



(SIXTH)
ANNUAL REPORT
OF THE
OFFICE OF THE OMBUDSMAN 2015



OFFICE OF THE OMBUDSMAN
Public Workers Union Building, Tanteen, St. George's, Grenada

19th April, 2016

H.E. Dame Cecile La Grenade GCMG, OBE, PhD
Governor-General
Office of the Governor-General
P.O. Box 369
Point Salines
St. George's

Dear Excellency,

Annual Report – Office of the Ombudsman

I have the honour to submit to you a copy of the Sixth Annual Report of the activities of the Office of the Ombudsman, for the period 1st January 2015 to 31st December 2015.

This Report is made pursuant to Section 32(3) of the Ombudsman Act 24 of 2007.

Yours respectfully,

V. Nadica McIntyre
OMBUDSMAN



OFFICE OF THE OMBUDSMAN
Public Workers Union Building Tanteen, St. George's, Grenada

19th April, 2016

Hon. Michael Pierre
Speaker
House of Representatives
Parliament Building
Tanteen
St. George's

Dear Mr. Speaker

Annual Report – Office of the Ombudsman

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OFFICE OF THE OMBUDSMAN
Public Workers Union Building Tanteen, St. George's, Grenada

19th April, 2016

Senator the Hon. Chester Humphrey
President of the Senate
Parliament Building
Tanteen
St. George's

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Office Location



Office of the Ombudsman
Public Workers Union Building,
Tanteen, St. George's, Grenada.

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FOREWORD



The Office of the Ombudsman continues to be an essential element in the preservation of justice, equality and good administration for the citizens of the State.

While the Office is clear about its mandate and its purpose, further efforts must be made to reach out to the vulnerable, the dis-possessed and the disadvantaged as their voices must also be heard. Our current socio-economic situation also renders it necessary for many people to be reliant on the State and its services for their well-being which therefore poses the question, "Are these persons being adequately served?"

The Ombudsman Act No. 24 of 2007 provides for the Ombudsman to carry out an investigation in the public's interest, notwithstanding that no complaint was made. The period under review realizes that all complaints investigated were those made to the Office. The period also saw another reduction in the number of matters reported. The Office believes that there could be any of several underlying factors responsible for this.

The Office is therefore reviewing its operations with a view to making itself more accessible and current in its operations. In this regard an outreach programme has commenced with a view to providing access to justice to the entire population. The programme would allow the complaints officer to spend one day per month in each

parish, including Carriacou, to register complaints from aggrieved persons.

Efforts are also being made to bring closure to all outstanding matters. This is necessary to engender confidence in the public's analysis of the work of the Ombudsman's Office.

In analyzing the complaints, however, it is acknowledged that while the Act provides recourse for the public against government authorities, there is no recourse for the public against the private sector entities. The complainants who fell within that category were advised on the options available to them despite no investigation being done.

The Ministry of Labour is cited for what appears to be public perception that its authority under the law is not being utilized. The Labour Code provides the established procedures for conducting enquiries into complaints brought by employees. Most of the complaints received reported on the inordinate delay in resolving those issues. From the investigations done, it appears that the prescribed procedures were not always followed by the complainants. Also the law does not allow the Labour Commissioner to compel any employer to make good on any agreement. The fact that complaints made to the Labour Commissioner are not always resolved in a timely manner or to the satisfaction of employees, leaves those complainants believing that their time was wasted or that the Labour Commissioner was not seeking their interest.

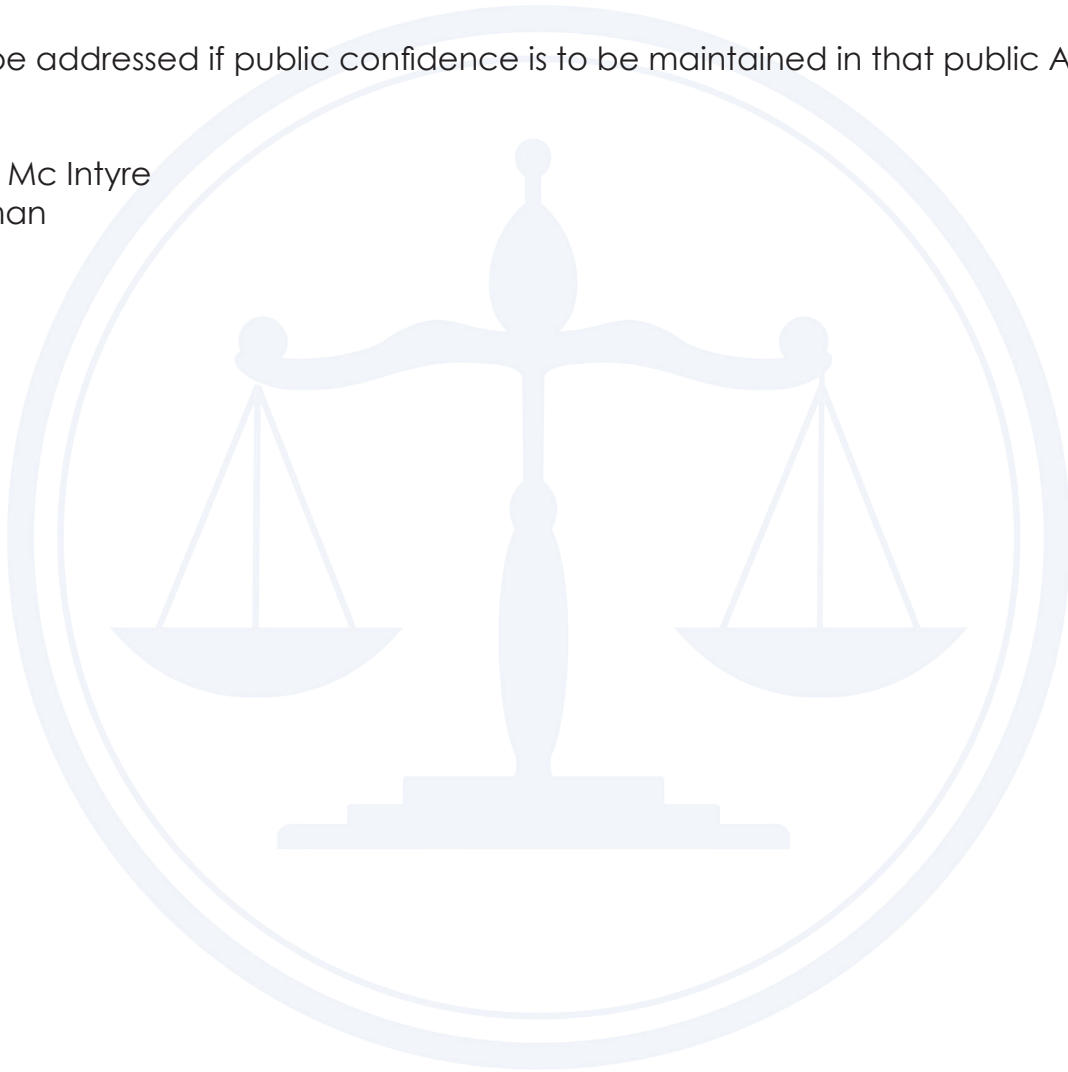
The Ombudsman met with the management of the Ministry of Labour and proposed recommendations to address the issue of the lack of adherence by the public to established and entrenched procedures in Labour issues.

The indeterminable delay of the Physical Planning Authority to address complaints is

also somewhat distressing to complainants to say the least. The Office of the Ombudsman is still carrying out investigations to determine the procedures that are in place to address those complaints as there seems to be an inordinate and considerable delay in the process of the reporting of the complaint, it getting to the Authority and the taking of any action. The Office of the Ombudsman also finds that there is an unacceptable lack of urgency to act on adverse actions after the Physical Planning Authority would have issued directives on the way forward. The Ombudsman is scheduled to hold dialogue with that department to review and project reasonable procedures in addressing complaints reported.

This must be addressed if public confidence is to be maintained in that public Authority.

V. Nadica Mc Intyre
Ombudsman



MISSION STATEMENT

To provide effective service through complaints handling procedures that are timely, while ensuring that the highest levels of confidentiality and impartiality are always maintained.

VISION

The furthering of good governance by protecting the individual from injustice and unfairness.

CORE VALUES

Independence

The Office operates with autonomy and the absence of control from Government, political or other parties.

Confidentiality

The Office believes in ensuring that its business is conducted in the most professional and confidential manner and without any possibility of compromise.

Impartiality

The Office shall always hold true to the practice of neutrality and objectivity to arrive at the truth and thus not seek to take sides in any investigation being undertaken.

Integrity

The Office seeks to ensure that all its activities are carried out in ways that bespeak high levels of professionalism, trust, honesty and in an atmosphere of concern for the rights and feelings of all.

In consideration of all the above the Office of the Ombudsman pledges always to carry out its activities with **accountability** and **transparency**.

SHORT BRIEF ABOUT THE OFFICE



The Office of the Ombudsman was established by Act No. 24 of 2007.

In accordance with the Act the Ombudsman has the power to investigate the administrative actions taken by or on behalf of the Government and other authorities and for other purposes connected therewith. The Act is applicable to all public authorities. Reference to a Ministry, Department or Agency of Government shall include references to the Minister, Minister of State, members or officers of that Ministry, Department or Agency or any other person acting on behalf of such persons in the exercise or performance of a function conferred pursuant to any law in force in Grenada.

Once a complaint has been made the Ombudsman can investigate any administrative action of a Public Authority; on his/her own initiative also can carry out an investigation in the public's interest. Pursuant to an investigation, he/she can make recommendations on improvement in administrative practices in the relevant public authority.

Once the investigation commences a file is generated, preliminary enquiries commence and if the requisite authority exists the Ombudsman can do the following: -

- Carry out an investigation;
- Mediate;
- Determine the action without an investigation;
- Refer the matter to an appropriate authority;
- Decide not to investigate;
- Give notice of intention to investigate;
- Identify the administrative action to be investigated;
- Notify the relevant parties of the powers of the Ombudsman in respect of an investigation

It must be noted that the conduct of investigations must be private and a hearing is not always required for the purpose of an investigation.

Before making any adverse report the Principal Officer of the public authority should be afforded the opportunity to comment on the subject of the investigation. If necessary, consultation should also be held with the Minister.

When there is evidence of a breach of duty or misconduct the matter would be reported to the Principal Officer and copied to the Minister. On completion of the investigation the Ombudsman shall report his/her opinion and the reasons for that opinion to the principal officer of the public authority together with recommendations as seen fit.

For the purposes of an investigation under the Act, the Ombudsman shall have the same process as a judge of the Supreme Court in respect of the attendance and examination of witnesses as well as the production of documents.

For the purposes of such an investigation also, the Ombudsman shall have the same powers as a Judge of the Supreme Court in so far as those powers relate to the attendance and examination of persons, including the administration of oaths or affirmation, and in respect of the production of documents as well as restriction on the disclosure of certain information and the power to enter premises and retain documents.

