

The Integrity Commission sharpens its focus and strengthens its ability to prevent and detect corruption

The Integrity in Public Life Act stipulates that each Person in Public Life must submit a Declaration of Income, Assets and Liabilities and a Statement of Registrable Interests to the Integrity Commission by May 31st of each year.

In recent times, there has been public debate and opinion about the value of this process. Some argue that it is a waste of the Commission's time and resources. The Commission reemphasises that this is not so.

The requirement that public officials declare their interests, income and assets is quite simply, intended to deter the use of **public office for private gain**.

As a corruption prevention mechanism, the disclosure system provides timely and much-needed guidance to Persons in Public Life about the principles and behaviours of ethical conduct and reminds that behaviour is subject to regular scrutiny. It provides also a means for monitoring inconsistencies or irregularities in officials' declared income and assets and for detecting and avoiding potential Conflicts of Interest. Indeed, the requirement to submit these declarations by May 31st each year is in itself an effective reminder of the *duty to accountability* that comes with public office. A duty that maybe in itself a brake against doing the wrong thing.

INTERNATIONAL PRACTICES

The requirement for persons who are entrusted with leadership positions and those controlling state funds to submit annual declarations is not unique to Trinidad and Tobago. In fact, the World Bank conducted and published in 2012 the findings of its analysis of 87 countries that have successfully implemented income and asset disclosure systems. Many of these countries which have implemented disclosure systems have been responding to regional trends and enacting provisions of international anti-corruption instruments.

Two international Conventions include:

1. The United Nations Convention against Corruption (UNCAC) which was ratified by 165 countries, including Trinidad and Tobago.
2. The Inter-American Convention against Corruption (IACAC) which emphasises heightened government integrity and transparent bookkeeping. Article III requires that member states:
“create, maintain and strengthen ... systems for registering the income, assets and liabilities of persons who perform public functions in certain posts as specified by law and, where appropriate, for making such registrations public.”

THE WAY FORWARD

The Integrity Commission has been working diligently to revise the prescribed forms used to capture a public official’s income, assets, liabilities and significant interests. This is in response to the challenges expressed by many regarding the difficulty, repetitiveness and length of the current form. The critical aim of the review is to simplify the declaration form. This will significantly reduce the error rate and improve detection.

Based on our experience and research, to be truly effective, the declaration forms must be analysed alongside the data submitted to other regulatory bodies such as the Board of Inland Revenue and the Financial Intelligence Unit. A comparative of the information received at each Agency will be extremely useful in determining legitimate cases of illicit enrichment. This approach, when combined with the existing review processes of comparing declarations for changes or inconsistencies over time, checking for consistencies between the declaration and the statement of registrable interests and following up on allegations of conflicts of interests, will result in a more accurate assessment of a person’s net worth and whether there is any intention to conceal his interests, assets and liabilities.

In its current form, the Integrity in Public Life Act does not now allow for the sharing of information. The Commission recommends that systemic arrangements be made to facilitate the exchange of information between the Board of Inland Revenue, the Police Service, Customs, Immigration and the Financial Intelligence Unit. Access to these information sources will allow the Commission to monitor changes in the value of assets, income and liabilities and facilitates the checking of the accuracy of the declared value of the asset against land and property registries, tax and banking records.

This is just one example of how the Commission intends to sharpen its focus and strengthen its ability to prevent and detect corruption. Our proposals also include refining our processes to allow for the

electronic submission and processing of declaration forms and implementing a materiality limit for the disclosure of income and assets.

For those who wish to review and comment on our proposals, you can access copies at the Offices of the Integrity Commission, UTC Financial Centre or on our website www.integritycommission.org.tt.

Completing the Declaration form does not have to be a challenge. The Commission has a team of highly qualified Analysts who are available and willing to assist. The Commission will host its Annual Integrity Open Day in May 2013 to accommodate all Persons in Public Life, both past and current, to provide assistance on completing the forms.

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