



INTEGRITY COMMISSION

Corporate Office
3rd to 6th Floors, Sagicor-Sigma Building, 63-67 Knutsford Boulevard
Kingston 5, Jamaica W.I.
Tel: (876)-929-6460, (876)-929-8560, (876)-929-6466
Fax: (876)-929-7335
Website: www.integrity.gov.jm

FOR IMMEDIATE RELEASE

January 15, 2025

Statement of the Integrity Commission on the Application for Leave to Apply for Judicial Review by Norman Brown v the Integrity Commission and Kevon Stephenson (the Commission's Director of Investigation)

1. Yesterday, Tuesday, January 14, 2025, the Supreme Court handed down its judgment on Norman Brown's application for leave to apply for judicial review against decisions in the "Investigation Report into the Statutory Declarations Submitted by the Most Honourable Mr Andrew Holness, Prime Minister for the years 2019-2022..." dated August 30, 2024 ("the Investigation Report").
2. Mr Brown had applied for permission to bring a judicial review claim against the Commission and the Director of Investigation in relation to aspects of the Investigation Report in which conflict of interest concerns were expressed in respect of his personal/business relationship with the Hon. Prime Minister, and recommendations made for referrals to the Tax Administration Jamaica and the Financial Investigation Division.
3. His application also sought to get permission to bring a judicial review claim for various declarations and a mandatory injunction to compel the Commission to amend the Investigation Report to remove all adverse findings made in relation to him.
4. The Commission succeeded in challenging the grant of leave to apply for judicial review against the Commission on the grounds that the Investigation Report was completed by the Director of Investigation and, as a matter of law, the Director is the relevant decision-maker against whom a claim for judicial review could be made. The court, therefore, refused to grant Mr Brown permission to make any of his intended claims for judicial review against the Commission.

5. The Commission had indicated at the start of the proceedings that while it does not consider that the claim for judicial review in respect of the referrals to the Commissioner General, Tax Administration Jamaica and the Financial Investigation Division will likely succeed, it would not oppose the grant of leave to Mr Brown to challenge them, given the low threshold that was to be satisfied for leave to be granted. The judge, therefore, granted Mr Brown leave to apply for judicial review only against the Director of Investigation in relation to that claim.
6. However, the Judge agreed with the Commission's attorneys and refused Mr Brown leave to apply for judicial review to challenge that part of the Investigation Report which observed that there was conflict of interest concerns in respect of Mr Brown's personal/business relationship with the Hon. Prime Minister.
7. The Judge also agreed with the Commission that Mr Brown's application for permission to apply for judicial review in respect of the six declarations and the mandatory injunction he was seeking was misconceived in that those reliefs do not require leave from the court and should not have been included in his application.
8. Mr Brown's attorneys applied for permission to appeal against the judgment in respect of the judge's various orders against him. The Judge dismissed their application.
9. The Commission did not seek leave to appeal the Judge's orders as they are entirely consistent with its position and the submissions of its attorneys. The Commission therefore awaits the substantive claim from Mr Brown and will respond accordingly.

END

Contact: Nasseta Stewart

Communications Department, Integrity Commission

E-mail: communications@integrity.gov.jm

Tel: (876)929-6460/ (876) 929-8560/ (876)929-6466, Fax: (876)929-7335