STAFF OF THE OFFICE



Ms. V. Nadica Mc Intyre
Ombudsman



Ms. Beverley Baptiste
Executive Secretary



Mr. Marlhon Benjamin
Investigations Officer



Mr. Ronnie Marryshow
Complaints Officer

The Office of the Ombudsman values a caring and team-oriented workplace that promotes fair and professional treatment of all its officers.

SAMPLE OF COMPLAINTS

*We are conscious of our role in society
and our responsibility towards
current and future generations.*

**Attention
Everyone!**



SAMPLE COMPLAINT #1



In a somewhat unusual case, a Canadian registered yacht was taken from its moorings in St. George's between 29th and 30th October, 2011 and allegedly sold to a male resident of the sister isle by someone other than the owner. The complainant claimed on 18th March, 2015 that the vessel was left in his charge via "Power of Attorney" by the original Canadian owner who once resided and worked in Grenada. He had earlier lodged complaints about the disappearance with the Royal Grenada Police Force and the Ministry of Foreign Affairs in 2011 and 2012.

Following an initial investigation and the presentation of a letter by the Ombudsman to the Commissioner of Police, a Progress Report was received on 28 July, 2015 which stated the following:

- The yacht was in the possession of an individual who purchased it from a female Canadian citizen in September, 2011;
- The original owner did not give the yacht to the complainant. He only had a "written agreement" that he will "look after" it in his absence.

The yacht is currently somewhere else in the Region, where it is said to be undergoing necessary repairs. The Office of the Ombudsman was informed by the Police that the matter is being addressed by a Senior Crown Counsel at the Office of the Director of Public Prosecution (DPP) and the investigating officer is awaiting updated relevant information before any further consideration could be given to the matter.

To date, no further action seems to have been taken by the Police in resolving the issue.

SAMPLE COMPLAINT #2



This complaint focuses on the operation of an auto body paint shop in a residential area. It was first lodged with the Physical Planning Unit and the Environmental Health Division before being filed with the Ombudsman in February, 2015 when the complainant got no resolution.

Following discussions involving the three (3) above-mentioned entities, a "Stop Notice" was issued to the owner of the auto body shop on 16th April, 2015 in which he was advised "to cease all building, engineering and business operations with immediate effect ... within 28 days". However, 2015 has elapsed and nothing has changed; there is as up till now no resolution to this matter.

Sample of Complaints

The complainant and at least one other resident are left to inhale potentially hazardous, toxic paint fumes on a regular basis much to their discomfort.

This complaint points to a very vexing issue, where persons are requested by law to cease and desist from taking certain actions. From our investigation it is observed that the order is ignored and the public authority takes no action in pursuing the matter. As a result the public confidence in the public authority is eroded.

SAMPLE COMPLAINT #3



A disabled 83 year old complainant was issued property tax demand notice for a portion of land which she sold about five years ago. However, since she was being issued with the notices from the Inland Revenue Department (IRD) she continued to pay. On June 6th, 2015 she visited the IRD where she was informed that she was erroneously issued these notices. The administration noted the error and agreed to refund her over a one year period. She thought this time was too long considering her age and physical condition. Thus she visited the Office of the Ombudsman.

The Office approached the Comptroller of the IRD who quickly ascertained that the complainant suffered an injustice and took

responsibility to refund her all of her monies within a month.

On July 28th 2015 the complainant visited the Office of the Ombudsman and indicated that she had received a complete refund.

The office wishes to compliment the Comptroller of Inland Revenue for the action taken to satisfy the complainant.

SAMPLE COMPLAINT #4

In August 2012, a report was lodged with this Office by a female complainant, employed with a Public Authority, of unsatisfactory and laissez-faire response to her complaint by the Royal Grenada Police Force (RGPF). She had reported to the Police her wish to have unsettling and intrusive phone calls, and other related incidences investigated. This was done after informing LIME and the National Telecommunications Regulatory Authority months before, who then advised her to approach the police.

She was concerned that a male individual entered her home unknown to her and signed his name next to her artistic drawing which was kept in her music book. Her claim was that she could get no protection from the police, only **“delays, run-arounds and ineffective actions”**.

A letter signed by the Commissioner of Police and dated 27th August 2012, advised that the matter was “receiving attention”. At a meeting held on April 30th 2013 with the Commissioner of Police at Police Headquarters the Ombudsman was told that the matter is still being investigated by the Commissioner.

On February 14th 2014 the complainant called the Office saying she cannot report

that any form of investigation was being done by the RGPF, as no officer had ever contacted her.

The Office still views this matter as both ongoing and outstanding as no resolution was reached. The Office believes that her formal complaint needs to be looked at again and brought to closure.

SAMPLE COMPLAINT #5

This complaint was made against the Ministry of Agriculture as early as 2013 and repeated in subsequent years. The complainant was a contracted worker whose contract was supposed to end on 22nd August 2012; however, he received a letter from the Permanent Secretary dated 20th December 2011 indicating that his contract would end on 31st December 2011. This was in direct contravention of clause 6 of the signed contract which stipulates as follows:

Termination - This contract may be terminated by either party upon one (1) month's notice in writing or payment of one month's salary in lieu of notice on either side.

He complained that he received neither vacation leave due nor gratuity for the contracted period.

The Office of the Ombudsman brought the complaint to the attention of the Ministry and an assurance was given that the issue would be resolved. The Ministry of Agriculture advised that a meeting was held with the Ministry of Labour and the officer to quantify and verify the amount owing. To date no monies have been paid and as such this matter is still outstanding.

ANALYSIS OF COMPLAINTS



Complaints 2015

Table 1: Status of complaints made against the various Public Authorities in 2015

PUBLIC AUTHORITIES	STATUS OF COMPLAINTS MADE					
	Total	Closed	Ongoing	Dis-continued	Advice / Referrals	Beyond Jurisdiction
Ministry of Agriculture, Lands, Forestry, Fisheries and the Environment	3	1	2			
Ministry of Communications, Works, Physical Development, Public Utilities, ICT & Community Development	6		4		1	1
Physical Planning Unit	1	1				
Ministry of Education and Human Resource Development	2		1		1	
OTHER [Private Entities]	38	1	2		20	15
Child Protection Authority	1		1			
Ministry of Labour	3	1	2			
T.A. Marryshow Community College	1					1
Ministry of Health and Social Security	8		6		2	
Ministry of Finance and Energy	6	3	3			
Public Service Commission	2				2	
Housing Authority of Grenada	1				1	
Ministry of Legal Affairs	1					1
(Prime Minister's Ministry)-Ministry of National Security , Public Administration, Disaster Management, Home Affairs, Implementation & Information	1		1			
Royal Grenada Police Force	8	1	5		2	
Her Majesty's Prisons	1		1			
National Telecommunications Regulatory Commission	2				1	1
Grenada Airports Authority	1		1			
Parliamentary Elections Office	1				1	
Ministry of Carriacou and Petit Martinique Affairs and Local Government	1		1			
National Insurance Scheme	3		1		2	
NAWASA	3		1		2	
TOTAL	94	8	32	0	35	19

Analysis of Complaints

From the data collected for the year 2015, it can be observed that the highest number of complaints was recorded against OTHER (Private Entities) which amounted to approximately 40% or thirty eight (38) of the 94 complaints received for the year 2015. Fifty-three percent of this number (20/38) received an advice or referral, 42% (15/38) were beyond the jurisdiction of the Ombudsman, 5% (2/38) is ongoing and another (1/38) or 3% was closed.

OTHER (Private Entities) are complaints that are outside of the legal jurisdiction of the Ombudsman or are complaints which the Ombudsman cannot investigate due to the provisions of the Ombudsman Act No. 24 of 2007.

Although the law prohibits this office from investigating these complaints, the Office of the Ombudsman gave a listening ear to these complainants and the same measure of confidentiality and impartiality were exercised when dealing with them. I am pleased to report that most of the complainants after being interviewed and advised by the Office, left highly satisfied and in many instances returned for further advice.

In this regard and based on the quantity and quality of the complaints recorded the Ombudsman is of the opinion that some of the complainants continue to use this office as an alternative to engaging legal representation.

It is observed that there is a steady increase of complaints in this category. The nature and more specifically this annual increase is of grave concern to the Office. Table 2 below illustrates the annual increase in complaints in the OTHER (Private Entities) category for the last three years.

Table 2: Number of Complaints recorded as OTHER (Private Entities) over the last three years.

Year	Total complaints	OTHER (Private Entities)
2013	124	19
2014	100	26
2015	94	38

Complaints in this category are directly proportional to the year in which the complaints were made, that is as the year increases so does the number of complaints. It can be noted that the same is inversely proportional to the Total complaints.

This increase in complaints against Private Entities reflects the need for consideration to be given to the provision of an authority where citizens, who have issues other than with public entities, can obtain support in resolving them.

Royal Grenada Police Force (RGPF) and Ministry of Health

Each contributed nine percent (8/94) of the total complaints or problems entertained throughout the year 2015. For the former, thirteen percent (1/8) of the complaints were resolved, while sixty three percent (5/8) continues to be under investigation. While for the latter, thirteen percent (1/8) received an advice or referral while seventy five percent (6/8) remains under investigation. For both entities, twenty five percent (2/8) received an advice or referral.

It is observed that despite the many media promotions of the police and in particular its community relations unit, most of the complaints that were recorded against this Institution were community related. Complainants were frustrated with the delay and sometimes blatant neglect or disregard from officers to investigate or give heed to reports made.

Ministry of Communications, Works, Physical Development, Public Utilities, ICT & Community Development and the Ministry of Finance and Energy

Six complaints approximately six percent (6/94) were recorded against both of these public authorities. As it relates to the **Ministry of Works and Public Utilities** sixty seven percent (4/6) is ongoing. Seventeen percent (1/6) received an advice or a referral and another seventeen percent (1/6) was beyond the legal jurisdiction of the Ombudsman.



For the **Ministry of Finance and Planning**, fifty percent (3/6) of the complaints were resolved while the remaining fifty percent (3/6) is ongoing.



Three complaints were recorded against the **Ministry of Agriculture, National Insurance Scheme (NIS), Ministry of Labour and NAWASA**. Thirty three percent (1/3) of these for the Ministry of Agriculture were resolved while the remaining sixty six percent (2/3) are ongoing.

As it relates to the **NIS** thirty three percent (1/3) is ongoing and sixty six percent (2/3) were given an advice or referral.

With respect to the **Ministry of Labour** thirty three percent (1/3) were resolved while sixty six percent (2/3) are ongoing.

With regard to **NAWASA** thirty three percent (1/3) is ongoing and sixty six percent (2/3) was given an advice or referral.



