



The Integrity Commission of Jamaica

Anti-Corruption and Good Governance Sensitization Workshop Series

**Specially Developed by the Integrity
Commission for the Cabinet of the Government
of Jamaica**

Anti-Corruption and Good Governance Sensitization Workshop Series

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“Reporting Allegations of Corruption”

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List of Workshop Modules

- Overview of Jamaica's Anti-Corruption Framework
- The Problem of Corruption
- Principles of Good Governance and Integrity in Public Life
- Public Procurement Overview
- Other Critical Areas Involving Integrity Commission Oversight
- IC Process - Statutory Declarations
- IC Process - Protected Disclosures Act - Whistleblowing
- IC Process - Reporting Allegations of Corruption
- IC Process - Investigating Allegations of Corruption
- IC Process - Prosecuting Allegations of Corruption
- IC Process - Overview of Corruption Offences in Jamaica
- International Best Practices in Anti-Corruption and Anti-Bribery

Reporting allegations of Corruption

- Function of the Director of Information and Complaints with respect to complaints
- Making a complaint
- Making a false or misleading complaint
- Non-disclosure of identity of a Complainant
- Protection of a Complainant
- Process associated with making a complaint

Function of the Director of Information and Complaints with respect to complaints

Section 32(c)

The Director of Information and Complaints shall –

- Receive and keep proper record of any complaint or information or notification in relation to any or all of the following matters-
 - (i) any allegation which involves or may involve an act of corruption;
 - (ii) any allegation regarding impropriety or irregularity with respect to the award, implementation or termination of a government contract or the grant, issue, suspension or revocation of a prescribed license;

Function of the Director of Information and Complaints with respect to complaints

Section 32(c) and 32(d)

- (iii) any allegation in respect of non-compliance with any of the provisions of this Act.
- Refer to the appropriate Director, any complaint or information or notification received, or any other matter which he considers appropriate for action.

Making a complaint

Section 37(1), 37(2) and 37(3)

- Any person may orally or in writing, make a complaint, give information on, or notify the Commission about, a matter which involves or may involve, an act of corruption or non-compliance with the provisions of the Integrity Commission Act.
- A complaint, information or notification may be made to the Director of Information and Complaints.
- The Act does not limit to whom a complaint can be made about any matter.

Making a false or misleading complaint

Section 37(4)

- A person who, whether orally or in writing, makes a complaint, gives information, or notifies the Commission about any matter knowing it to be false or misleading or being reckless as to whether it is false or misleading, commits an offence and is liable on summary conviction in a Parish Court to a fine not exceeding one million dollars or to imprisonment for a period not exceeding one year.

Non-disclosure of identity of a Complainant

Section 37(5)

- No person shall be obligated or permitted to disclose the name or address of a person who makes a complaint, or state any matter which may lead to the identity of such person being known.

Protection of a Complainant

Section 37(6) and 37(7)

- No action, suit, prosecution or other proceedings shall be instituted against a person who makes a complaint in good faith.
- A person who takes any harmful action against any other person, including interference with the other person's lawful employment or occupation, on the ground that the person has made a complaint, commits an offence and is liable, on summary conviction in a Parish Court, to a fine not exceeding five hundred thousand dollars or to a term of imprisonment not exceeding six months.

Process associated with making a complaint

Section 38(1) and 38(2)

- On receipt of a complaint, information or notification, the Director of Information and Complaints shall –
 - Record the complaint;
 - Supply to the person a copy of the complaint, information of notification; and
 - Submit the complaint to the appropriate Director for further and necessary action.
- A copy of the complaint, information or notification may be in a form which keeps anonymous the identity of the complainant or any other person

Process associated with making a complaint

Section 38(3)

- The Director of Information and Complaints shall, where he is required to do so by the Commission, or may, in circumstances which he may deem necessary, refer to the Commission any complaint, information or notification received, prior to submission of such complaints, information or notification to the appropriate Director.

Questions