



INTEGRITY COMMISSION

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FOR IMMEDIATE RELEASE

The Court Delivers Written Reasons Regarding the Duty of Financial Institutions to Provide Information to the Integrity Commission to Verify Statutory Declarations

June 25, 2025 – The Court delivered its written reasons in the matter concerning co-operation of other bodies with the Integrity Commission (Section 7 of the Integrity Commission Act), yesterday, confirming its Orders made on January 17, 2024.

The Learned Judge declared, among other things, that “...the Act must be interpreted to impose a duty upon persons and entities to co-operate with the Commission by complying with the requests for information...” The Court also held that “Financial institutions are mandated to furnish upon request the information required by the Commission to verify the statutory declarations.”

The Court pointed out that, “Section 7(2) of the Act is designed, clearly, to enhance the capacity of the Commission to detect and expose corruption on the part of parliamentarians and public officials by assessing whether such individuals are in possession or control of pecuniary resources or property disproportionate to their official emoluments and legitimate income.”

“It was also contended that the disclosure of the requested information may infringe upon Barita’s clients’ constitutional right to privacy. Reliance was placed on **[Robinson, Julian v The Attorney General of Jamaica]**. In that case, the Court recognized the right to privacy enshrined in the Charter to be an inherent right encompassing three dimensions: personal privacy, informational privacy, and privacy of choice.

While this Court acknowledges that financial information is afforded the protection under the right to privacy, the circumstances of the instant case are distinguishable. **[Robinson, Julian v The Attorney General of Jamaica]** primarily addresses the initial collection of data whereas here, the requested information is being sought to verify the accuracy of information that has already been disclosed. Public officers, in fulfilling their obligation to submit statutory declarations with information about their assets, in effect consent to the verification of the provided data. This consent is implied by the very nature of the statutory declaration process where accuracy, transparency and verification are essential. Consequently, such information falls outside the scope of the privacy protections the Charter aims to safeguard.”

The Integrity Commission (IC) acknowledges that these reasons have come at a critical time when this section, Section 7 of the IC Act, is being reviewed by the Joint Select Committee of Parliament.

For more information, click the link below to access the full ruling:

<https://integrity.gov.jm/sites/default/files/Re%20Section%207%20of%20the%20Integrity%20Commission%20Act.pdf>

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Commissioners: The Hon. Ms. Justice (Ret’d.) Carol Lawrence Beswick, CD (Chairman); Mrs. Pamela Monroe Ellis, FCCA, CA; The Hon. Justice (Ret’d.) Lloyd Hibbert, CD, KC; Mr. H. Wayne Powell, OD, JP; The Hon. Mr. Brian Wynter, OJ, CD.