Analysis of Complaints

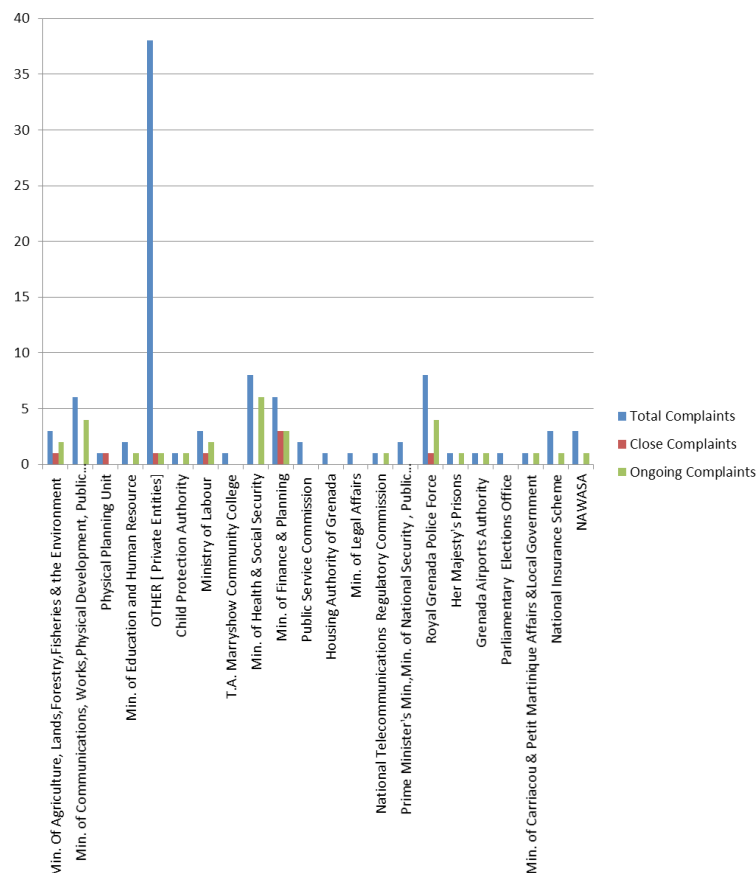
In summary, most of the matters reported to the Office of the Ombudsman for 2015 merely related to a lack of administrative effectiveness. Inter and intra Ministerial communication, a critical tool that will effectuate good governance, continues to be a problem among most Ministries. It is presumed that this has contributed to an increase in the number of aggrieved persons with issues against various public entities. This problem also adversely affects the complaints resolution process.

A major factor emanating from Public Authorities and one which is of great concern, is that personal differences among public officers continue to result in undue delay in the processing of matters for colleagues and the general public. This very unprofessional behaviour definitely contributes to counter productivity and frustration among the general public, first and foremost and the public service as a whole.

Worthy of note is the expediency of the **National Insurance Scheme (NIS)** in addressing issues sent. The Office of the Ombudsman expresses its appreciation for its continued support through its timely responses to requests sent.



The graph below is a representation of the complaints in Table 1



Rollovers

Rollovers are complaints that were not resolved during the calendar year in which the complaint was lodged at the Office of the Ombudsman. Thus the investigation of these complaints continues into the following year or possible years.

Complaints from 2014

Unresolved matters from 2014 were twenty-six (26). This number was reduced to eight (8) at the end of 2015.

Table 3: Shows the Status of Complaints of Rollovers from 2014 to 2015

PUBLIC AUTHORITIES	Status of Complaints					
	Total	Closed	Ongoing	Dis-continued	Advice / Referrals	Beyond Jurisdiction
Ministry of Agriculture, Lands, Forestry, Fisheries and the Environment	2	1				1
Ministry of Communications, Works, Physical Development, Public Utilities, ICT & Community Development	5	3	1		1	
Physical Planning Unit	1		1			
Ministry of Education & Human Resource Development	2	1		1		
OTHER [Private Entities]	1		1			
Royal Grenada Police Force	3	2	1			
Ministry of Labour	3	1	2			
Ministry of Health & Social Security	3	2	1			
Ministry of Social Development & Housing	3	2	1			
Housing Authority of Grenada	2	1			1	
Grenada Bureau of Standards	1	1				
TOTAL	26	14	8	1	2	1

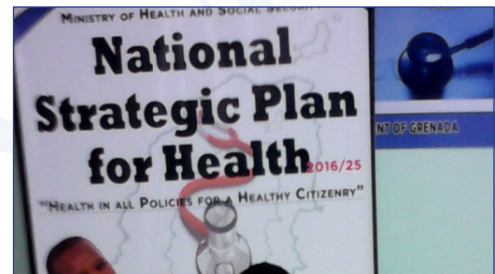
Analysis of Complaints

The largest numbers of rollovers registered for the aforementioned periods were against the following Public Authorities:

Ministry of Communications, Works, Physical Development, Public Utilities, ICT & Community Development, Royal Grenada Police Force, Ministry of Labour, Ministry of Health and Social Security.

Five complaints continued to be investigated from the previous year against the **Ministry of Communications, Works, Public Utilities, etc.** while the **Royal Grenada Police Force, Ministry of Labour, Ministry of Social Development & Housing** and the **Ministry of Health & Social Security** each had three complaints.

On the culmination of the activities of the year under review, the most complaints resolved were: three (3) from the **Ministry of Communications, Works, Public Utilities etc.**, and two (2) each from the **Royal Grenada Police Force, Ministry of Social Development & Housing** and the **Ministry of Health & Social Security.**

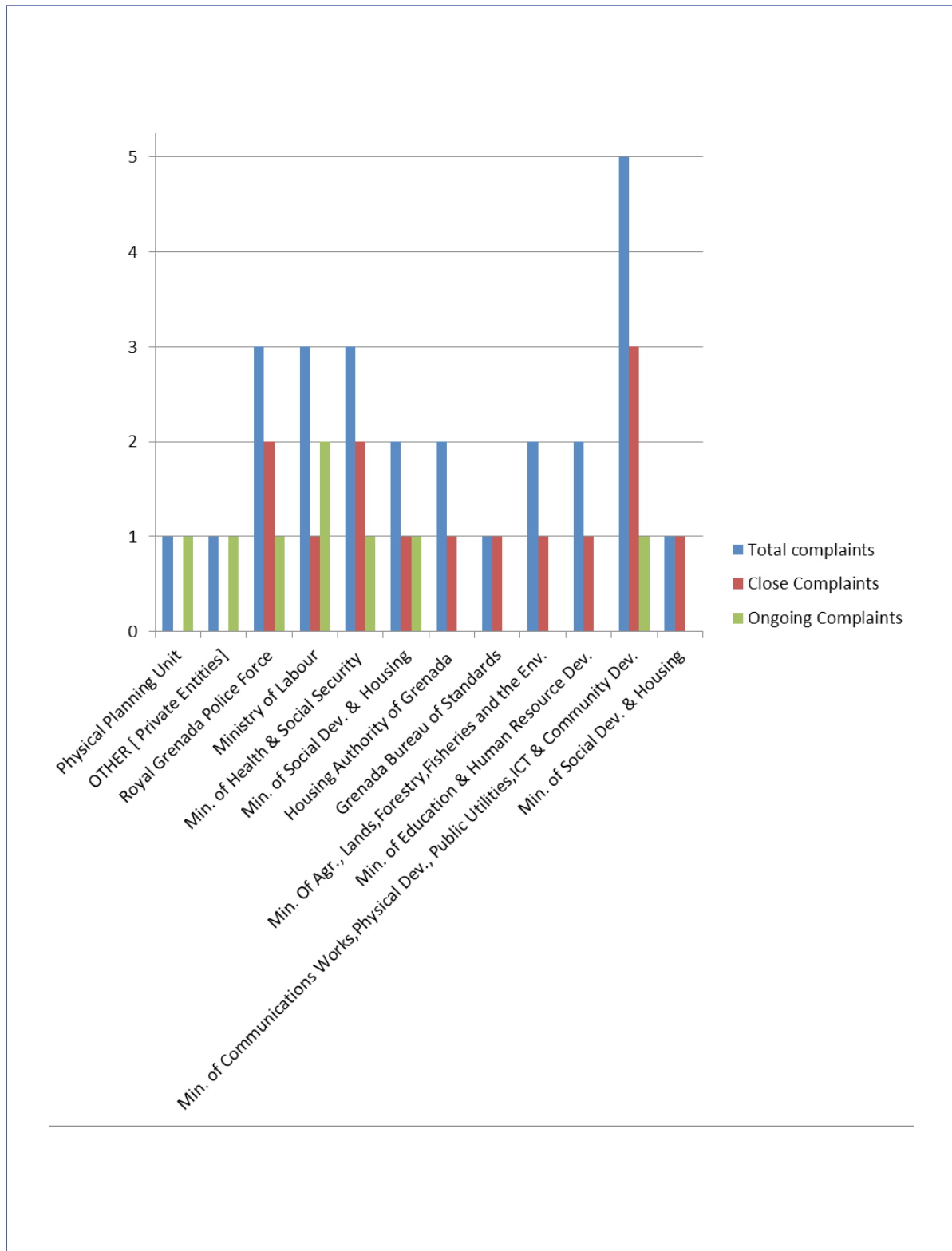


The Ombudsman deemed the resolution of complaints obtained for this period as moderately commendable. The efforts of the staff and heads of ministries and departments who were instrumental in facilitating the process need to be applauded. The various public authorities that provided prompt responses are also commended. This is seen as a step in a direction that would encourage better dialogue in the resolution of issues. Resolved issues can lead to harmonious relationships between the public entities which provide public goods and services and the recipients of those services. This ultimately adds value towards the country's realization of economic growth and development, especially in this period of global economic crisis. Investors and visitors would embrace a society where redress to their complaints is timely.

On the other hand, the process is frustrated when some entities only respond after multiple probing. This does not only consume time, but also contributes to an unnecessary waste of other government-owned resources. These resources could be better allocated to aid in improved working conditions for public servants and the provision of services for the general public.

Analysis of Complaints

The graph below shows the status of complaints for the rollovers from 2014 to 2015



Complaints from 2013

Unresolved matters from 2013 were eleven (11). This was reduced to nine (9) at the end of 2015.

