the establishment of a National Independent Anti-Corruption State Agency, encompassing the Integrity Commission, the Corruption Prevention Commission and the Office of the Contractor General, and to vest in that Agency the mandate, among other things, to criminally investigate and to independently prosecute all corruption and related criminal offences.

The Contractor General’s letter was copied to Prof. Trevor Monroe, the Director of the National Integrity Action Forum. The full text of the Contractor General’s letter is re-produced hereunder.

“March 22, 2010

The Hon. Bruce Golding, MP  
Prime Minister  
Office of the Prime Minister  
1 Devon Road  
Kingston 10

The Most Hon. Portia Simpson-Miller, ON, MP  
Leader of the Opposition  
People’s National Party Headquarters  
89 Old Hope Road

The Hon. Delroy Chuck, MP  
Speaker of the House of Representatives  
Houses of Parliament  
81 Duke Street, Kingston



Senator Dr. The Hon. Oswald Harding, OJ, CD, QC  
President of the Senate  
Houses of Parliament  
81 Duke Street, Kingston

Dear Prime Minister, Leader of the Opposition, Speaker of the House and President of the Senate:

Re: Recommendations for the Establishment of an Independent National Anti-Corruption State Agency

I have the good honour and privilege to write to you in the captioned regard.

The Office of the Contractor General (OCG) has become overly burdened and concerned by the scourge of corruption which has long afflicted Jamaica, its State Agencies and its Private Sector Entities, and which continues to do so without any appearance or any hope that, as a country, we will effectively overcome the problem any time soon. In particular, the OCG, like many Jamaicans, is very concerned about the seeming lack of progress in prosecuting meaningful efforts to effectively combat corruption in Jamaica. Much has been said but, in the grand scale of things, relatively very little has been done.

The OCG is aware that efforts have been underway by the Government and the Parliament of Jamaica to establish and to appoint a Special Prosecutor in the Office of the Director of Public Prosecutions (ODPP) to address, among other things, the glaring inability of that Office to satisfactorily deal with the prosecution of corruption offences.

However, it is the respectful and considered view of the OCG that minimal gain is likely to be realized by such a move in the fight against corruption in Jamaica. One of the reasons for the OCG's belief in this regard is that, in reality, the Special Prosecutor, as is currently conceived, will be a mere sub-set of the ODPP, subject to the directions of the Director of Public Prosecutions (DPP) and mired in the organizational culture, structures and strictures, etc. which are associated with that Office.

The OCG believes that a truly independent and adequately resourced National Anti-Corruption State Agency, with independent criminal investigative and prosecutorial powers, and with the mandate to deal with all corruption matters, will provide us all with a better and quicker chance of succeeding in the fight to kill the monster of corruption that has now blanketed and over-shadowed Jamaica. This concept or approach is not a novel one.

It is, therefore, in this vein, and generally against the background of the foregoing, that the OCG would like to respectfully place before the Cabinet, the Opposition and the Parliament of Jamaica, the following considered recommendations, in succinct form, for due evaluation and consideration:

1. Amend the Constitution of Jamaica to establish an adequately entrenched, structured, staffed and resourced National Independent Anti-Corruption State Agency (ACA).
2. Vest in this ACA all the mandates, functions, responsibilities and powers that are currently vested in the Integrity Commission, the Corruption Prevention Commission and the Office of the Contractor General and grant to the ACA criminal investigative powers.
3. Remove from the purview of the ODPP, and vest in the said ACA, the exclusive and independent criminal jurisdiction to prosecute all corruption offences and any criminal offence which arises from a breach of the applicable laws or regulations which are associated with (a) the award, implementation and termination of Government contracts, (b) the issue and termination of any Government license or permit and (c) the filing of statutory declarations of income, assets and liabilities by Parliamentarians and other public officials.



4. Either (a) establish a Special Corruption Court to adjudicate upon the foregoing offences, (b) assign special magistrates/judges to adjudicate upon the said matters or (c) give precedence, in the courts, to the adjudication of all corruption and related criminal matters save and except for capital offences and other serious criminal offences such as rape.

I avail myself of this opportunity to renew to you the assurance of my highest considerations.

Very respectfully yours,

Greg Christie (Signed)

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Greg Christie  
Contractor General

Copy: Mrs. Heather Cooke, Clerk to the Houses of Parliament  
Professor Trevor Monroe, Director, National Integrity Action Forum (NIAF)

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Contact: The Communications Department, Office of the Contractor General of Jamaica  
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