



# INTEGRITY COMMISSION

## OFFICE OF THE EXECUTIVE DIRECTOR

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### LETTER #2 – RULING TO BE TABLED

October 8, 2024

The Most Hon. Juliet Holness, MP  
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

Dear Honourable Speaker and Honourable President:

Re: Ruling – Investigation Conducted into Concerns that Mr. Mikael Asher Phillips, a Member of Parliament, failed to file his Statutory Declaration with the Integrity Commission for the year 2022, in breaches of the Integrity Commission Act

I write further to the Commission's Notice of April 6, 2023. More particularly, I write with reference to the formal directions of the Commission given to me today, October 8, 2024, as well as those of the Commission's Director of Investigation and Director of Corruption Prosecution, regarding the captioned Investigation Report.

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-*

*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 Mr. Mikael Phillips should be charged for breach of **section 43(1)(a)** of the **Integrity Commission Act** for Failing to Submit Statutory Declaration for the period ending December 31, 2022.” The matter was referred to the Director of Corruption Prosecution on the recommendation of the Director of Investigation, following the conclusion of his investigation with respect to possible breaches of the requirement under **section 39(1)** of the **Integrity Commission Act** and concomitant offences.

In the interest of public transparency, a copy of the Full Ruling of the Commission’s Director of Corruption Prosecution in this matter is enclosed herewith.

Consequently, I now so advise.

Respectfully yours,



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

Enclosure

Copy: Ms. Colleen Lowe, Clerk to the Houses of Parliament, Houses of Parliament  
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