Table 4: Shows the Status of Complaints of Rollovers from 2013 into 2015

		STATUS OF COMPLAINTS				
PUBLIC AUTHORITIES	Total	Closed	Ongoing	Dis-continued	Advice / Referrals	Beyond Jurisdiction
Ministry of Labour	3	1	2			
Ministry of Agriculture, Lands, Forestry, Fisheries and the Environment	1		1			
Ministry of Social Development and Housing	1	1				
Royal Grenada Police Force	2		2			
Ministry of Communications Works, Physical Development, Public Utilities, ICT & Community Development	3		3			
Ministry of Education and Human Resource Development	1		1			
TOTAL	11	2	9	0	0	0

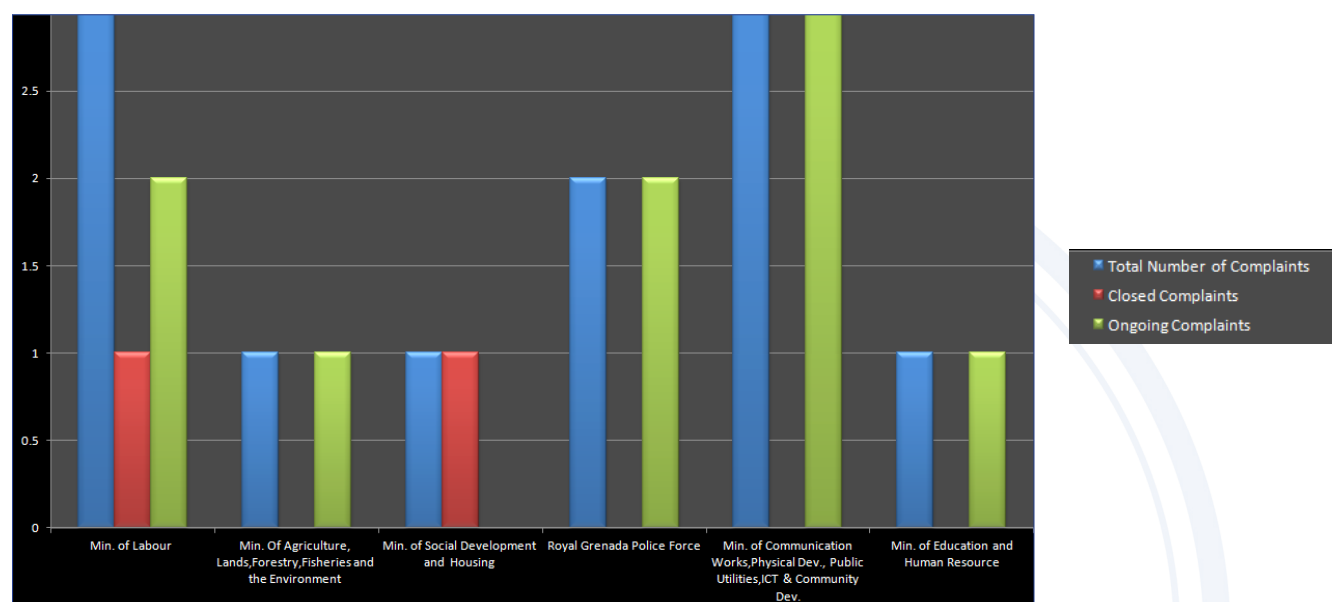
Represented in the above table is the current status of the eleven complaints which remained unresolved from 2013 to 2015. Two (2) of these complaints were resolved during the course of 2015. From the data represented in the table, it can be concluded that nine (9) of the complaints remain unresolved and will continue to be processed as rollovers in 2016.

In one of the matters, Government acquired 4,811 square feet of land in December 2008 for a rock fall and landslide project in Constantine, St. George's. The owner of the property was not granted a new survey plan or deed nor did he receive any compensation for the land acquired. He therefore complained to the Office of the Ombudsman and investigations ensued. The frequent change in Permanent Secretaries and Heads of Department adversely affected the resolution process. However, a solution now seems imminent.

From a meeting held with the Permanent Secretary and the heads of department of the Ministry of Works, it was indicated that the Ministry was in the process of informing Cabinet of these outstanding matters which obviously required urgent attention. This complaint is similar to another for which no payment was made in accordance with the requirements of the Land Acquisition Act. That parcel of private land was acquired in 2006 at Grenville Vale, St. George for the expansion of the main road and the strengthening of a bridge. The Office was informed that both are among those on their list.

Analysis of Complaints

The bar graph below shows the status for complaints rolled-over from 2013 to 2015



Complaints from 2012

Table 5: Shows the Status of Complaints as Rollovers from 2012 into 2015

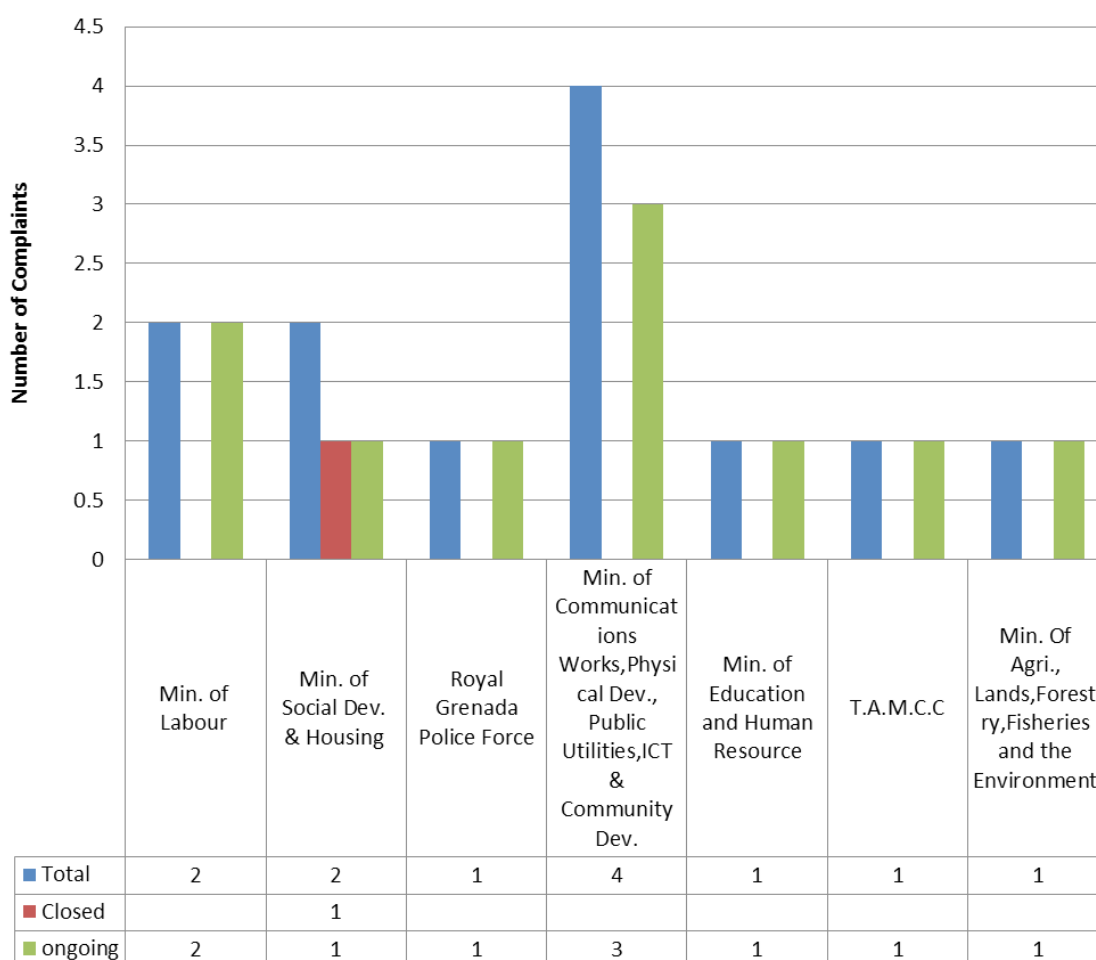
STATUS OF COMPLAINTS MADE						
PUBLIC AUTHORITIES	TOTAL	CLOSED	ONGOING	DIS-CONTINUED	BEYOND JURISDICTION	ADVICE GIVEN
Ministry of Labour	2		2			
Ministry of Social Dev. & Housing	2	1	1			
Royal Grenada Police Force	1		1			
Ministry of Communication, Works, Physical Development, Public Utilities, ICT & Community Development	4		3	1		
Ministry of Education and Human Resource Development	1		1			
T.A.M.C.C	1		1			
Ministry of Agriculture, Lands, Forestry, Fisheries and the Environment	1		1			
TOTAL	12	1	10	1	0	0

Analysis of Complaints

A conclusion was attained for two of the complaints for the aforementioned period. The government had acquired a portion of land in the Mt. Hartman, St. George's area near the quarry via the **Ministry of Housing and Lands**. The Complainant sought the help of this Office to ensure that the correct procedure was followed and to attain compensation for her property. A committee was set up by the **Ministry of Housing and Lands** to handle the matter and thus a resolution was eventually attained for this matter.

The Government resurfaced a portion of road in The Glen, Mt. Gay, St. George's. As a result of a fault in the construction, excess water entered a complainant's property when it rained heavily. The subsequent elevation of the road resulted in the garage becoming inaccessible. The Office intervened and thus the **Ministry of Works** accepted the liability. They then sent the local contractor to discuss the matter with the complainant. An agreement was reached which the **Ministry of Works** claimed to have honoured. However, the complainant was not satisfied. Since there was no proof of the terms and conditions of the agreement the matter was discontinued.

The bar graph below shows the status for complaints rolled-over from 2012 to 2015.



Complaints from 2011

Table 6: Shows the Status of Complaints as Rollovers from 2011 into 2015

STATUS OF COMPLAINTS MADE						
PUBLIC AUTHORITIES	TOTAL	CLOSED	ONGOING	DISCONTINUED	BEYOND JURISDICTION	ADVICE GIVEN
Grenada Ports Authority	1		1			
Ministry of Social Dev. & Housing	4	1	3			
Ministry of Agriculture, Lands, Forestry, Fisheries and the Environment	1		1			
Royal Grenada Police Force	1		1			
Ministry of Communications, Works, Physical Development, Public Utilities, ICT & Community Dev.	2	1	1			
Ministry of Labour	1		1			
Ministry of Finance & Energy	1		1			
Ministry of Education & Human Resource Development	1		1			
TOTAL	12	2	10	0	0	0

