



**4TH ANNUAL PROSECUTORS' ANTI-CORRUPTION TRAINING SEMINAR
"COMMITTAL PROCEEDINGS: IMPROVING THE ADMINISTRATION OF JUSTICE"
AT THE JEWEL RUNAWAY BEACH RESORT, ST. ANN**

JUNE 7, 2015

**CLOSING REMARKS BY PROFESSOR TREVOR MUNROE, EXECUTIVE
DIRECTOR, NATIONAL INTEGRITY ACTION; HONOURARY VISITING
PROFESSOR, SIR ARTHUR LEWIS INSTITUTE (SALISES), UWI**

(Please Check Against Delivery)

In these closing remarks I wish to make five points. First of all, this weekend training seminar has chosen to focus on one of a raft of new legislation – the Committal Proceedings Act and its regulations. Paradoxically, despite inadequate allocation to Justice and to training, successive administrations - and in particular this one - have passed new statutes requiring special sensitisation. Hence, we have focused on this particular item especially because it is designed to advance one of the fundamental objectives of Justice Reform; that is 'Increased efficiencies'. Increased efficiencies are not only important in general, but are also a significant element in reducing the incentives to corruption. Hence, one reason for the reduction in the rate of bribery victimisation has been greater efficiency in many public sector entities. We hope that this training will help you contribute to this outcome in the courts.

Secondly, the end of this weekend constitutes a beginning for each of you - a beginning to renew and intensify careful study of the materials in your binder. The CPA and accompanying rules are not only new, but complex. I urge you to assiduously study them. Relatedly, in your binder you will find the text of the United Nations Convention Against Corruption. I urge you to study this as well and to pay particular attention to the offence of

illicit enrichment, one of the recommendations of UNCAC embodied in our law. You have an obligation to absorb this material as prosecutors in a context where - as we pointed out during the seminar - Jamaica's new National Security Policy identifies corruption as a "Tier-one, clear and present danger and threat to national security and development."

Thirdly, a reminder that this seminar counts towards your credits for continuing legal professional development. This is an additional reason for you not only to complete the registration but also to give careful thought to filling out the evaluation forms which have been circulated. I need to stress that the recommendations you make on the forms for future seminar are of considerable importance. For example, the breakout sessions which have been a central feature of this weekend's event and the scenario-based approach that we have used are direct results of recommendations from previous seminars. So too is the proceeds of Crime Act Manual, which I hope each of you would have seen by now.

Fourthly, your recommendations are important not just for future seminars. We welcome codifying suggestions made in the course of the weekend regarding amendments to the CPA and other statutes in relation to Justice Reform. For example, important suggestions emerged regarding bringing the Justices of the Peace fully under the jurisdiction of the Justice System. Another recommendation of substance, which we hope to pursue, is to have at least one round-table discussion bringing together representatives of clerks of the courts, the police and Resident Magistrates to understand better the need for both closer collaboration as well as clear demarcation of functions regarding the CPA.

Fifthly and finally, if there is one fundamental conclusion that I would like you to take away from this weekend, it is this: the decision to prosecute or not to prosecute is so critical - in a

context where the majority of our people believe that the powerful and politically-connected “go free” - that reasons need to be stated (in open court) for the public and the media, particularly when the prosecution is unable to proceed. My information is that a number of high-profile cases shall be coming before the courts from MOCA. Leaving it to the public to speculate why a prosecution does not proceed – whenever that is the situation – has the potential of undermining public confidence in the rule of law and in the Justice System. Please remember that wherever or whenever you feel inadequate in dealing with the media, Court Management Services have indicated their willingness to assist.

I close by thanking the team without which this seminar would not have been so successful; the team from CMS, JTI, NIA, ODPP and the Office of the Chief Justice. At the risk of being invidious, I mention the special contributions of Marlon Moore, George Belnavis and Francis Burak to this weekend. Might I add that in accepting the commendations from the Chief Justice for myself and the NIA, I need to point out that we need all the help we can get from each of you, particularly in your capacity as informed citizens, as we are now accepting membership from all those who wish to contribute to our mission – advancing transparency, accountability and integrity in Jamaica.