



**4TH ANNUAL PROSECUTORS' ANTI-CORRUPTION TRAINING SEMINAR
JUNE 6, 2015
WELCOME AND OPENING REMARKS**

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EXECUTIVE DIRECTOR, NATIONAL INTEGRITY ACTION**

Distinguished members of the head table, ladies and gentlemen, on behalf of NIA, I welcome each and every one of you to this 4th Annual Prosecutors' Anti-Corruption Training Seminar. I am happy to be here with you for a number of reasons; among them, to continue to fulfill a pledge that was made at the 1st seminar to make this an annual event. Also, to acknowledge that we would not have been able to keep this promise without the support of USAID and UK DFID – a support that we hope and expect shall continue.

We are also happy to be here to express appreciation to each and every one of you for the work you are doing and continue to do as Assistant Prosecutors, misnamed as 'clerks of court'. The conditions under which you do your work are extremely difficult – I would say in many cases deplorable – no air conditioning, phones not working, etc. I am really minded to put on my trade union hat when I hear of these conditions. But even without that, I and NIA shall certainly join with others to make representations on your behalf. It is not only in your interest, but in ours as well as members of the public, to ensure that you are better equipped to fulfill your important responsibility as public servants in the public interest. And, may I add, people like myself and organisations like NIA can better help you if you better help yourselves by forming or reviving an association of Clerks of the Court.

From NIA's point of view, you and Jamaica's Justice System cannot maximize your contribution to justice, and with that, to combatting corruption and building integrity with crumbs from the budget – 1% of the current budget, and with less than a quarter of that 1% to the Resident Magistrates' Courts. Of course the problem is not just one of small percentages, but more so of the small size of the cake to be divided in terms of the economy itself. In this regard, there can be little doubt that crime and corruption are the main causes. Jamaica's new National Security Policy (NSP) concludes that Jamaica economy could be three (3) to ten (10) times larger were it not for the impact of crime and corruption. And so do the Jamaican People, according to a December 2014 Don Anderson poll that indicates that the people believe corruption is the main cause of our continuing hardship, even more than the IMF.

A similar situation exists in many countries. This is why, more than ever in today's world, investigators and prosecutors are being called on to rise to the occasion in the combat of the global epidemic of corruption. Every day, headlines are confirming that in countries far and wide your counterpart prosecutors are rising to the occasion in combatting what the UN Secretary General correctly describes as “public enemy number one,” and by the way, Jamaica's NSP also describes corruption as a “tier 1, clear and present danger.”

This is why elsewhere in the **public sector** prosecutors are closing in on the corrupt. In the last few months, former President Olmert of Israel has been sentenced and is serving time for corruption. In Brazil, three former congressmen have been charged, and in Sri Lanka a former economic development minister is now before the courts. Don't believe though that this is limited to the public sector. In the **private sector**, investigators and prosecutors gathered and presented evidence closing in on the corrupt big banks and bankers – indicting Barclays, Citigroup, JP Morgan, RBS, HSBC – for market manipulation. All have pleaded guilty and are

now paying almost six billion dollars in fines. In the **non-governmental, civil society sector** there is FIFA – a classic example of careful investigation and evidence gathering leading to prosecution.

We cannot afford for Jamaica to be the exception to what is becoming a general rule – challenging the impunity of the powerful, applying the rule of law, without fear or favour, to those high and low alike. When this application is done, it does make a difference – take the case of St. Vincent and the Grenadines. In the 2014 Corruption Perceptions Index, St. Vincent and the Grenadines was one of only three (3) countries among 175 featured in the index, to improve their score by five or more points (on a 100-point scale). In the SVG the major occurrence was (unfortunately) the prosecution of the registrar of the high court. This reality accounted, in the main, for the upgrade in the perception of corruption. We too in Jamaica, have to be fearless in our application of the principle of equality before the law.

And we can make advances on this principle. We have much going for us on many indicators of democratic governance. On the **voice of the people**, through elections for 70 years parties in government have demitted office and parties in opposition have assumed office, without civil war or military rule. In between elections as well, when the people cry out, government has to listen and examples abound – ‘Dudus’, the ‘ABM withdrawal’ tax, and the recent replacement of the board of the NSWMA. On the **independence of judiciary**, Jamaica is in the top 1/3 of 144 countries. On **freedom of the press**, Jamaica is consistently in the top 10% of 190 countries. We can achieve the same in prosecutorial eminence and in doing so strengthen our peoples’ confidence – and that of the international community – that in Jamaica, no one is above the law.

NIA is committed to helping to build both the professional capacity and the professional will of our prosecutors, indeed of our magistrates, our judiciary and our justice system. Professional will must be strong and fearless; this is critical to restoring hope amongst the people, to reviving trust in the institutions to reinforce the will to realize change, particularly where political will may be divided or found wanting.

Towards this objective, we are happy to host this seminar along with the OCJ and in partnership with the JTI and the CMS. We wish the proceedings every success and look forward to positive outcomes from the sessions to follow. On this occasion our focus is on the new Committal Proceedings Act, which is designed to strengthen our Justice System and governance arrangements, with special attention to the role of the prosecutor. By this time next year, at the 5th Annual Seminar, we look forward to welcoming you to discuss the role of the prosecutors in relation to the Campaign Finance Act and the Integrity Commission Act, two long-pending items of good governance, with passage now imminent, and for which NIA has long advocated.