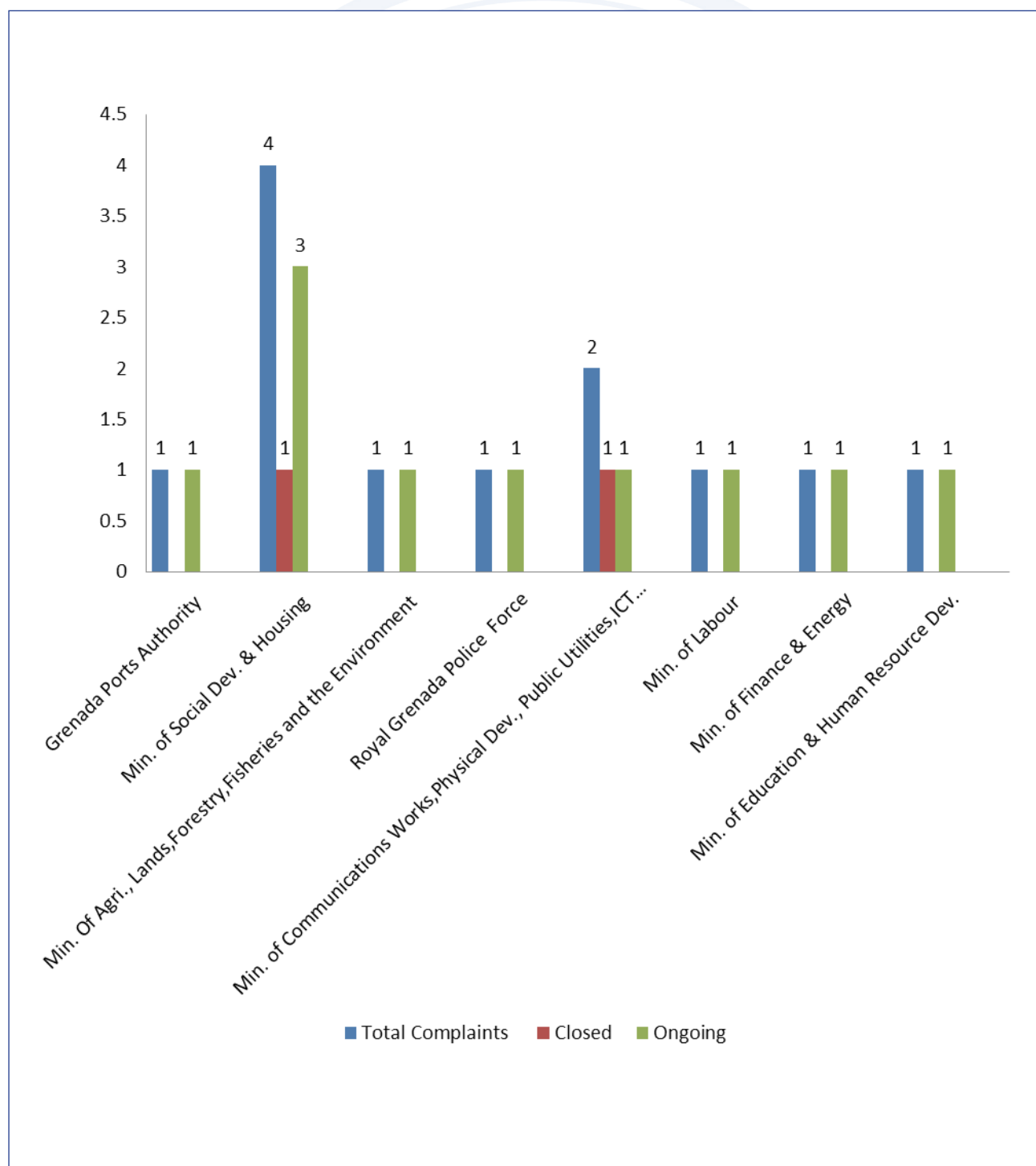
With reference to the table above, twelve (12) complaints that were lodged remained outstanding until 31st, December 2014. Thus the investigation into these complaints has not ceased. During the calendar year 2015 two (2) of these complaints were resolved. The remaining ten (10) continue to be thoroughly examined by the Office in conjunction with those complainants who can be contacted and the respective public authorities against which the complaints were made.

The investigation of a complaint is a team effort between the Office and the complainant. Therefore, in their own interests, complainants have a responsibility to contact the office for occasional updates.

Analysis of Complaints

In recent years the Office has been experiencing difficulties in contacting some of the complainants recorded in Tables 5 and 6. Therefore, it is in the process of closing or discontinuing the investigations of some of these complaints pursuant to Act #24/2007 section 24 subsections 1(g) (i) and (ii).

Table 6: The bar graph below shows the status of complaints rolled-over from 2011 into 2015



Analysis of Complaints

Table 7: Comparison of status of complaints: 2014 vs. 2015

The table below illustrates a numerical summary of the status of complaints recorded at the Office of the Ombudsman for the calendar years 2014 and 2015.

Year	Total	Closed	Ongoing	Advice / Referral	Discontinued	Beyond Jurisdiction
2014	100	25	26	34	1	14
2015	94	8	31	35	0	20

From the data represented in the table above the total number of complaints brought to the Office of the Ombudsman in 2015, amounted to ninety four (94) as opposed to one hundred (100) in 2014, showing a six percent decrease over the two years.

With respect to the number of closed complaints, twenty five (25) were closed in 2014 in comparison to eight (8) in 2015. Analyzing the number of closed cases which amounted to thirty-three (33) over the two years, there were twenty-five (25/33) or approximately 76% in 2014 as opposed to eight (8/33) or approximately 24% in 2015. A decrease of about 68% in complaint resolution was recorded for in 2015.

Twenty-six (26/57) or approximately 46% of the complaints for 2014 remained ongoing as opposed to the thirty-one (31/57) or 54% in 2015. The number of complaints discontinued remained fairly constant over the two year period. However, the number of complainants that received advice or referral amounted to thirty-four (34/69) or approximately 49% in 2014 compared to thirty-five (35/69) or approximately 51% in 2015. Those which were considered to be beyond the legal jurisdiction of the Office were (14/34) in 2014 compared to (20/34) in 2015.

There was a considerable decrease in the annual number of complaints recorded at the Office over the last two years when compared to previous years. It is perceived that limited public awareness, on the existence and functions of the Office, may have contributed to this.

Reorganization of the Office

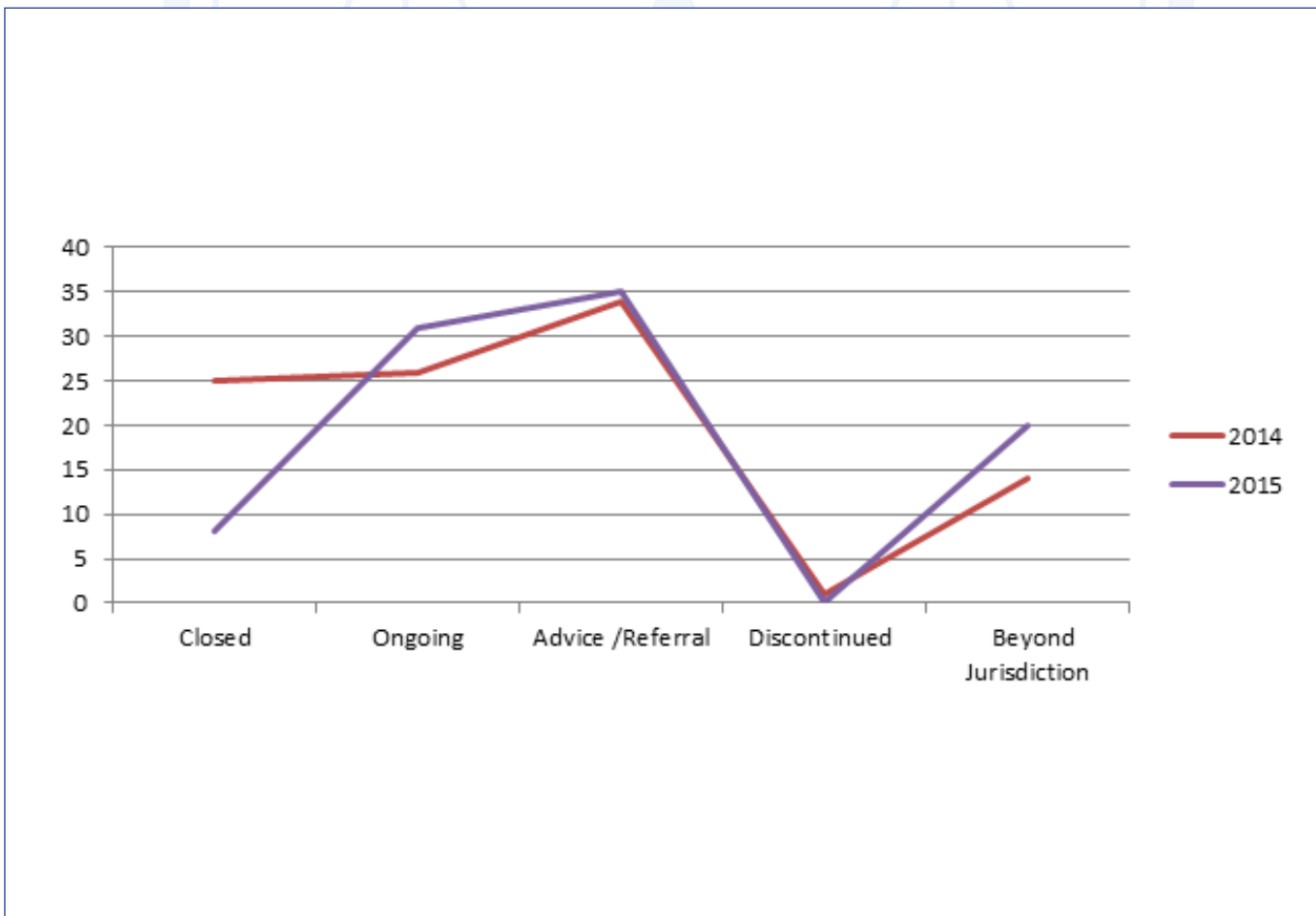
The Office of the Ombudsman experienced a period of transition following the resignation of the first Ombudsman, and the administrative officer in 2013. The then investigations officer was appointed to act as Ombudsman and two additions were made to the staff in January 2014: an investigations officer and a financial clerk. The latter resigned in January 2015. Subsequently, another Ombudsman (Ag.) was assigned to the Office from July 2014. It must be noted that all the while, the Office was served by the same secretary.

Analysis of Complaints

Towards the end of 2014 and the beginning of 2015 the then Ombudsman (Ag.) thoroughly studied the operations of the Office and made comparisons with other Offices in the region. In so doing, he identified various weaknesses, one of which was the limited public awareness of the Office and its functions. Thus he devised and documented a cost effective method of promoting the office, which included: the use of social media, frequent news releases and press conferences, periodic meetings with managers of statutory bodies, permanent secretaries and other senior public officers, and a community outreach program. In effect, it is believed that this would not only enhance the promotion of the Office but also improve its working relationship with public entities.

A significant increase in the number of complainants and complaints resolution is anticipated. In preparation for this, the Ombudsman sought to design and implement an improved computer network, an advanced database management system and Standard Operating Procedures, to more efficiently manage complaints and human resource for the Office. This system will also aid in the rapid and up to date generation of reports.

The graph below shows a pictorial comparison of statistics for the years 2014 and 2015.



Analysis of Complaints

The following table illustrates the distribution of visits to the Office of the Ombudsman for the Calendar Year 2015.

Table 8: Complaints to the Office in 2015

MONTH	2015
Jan	5
Feb	5
March	6
April	5
May	6
June	7
July	2
Aug	6
Sept	19
Oct	14
Nov	11
Dec	8
TOTAL	94

With reference to the data represented in the table above and the line graph illustrated below, it can be concluded that the distribution of complaints for the first eight months of the year under review remained fairly constant, at an average of about six (6) complaints per month. That is, with the exception of July when only two (2) were recorded.

In September nineteen (19) complaints were recorded in the Ombudsman's complaints registry. This was the highest number of complaints recorded for a given month in 2015. Fourteen and eleven complaints were recorded for the months of October and November respectively. Eight (8) complaints were recorded in December which is usually a slow month at the Office, the highest for the last two years.

The surge in complaints in the latter four months of the year could be attributed to a series of promotions which included: an appearance of the Ombudsman on Legal Brief (a radio and TV interview on GBN), Radio interview by broadcaster, George Grant, press conference for all the media houses and a news release indicating the proposed visits by the Ombudsman to Carriacou.

Subsequently, adequate preparations were made to better advertise the office. A larger bill board was erected in a more conspicuous position. Two banners, one standing and the other horizontal were produced. Lastly, business cards were printed for the Office and all of the officers who interface with the public.

