



INTEGRITY COMMISSION

OFFICE OF THE EXECUTIVE DIRECTOR

3rd to 6th Floors, Sagikor-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

Email: greg.christie@integrity.gov.jm

LETTER #2 – INDICATION OF RULING (TO BE TABLED AND READ OUT)

September 11, 2023

The Hon. Marisa Dalrymple-Philibert, CD, MP
Speaker of the House of Representatives
Houses of Parliament
Gordon House
81 Duke Street
Kingston

The Most Hon. Juliet Holness, MP
Deputy Speaker of the House of Representatives
Houses of Parliament
Gordon House
81 Duke Street
Kingston

Senator the Hon. Tom Tavares-Finson, OJ, CD, KC, JP
President of the Senate
Houses of Parliament
Gordon House
81 Duke Street
Kingston

Ms. Valrie Curtis, CD, BH (M), JP
Clerk to the Houses of Parliament
Houses of Parliament
Gordon House
81 Duke Street
Kingston

Dear Honourable Speaker, Deputy Speaker, Honourable President and Clerk to the Houses:

Re: Indicative Ruling – Concerning Report of Investigation into the Statutory Declarations by Member of Parliament and Speaker of the House, Hon. Mrs. Marisa Dalrymple-Philibert

I am writing further to the Commission's Notice of April 6, 2023 to the Hon. Speaker, the Hon. President and the Clerk to the Houses. A copy of the Notice, which alludes to a Letter #1 and a Letter #2, is attached for your ease of convenience. I am also writing to you pursuant to the directions of the Commission, its Director of Investigation and its Director of Corruption Prosecution, regarding the captioned Investigation Report.

We ask that you take special note that the subject of the referenced Investigation is the sitting Speaker of the House of Representatives. In consequence, and in the interest of good governance, the Hon. Speaker may deem it appropriate to recuse herself from the Parliamentary processes that are associated with the matter. It is for this reason that this letter is also addressed directly to the Deputy Speaker and the Clerk to the Houses

The Integrity Commission, in keeping with, *inter alia*, the provisions of Sections 33, 53 and 54 of the **Integrity Commission Act, 2017**, has completed its Report of Investigation into the captioned matter. The referenced Report of Investigation has already been submitted to you under cover of letter of even date entitled: **LETTER #1 – INVESTIGATION REPORT TO BE TABLED**.

As it regards the Commission's Reports of Investigation, Section 54(1) of the Act provides that:

"On completion of an investigation, the Director of Investigation shall prepare and submit to the Commission, through the Executive Director, a report of his findings and recommendations."

Section 54(3)(b) of the Act expressly provides that:

"Where upon completion of an investigation, the Director of Investigation is satisfied that there are reasonable grounds for suspecting that-

- (i) an act of corruption or an offence under this Act has been committed, the Director of Investigation shall, in his report to the Commission, recommend that the matter be referred to the Director of Corruption Prosecution who may take such action as may be deemed appropriate"*

Additionally, Section 54(4) of the referenced Act provides that:

"Where the report to the Commission has a recommendation under subsection (3), the Commission shall submit it to Parliament for tabling, excluding such matters as the Director of Corruption Prosecution regards as likely to prejudice the prosecution of any proceedings in relation to matters referred to in the report."

The Commission's Director of Corruption Prosecution has, pursuant to the provisions of the Integrity Commission Act, inclusive of the aforementioned Sections 54(3)(b) and 54(4) of the Act, and Sections 34(1)(a) and 34(1)(b) thereof, reviewed the subject Investigation Report and has ruled that: "Upon careful consideration, it was determined that Mrs. Marisa Dalrymple-Philibert should be charged for four (4) counts of breach of section 15(1)(b) of the Parliament (Integrity of Members) Act, 1973 for Making a False Statement in a Statutory Declaration for the periods ending December 31, 2015, February 25, 2016, December 31, 2016 and December 31, 2017. It was also determined that Mrs. Marisa Dalrymple-Philibert should be charged for four (4) counts of breach of section 43(2)(a) of the Integrity Commission Act, 2017 for Making a False Statement in a Statutory Declaration for the periods ending December 31, 2018, December 31, 2019, September 3, 2020 and December 31, 2020... The Report of Investigation (is hereby submitted) for dispatch to the Clerk of the Houses of Parliament for tabling, with sections redacted to protect against likely prejudice to the intended prosecution."

Consequently, I now so advise.

Respectfully yours,



Greg Christie
Executive Director
for and on behalf of the Integrity Commission

Enclosure

Copy: Hon. Mr. Justice (Ret'd) Seymour Panton, OJ, CD, Chairman, Integrity Commission
Mrs. Keisha Prince-Kameka, Director of Corruption Prosecution, Integrity Commission
Mr. Kevon Stephenson, JP, Director of Investigation, Integrity Commission