

February 14, 2016

The Leader of the Opposition, Mr. Andrew Holness M.P.
Office of the Leader of the Opposition
1 West Kings House Road
Kingston 10

Dear Mr. Holness,

As you are aware, myself, National Integrity Action and a number of civil society groups have urged and continue to insist that the debates, organised by the Jamaica Debates Commission and mutually agreed on by the Peoples' National Party (PNP) and the Jamaica Labour Party (JLP), take place in the public interest and in upholding an important facet of Jamaica's maturing democracy.

Towards this end, NIA has requested the Peoples' National Party to reconsider its decision not to participate in the debates. We also maintain that legitimate concerns raised by the PNP ought not to be a basis for non-participation and that these concerns ought to be dealt with in the appropriate fora established by relevant Jamaican law, convention and codes.

In the case of public utterances made by you and deemed inappropriate by the PNP, these should be reported to the office of the Political Ombudsman, and if considered necessary, ultimately taken to the courts in accordance with the Agreement and Declaration on Political Conduct signed by yourself, the president of the PNP and other party officials. In matters relating to your assets, and in particular to the construction of your house, this is, in the first instance, a matter for the Integrity Commission established by the Parliament (Integrity of Members) Act.

In the latter instance, that is, matters relating to your assets, allow me to make four observations:

- 1) The questions raised by spokespersons of the PNP, made specific as of February 12, 2016, imply allegations, at the minimum, suggesting impropriety and, possibly beyond that, more serious breaches.
- 2) The information required in response to these questions would normally be reported in your statutory declarations for 2011, 2012 and 2013, in accordance with the requirements of the Parliament Integrity of Members Act. Under this law (section 6) these declarations are "secret and confidential" and, except in specific circumstances, any violation of this provision constitutes an offence punishable by law.
- 3) However, the Annual Reports of the Integrity Commission to Parliament, and thereby to the public lists the names of :
 - a) Parliamentarians whose declarations are "outstanding" (i.e. not been filed by the due date);

- b) Parliamentarians who fail to reply to correspondence from the Commission, failed to submit adequate financial statements or are required to attend by the Commission, for the purpose of conducting an enquiry into their declarations;
 - c) Parliamentarians whose names were sent to the Director of Public Prosecutions or the Commissioner of Police, along with reports detailing dissatisfaction with the statutory declaration. The PMIA also states that “the Commission shall report any act of corruption to the Parliamentary Leaders and the Director of Public Prosecutions” (section 12,4).
- 4) However, the relevant annual reports of the Integrity Commission for 2011, 2012 and 2013 have been filed by the Commission in fulfilment of its functions with the Prime Minister who, under the law, “shall cause a copy of the reports to be laid on the table of the House of Representatives and of the Senate”. These reports have not yet been sent to Parliament prior to Parliament being dissolved. According to the Gleaner of January 27, 2016, subsequently confirmed by the Permanent Secretary in the Office of the Prime Minister, these Reports are “stuck in the OPM” due to a failure of administration. As a result, neither the Parliament, the media and by extension the public have been able to exercise their right to review these reports.

Taking into account all the circumstances, in particular that the following information should by now have been in the public domain had the above reports been published on schedule, I am asking that you indicate:

- a) Whether any of your statutory declarations for 2011, 2012 or 2013 are “outstanding” (i.e. not yet filed)?
- b) Whether you failed to reply to subsequent queries by the IC in relation to any of the above declarations, or have been required to attend by the IC for an enquiry into any of the above submitted statutory declarations?
- c) Whether your name has been submitted by the IC to the DPP or the Commissioner of Police in relation to any of the above?

I await your positive response to these questions in the interest of upholding the principles of transparency and accountability.

You will understand, I am sure, that I am releasing this letter as the matters herein are of public interest.

All the very best,



Professor Trevor Munroe C.D
Executive Director, National Integrity Action