Analysis of Complaints

In the month of October, an initial visit was made to Carriacou by the Ombudsman, with subsequent visits scheduled for every other month.

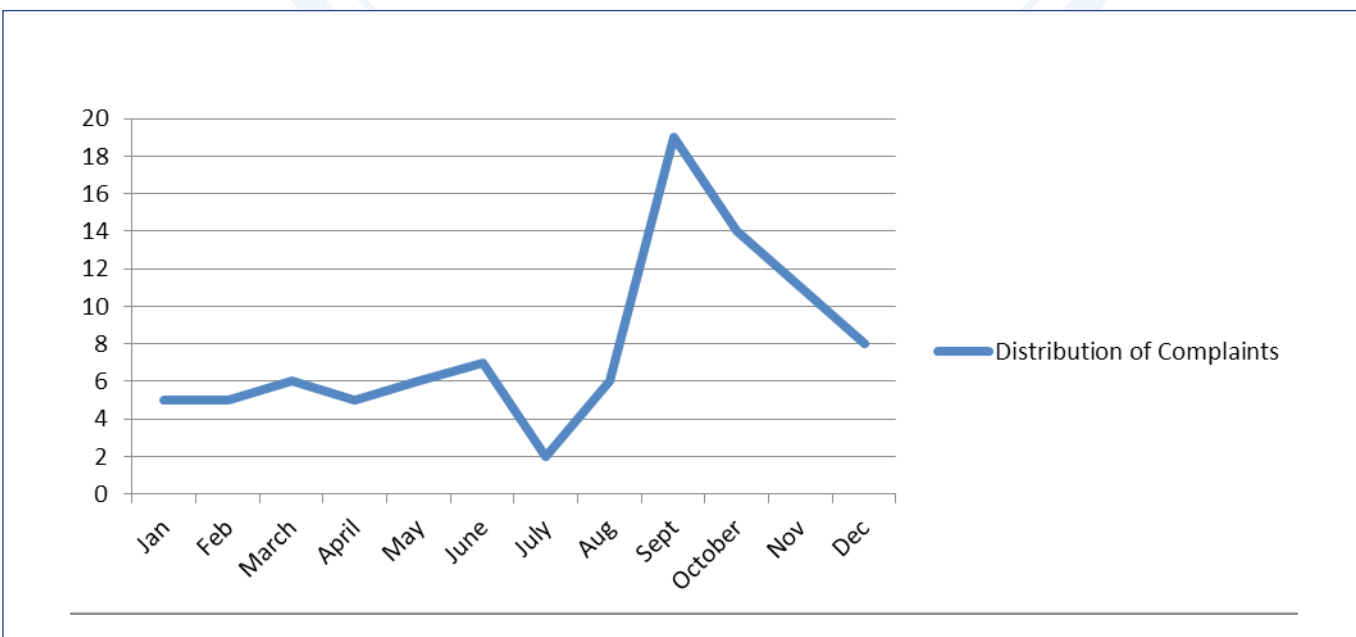
In the month of October the Office commenced its community outreach program in the form of a booth held on Credit Union Day in Progress, Park St. Andrew's.

A Complaints Officer joined the Staff at the Office in November. Prior to his arrival, an office was redesigned so that complainants could be interviewed in a confidential setting. The new Officer immediately contributed to the promotion drive by making a presentation to a group of students from the Home Economics class of the St. Mark's Secondary School.

Later, local Software contractors were invited to present the Office with estimates for the construction of a server based, advanced complaints/human resource management system. The first contractor took approximately ten months and did not present functional software that could have solved the problems at the Office.

Edwards' Computer Services was contracted to design and implement the Software. The completion of the project took approximately two months. Periodic presentation was made to the Office throughout construction of the software. The software was completed and the supporting hardware components were purchased. The Office then entered into a three month period of testing of the suitability of the software for its operations, during which time the Office was advised to use the software extensively and to report any issues of concern to the developer, who would make the necessary changes without charge.

The line graph below provides a pictorial representation of the spread of complainants who were in contact with the office during the twelve (12) months of 2015.



Complaints to the Office for the years 2014 vs. 2015

Table 9: Complaints to the Office in 2014 vs. 2015

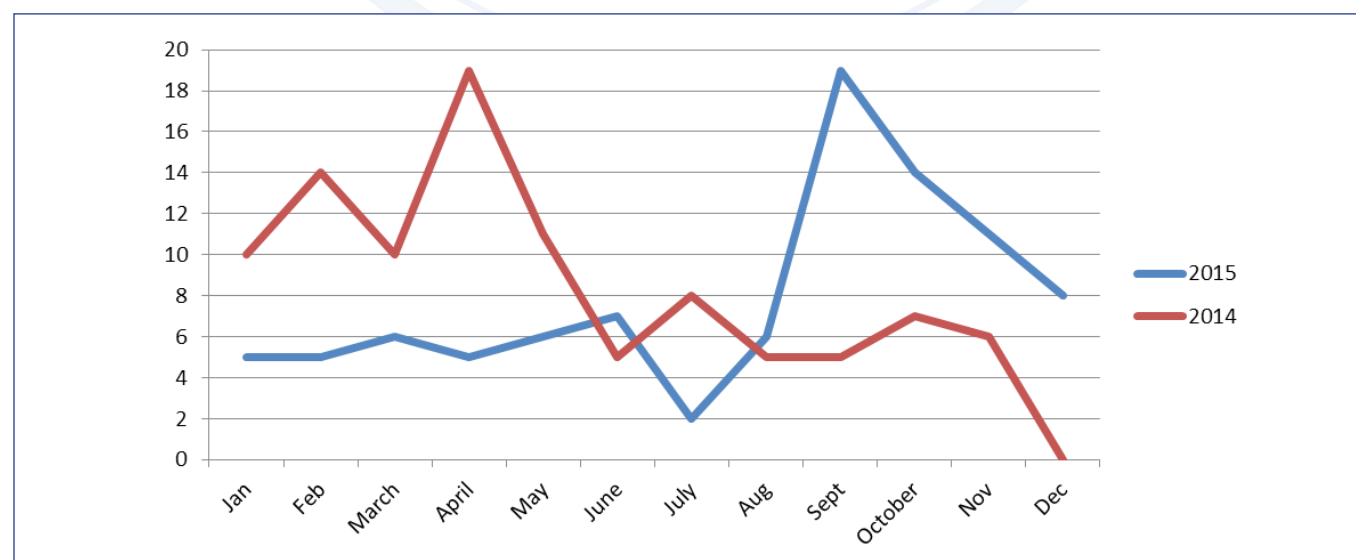
MONTH	2015	2014
Jan	5	10
Feb	5	14
March	6	10
April	5	19
May	6	11
June	7	5
July	2	8
Aug	6	5
Sept	19	5
Oct	14	7
Nov	11	6
Dec	8	0
TOTAL	94	100

The total number of visits for the years 2014 and 2015 were one hundred (100) and ninety-four (94) respectively. A 6% decrease in the number of complaints was registered from one year to the next.

In 2014 the bulk of the complaints were recorded in the first five months that is six-four (64/100) or 64%. The reverse is almost the same for 2015 where during the last four months fifty-two (52/94) or approximately 55% were registered.

Half way through the years 2014 and 2015, there were sixty-nine (69) and thirty-three (33) complaints respectively. After three quarters of the year in 2015, sixty (60) complaints were registered when compared to eighty-seven (87) complaints in 2014.

Graph showing a pictorial representation of the comparison of visits per month.



Analysis of Complaints

The table below shows the distribution of complainants per parish for the year 2015:

Table 10: Distribution of complainants per parish for the year 2015

PARISH	NO. OF COMPLAINANTS
St. George	53
St. David	6
St. Andrew	11
St. Mark	2
Carriacou and Petit Martinique	4
Out of State	3
St. Patrick	4
St. John	11
TOTAL	94

With reference to the data presented in the table above, it can be observed that (53/94) or approximately 56% of the complainants who visited the office resided in St. George's. The remaining 44% came from the outer parishes, the sister isles of Carriacou and Petit Martinique and out of State.

It can be further concluded that the residence of the complainants had not deviated from the norm where the majority of the complainants resided in the parish of St. George. This may be due to various reasons which includes, but are not limited to:

1. Much of the population resides in St. George's
2. Proximity to the office
3. Economic reasons
4. Disabilities, given the fact that most of the complainants are senior citizens

The Office has acknowledged the trend in the distribution of complainants and therefore, is embarking on a community outreach program with the expectation that this will alleviate same. This program will not only entertain complaints but will also provide all necessary information on the role and functions of the Ombudsman. It can be expected that there will be periodic presentations in strategic areas in these outer parishes, and the distribution of flyers and brochures, among other things.

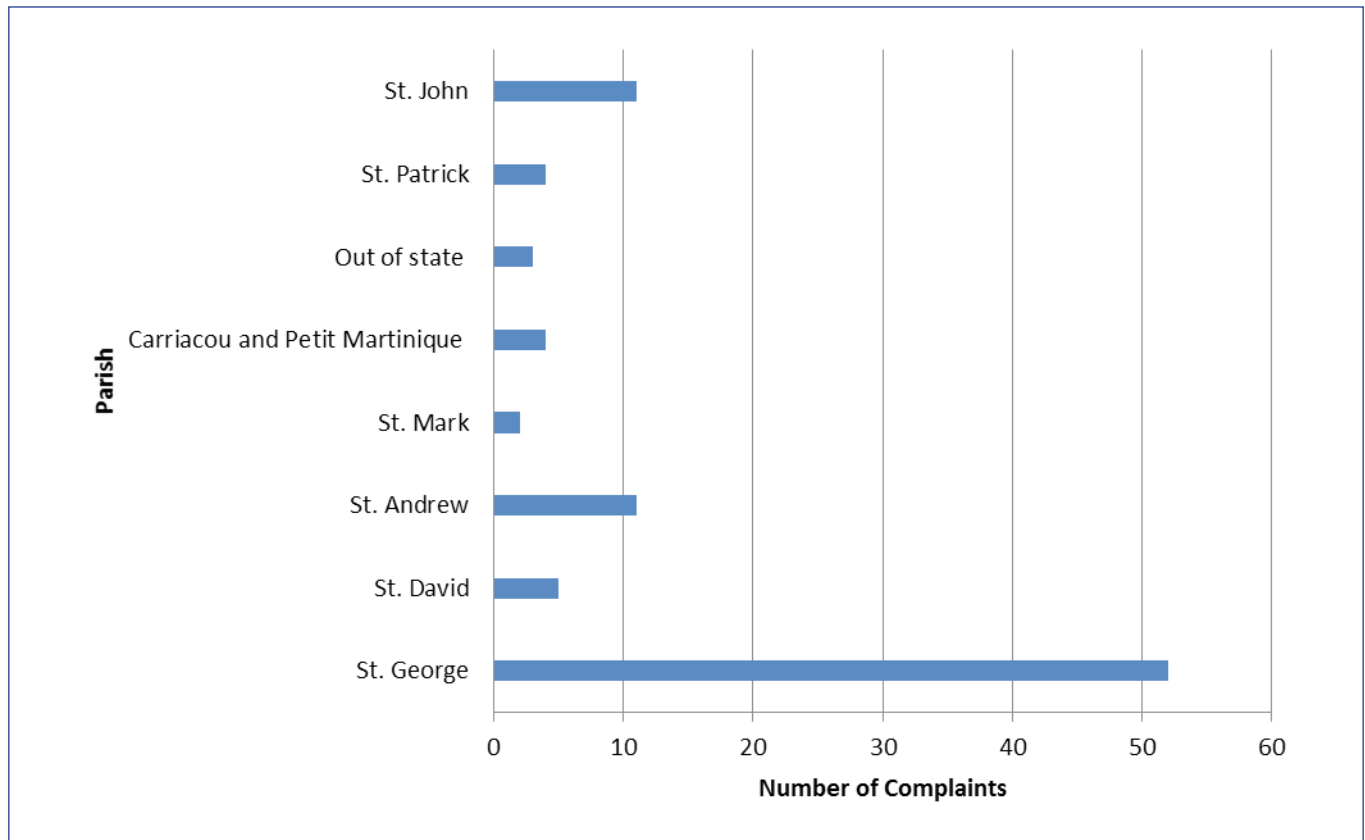


As it relates to Carriacou, visits are scheduled every two months in an attempt to decentralise the services that are rendered by this Office.

