

# OAS Anti - Corruption Mechanism On - Site Visit

Done by:

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# The responsibilities of the Office of the Director of Public Prosecutions:

- The **prosecution** of corruption offences. Its mandate is not to detect and investigate.
- The Office appears on behalf of the State in criminal and quasi-criminal matters in all the Courts of Belize.
- The Office is responsible for advising the Police Department and other institutions with powers of investigation and arrest, on ongoing investigations.
- The Office of the DPP is bound by the Code for Prosecutors, which sets out the tests involved when considering whether a matter should be proceeded with.

## The Office of the DPP staffing:

- . The DPP is appointed under the Constitution with security of tenure.
- All appointments of Crown Counsel are made by the Judicial and Legal Services Commission (JLSC). There is also a Code for Prosecutors and the individual contracts signed by each Counsel also set out the duties to be performed.
- The support staff of the Office is employed by the Public Service Commission and posted at the Office.

## DPP Office Latest Developments:

- Offices are now fully staffed and prosecutors have been zoned; Each Police formations and precincts now have a dedicated Crown Counsel.
- A newly opened DPP Office in Belmopan and presently negotiating for office space in Orange Walk Town.
- Legal assistants assigned to each Court, to assist Crown Counsels in trial preparation.
- We have our own Case Care Unit staffed by police officers which we are in the process of expanding.
- Recently, we succeeded in securing legislation amendments such as the Evidence Act and the Indictable Procedure Act.

## DPP Office Operations:

- We engage periodically in minor awareness campaigns: last quarter a new community prosecution model was launched which will be further developed in the new year.
- The Office has its own budget.
- The Belize Police Department is the authority with which the DPP's Office interacts with the most in the carrying out of its function and they are guided by certain protocols.

# Internal Rules For the Fulfillment of Responsibilities:

- The Belize Constitution, Chapter 4 of the Laws of Belize, Section 50 sets out the role and functions of the Director of Public Prosecutions.
- The Crown Counsels are subject to the Director of Public Prosecutions who delegate powers to them. Each Crown Counsel signs a contract and must adhere to The Code of Conduct.
- The Code of Conduct sets out what are some public interests factors in favour of prosecution, the relationship between victims and prosecutors, some public factors against prosecution, .... pleas, granting immunity, media accountability, and professional conduct and duties of the Crown Counsel.

# Institutional Strengthening and implementation of Technological Tools:

- Foreign organizations especially through the Embassy of the United States of America has provided on the job training and training abroad such as:
  1. Cyber Crime Investigation Course in Panama.
  2. Criminal Justice or Human rights course in Salvador.
  3. Criminal Justice course in Roswell, New Mexico, U.S. A. .
- A newly appointed Crown Counsel normally understudies a Crown Counsel senior to him / her and attends court with that senior Crown Counsel for a period of three months before been allowed to conduct trial.
- Also, the newly addition of the Case Care Unit, the opening of additional offices and amendments lobbied for by the office of the DPP.

## Budgetary Resources:

- All matters are dealt with by the Finance Officer as directed by the Director of Public Prosecutions.
  - The department submits their budget to the Ministry of Finance for approval.
  - The budget is dealt with by the Cabinet and laid in the National Assembly for public debate before approval.



## Results In Relation To the Fulfillment of Responsibilities:

According to The Inter – American Convention against Corruption definition, the only types of corruption offences which have been prosecuted in Belize are:

1. Extortion by Police Officers : several Police Officers who are serving prison sentences in prison for conviction of extortion or like offences. There is a case to be tried in the Belmopan Supreme Court against a Police Constable for forgery of an official document.
2. Case against three Custom Officers for the releasing of a container with suspected illegal drugs. All three custom officers were acquitted.
3. Past prosecution by V. H. Courtenay, now deceased, then Chairman of the Social Security Board for the misappropriation of three million dollars but Mr. Courtenay was acquitted.
4. Honorable Said Musa, former Prime Minister and Ralph Fonseca, a past Minister of Government were charged for misappropriation of Government monies but the cases did not go past the Preliminary Inquiry stage.



Thank You for your Attention!