The Ombudsman deems this an opportunity to work closer with the general public; thus, enhancing the complaints and resolution processes.

Analysis of Complaints

The graph below shows the residence of complainants per parish for 2015.



The table that follows illustrates a statistical overview of the distribution of complaints per parish for the years 2014 and 2015.

Table 11: Residence of Complainants per parish for 2014 and 2015

Residence of Complainants 2014 vs. 2015

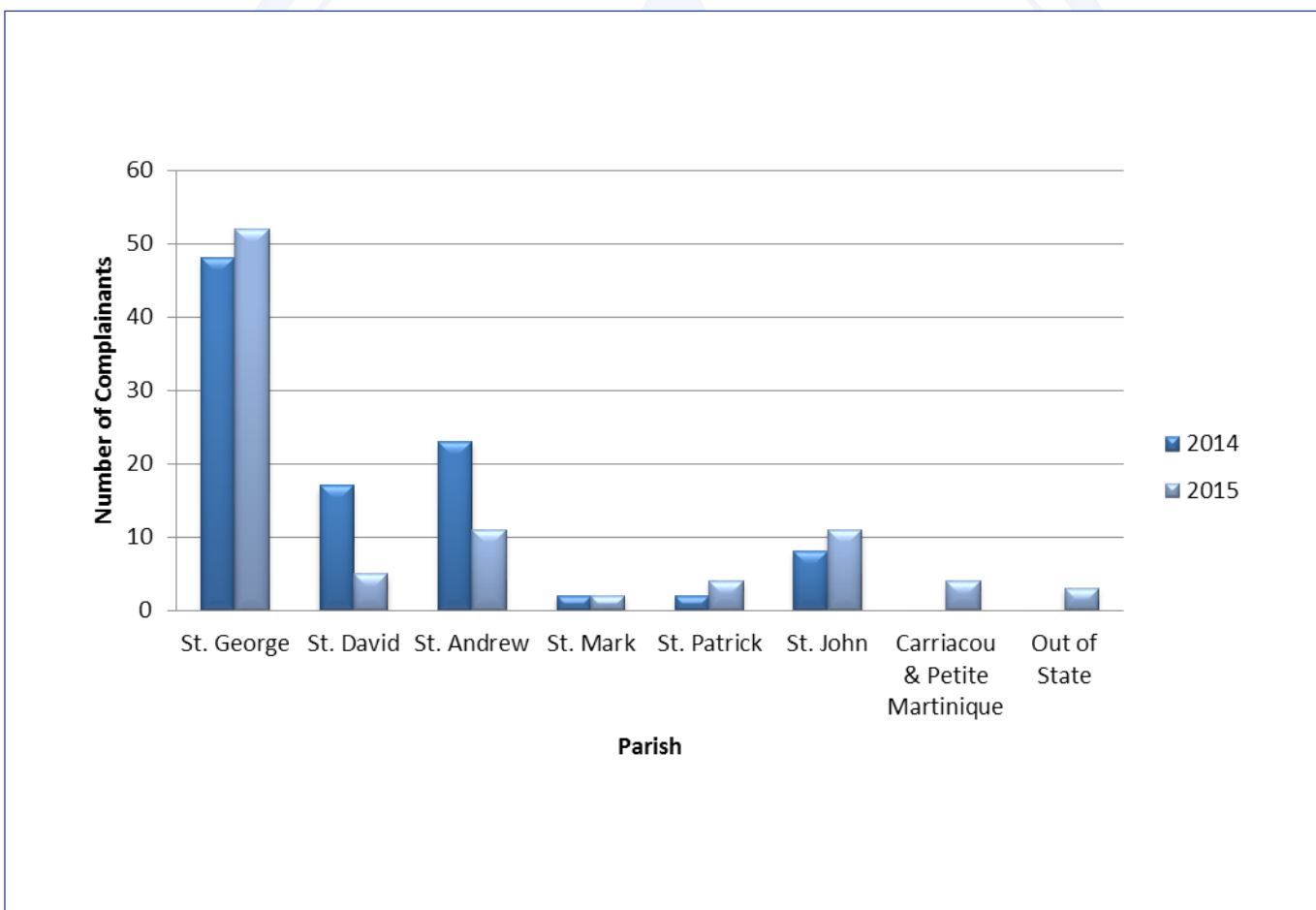
PARISH	2014	2015
St. George	48	53
St. David	17	6
St. Andrew	23	11
St. Mark	2	2
St. Patrick	2	4
St. John	8	11
Carriacou & Petite Martinique	0	4
Out of State	0	3
TOTAL	100	94

Analysis of Complaints

The number of complaints registered in 2015 has decreased. A wider distribution of complaints was recorded for this period which encompasses Carriacou & Petit Martinique and Out of State.

There has been an increase of five complaints from St. George. However, the number of complainants from this parish remained fairly constant over the years. There was a considerable decrease in the number of complainants from St. David's and St. Andrews. Nevertheless, those from St. John's have increased marginally, while St. Mark and St. Patrick have remained low with counts of less than five.

The graph below shows the Residence of Complainants 2014 vs. 2015



Forms of Initial contact with the Office

At the beginning of the year under review the Office expanded the means of contact to include social media in the forms of Facebook and Twitter. Since then, it has attracted sixty two (62) likes on Facebook and three followers on Twitter.

The traditional forms of getting into contact with the Office remain unchanged; that is by Email, Walk-in, Telephone, Appointment and Letter.

Analysis of Complaints

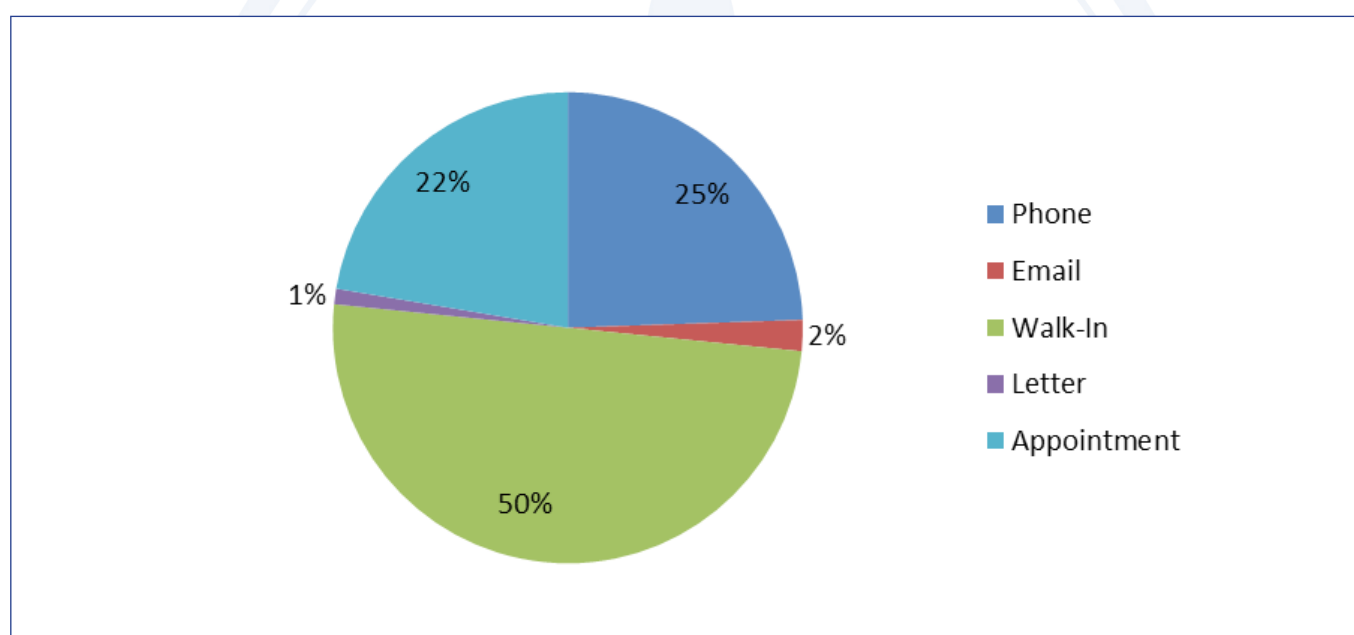
The table below summarizes the sources through which information was provided to the Office.

Table 12: Forms of Initial Contact with the Office

Phone	Email	Walk-In	Letter	Appointment	TOTAL
23	2	47	1	21	94

The graph below illustrates an overview of the forms of initial contact with the Office of the Ombudsman.

FORMS OF INITIAL CONTACT



SUMMARY OF COMPLAINTS

The Public Authorities that had the most complaints were:

- Other private entities: 36
- Royal Grenada Police Force: 8
- Ministry of Health and Social Security: 8
- Ministry of Finance and Energy: 6
- Ministry of Communications, Works, Physical Development, Public Utilities, ICT & Community Development: 6

The number of complaints recorded against Other exceeds that recorded against each of the individual Public Authorities. As stated before, this is a cause for concern as this category encompasses private entities, a category which the Office of the Ombudsman has no authority to investigate.

Other Private entities

Some of the complainants, who visited the office, frankly stated that they were aware that the Ombudsman cannot investigate their complaints. However, they were seeking advice as to how they should proceed in finding resolutions to their concerns.

Hereunder is an overview of the complaints that were registered in this category in 2015.

- A complainant is concerned about the poor service and extensive delays in completing transactions at a Bank.
- A complainant has two matters requiring the services of a lawyer and needed the Office of the Ombudsman to recommend a reputable one.
- A complainant was stopped by a police officer for not wearing the seat-belt of his motor vehicle. He was later taken to the traffic court where he was charged \$750 to be paid on the spot or be confined at Her Majesty's Prisons.
- About one year ago, a complainant paid an Attorney-at-law to prepare a title deed for her. Despite several requests, the service was not rendered nor was the money reimbursed.
- A business owner was placed on bail for some drug related issues and thus his passport had been seized. He needed his passport to travel for business purposes and therefore, wanted the magistrate to allow him to travel.
- A complainant, a bus driver, had an accident with another bus driver. The matter was taken to the traffic court where he was fined \$750 to be paid in half an hour or imprisonment. He believes that the Magistrate ignored the Law in his ruling.
- A complainant was employed with the Ministry of Works for several years. He is now retired and experiencing difficulty in surviving on the monthly ex-gratia allowance of \$180 he receives from the Government.
- A complainant was injured by a malfunctioning electronic door at a Supermarket. The company refused to compensate her for medical fees, although she informed them of the accident and was advised to seek medical attention.
- A complainant was experiencing difficulty settling issues related to inherited property. He paid a lawyer for legal work since February 2015 which had not even started nor was the money refunded.
- Land dispute among family members.
- Refusal of spouse (ex) to pay monthly child support/allowance.

Royal Grenada Police Force

The responses of the law enforcement officers to complaints lodged with the various police stations continue to be of critical concern to the general public. This is particularly seen when there are affiliations; despite the fact that they pledged to serve without fear and favour. Below is an overview of the complaints that were registered in this category for the period under review.

Analysis of Complaints

- A complainant and his wife are being affected in the community where they live by noise from kites flying in the air, young men playing sports, and the constant flow of loud vulgar language day and night among other lawless behaviours. Complaints were made to the Police but to no avail.
- In 2011 a complainant reported to the RGPF that his sailing vessel was stolen from the Lagoon, St. George's. To date, approximately 5 years later, this matter is nowhere near a resolution despite substantial information being given to them. The boat remains in the possession of a man who may have illegally acquired it. The RGPF has advised that it is continuing with its investigation.
- A complainant received no response to complaints made to the Police after repeated instances of housebreaking and stealing of household items by a relative, who is also a police officer.
- A complainant was attacked during the weekend of Carnival 2015. She made a report to the Police and to date no action has been taken.
- A shop owner consistently plays loud music irrespective of the time of the day. The constant noise is a nuisance to neighbours. The music system was seized by the police but the loud music resumed shortly after. The complainant is frustrated with the negligence of law enforcement officers to uphold the law.
- Service Provider. He applied to the Ministry of Health but has received no response. He already has a registered business which carries out this service to the public.
- A complainant's neighbour, owns an aggressive dog which is not fenced-in or on a leash. It constantly attacks passers-by. Despite her many pleas to the dog owner the situation persisted. The complainant therefore contacted the Ministry of Health and the Royal Grenada Police Force. However, neither of them responded to her.
- A complainant is a nurse at a health facility. She was asked to work two consecutive night shifts. She feels this is unfair as there are others who are not given night shifts.
- A complainant is concerned about his brother, who was hospitalized with a stroke. He informed the hospital that he is his brother's next of kin yet his brother was released from hospital without his knowledge.
- A complainant lives near an auto body repair shop. The fumes that emanate from the shop are adversely affecting her and her family. She reported the problem to Physical Planning Unit and the Ministry of Health however, the situation remains unchanged.

Ministry of Health and Social Security

- A complainant wanted to be registered as an Emergency Medical Technician

ACTIVITIES



**Community Outreach
Program**



Justice That Promotes Healing



ACTIVITIES OF OFFICE FOR 2015

- In January the Ombudsman met with a representative of the Department for International Development (DFID) Caribbean based in Jamaica and discussed possible areas of assistance.
- Assistance was granted to the students of the Law Programme of T.A. Marryshow Community college (TAMCC) in their pursuit of information for their studies.
- As a member of the National Human Rights Committee the Ombudsman participated in training on the International Human Rights System facilitated by a staff of United Nations Development Program (UNDP), Barbados.
- In May the Ombudsman was a guest on a GBN Tuesday morning radio and television programme called Legal brief with host Gennilyn Etienne, where he discussed the role and function of the Office of the Ombudsman in the Grenadian society.
- The Ombudsman attended the biennial Conference of the Caribbean Ombudsman Association (CAROA) and an Anti-Corruption Training Course in Willemstad, Curacao, from 27–28 May 2015. This was organized by the International Ombudsman Institute and facilitated by the International Anti Corruption Academy (IACA). This high profile training course was directed towards investigative staff of ombudsman institutions with an anti-corruption mandate. Participants benefitted from sharing best practices with their international co-partners as well as the lecturers in order to promote transparency, accountability and good governance in the public administration on a national, regional and international level.
- In July the Ombudsman attended a Regional Workshop hosted by the Office of the United Nations High Commissioner for Human Rights (UNHCR) in Barbados. The workshop dealt with the Universal Periodic Review (UPR) which all States have an obligation to submit to the UNHCR. The aim of the UPR is to improve the Human Rights situation of a country by meeting the obligations and commitments made by nations, while assessing the developments and challenges faced by these nations. The review enables countries to enter into dialogue regarding recommendations and best practices.

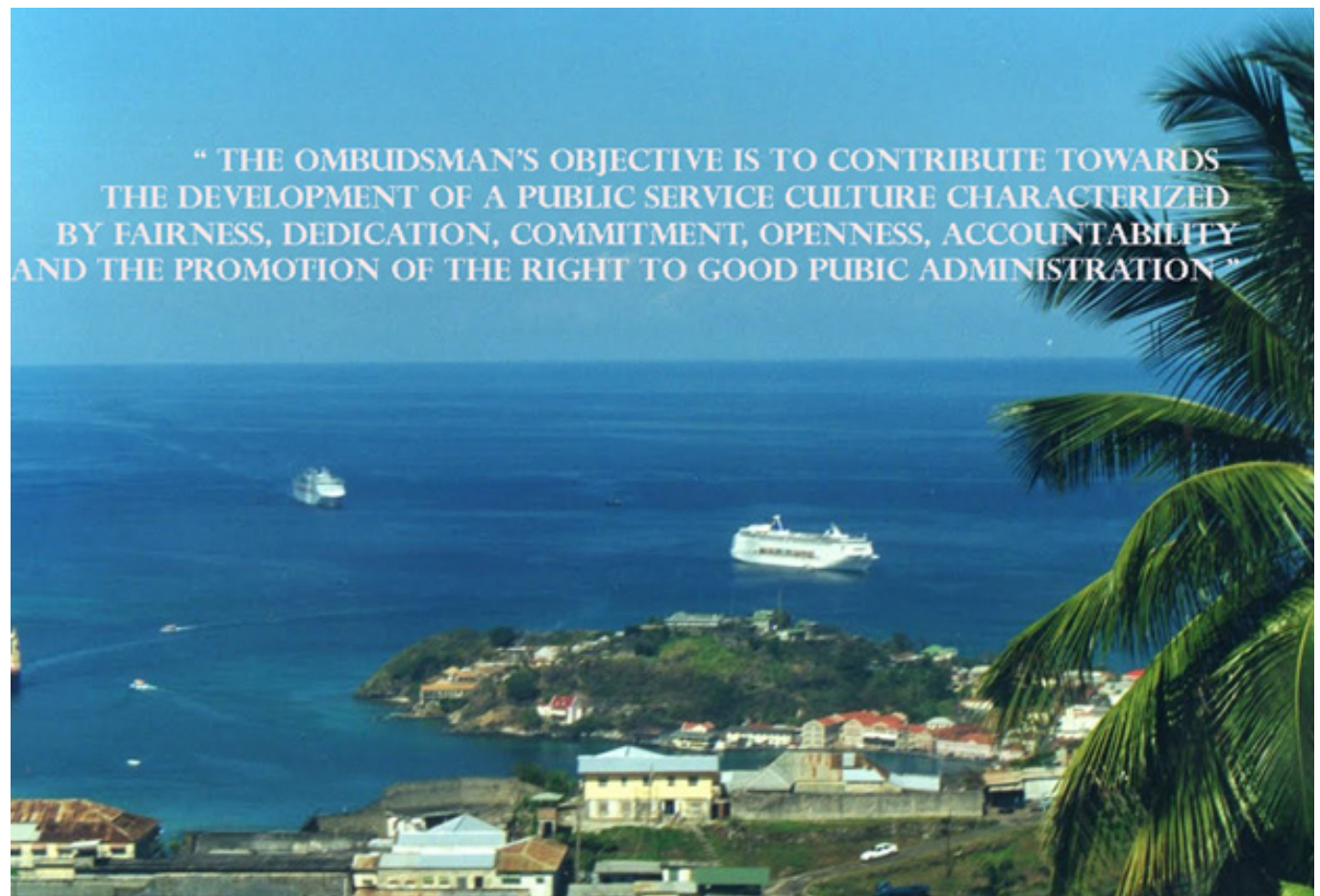


Activities

- The Ombudsman hosted a press conference highlighting the role and function of the Office in society.
- The Ombudsman and the Investigative Officer participated in a Webinar organized by the International Ombudsman Association on **Open Governance in a Post Snowden era**.
- The Ombudsman also participated in a focus group on the development of a regional Public Service Charter.
- The Ombudsman visited Carriacou on October 15 to commence the Community Outreach program.
- The Office of the Ombudsman set up a booth at the International Credit Union Day activities as part of its public awareness campaign.
- The Investigations Officer participated in a two-day workshop with the Caribbean Institute of Forensic Accounting on the topic **Investigative Interviewing**.
- Personnel from the Department of Audit periodically visited the Office of the Ombudsman to review the accounts or book keeping.
- A Financial report was submitted to the Houses of Parliament in accordance with Act No. 24 of 2007 section 19 subsection 2.
- Periodic courtesy calls and updates on the status of complaints were made to newly assigned/appointed Permanent Secretaries.



APPENDICES



2015 Ombudsman (Amendment)



GRENADA ACT NO. 11 OF 2015

I assent,



CÉCILE E. F. LA GRENADE
Governor-General.

17th March, 2015.

An Act to amend the Ombudsman Act CAP. 218B.

[17th March, 2015].

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Representatives of Grenada, and by the authority of the same as follows—

1. This Act may be cited as the

Short title.

OMBUDSMAN (AMENDMENT) ACT, 2015.

2. The Ombudsman Act Cap. 218B is amended by repealing section 5 and substituting the following therefore—

Amendment of
section 5 of
principal Act.

5.—(1) Subject to the provisions of this section, a person appointed as Ombudsman shall hold office for a period not exceeding five years and shall, at the expiration of such period, be eligible for reappointment.

“Tenure of
office.

(2) A person appointed as Ombudsman pursuant to subsection (1) may on his or her own request be relieved of his or her office by the Governor-General and shall in any case, subject to subsection (3), vacate office on attaining the age of seventy years.

(3) Notwithstanding that the Ombudsman has attained the age required by or under the provisions of this section to vacate his or her office, the Ombudsman may continue

in office for a period, which shall not exceed one year after attaining the age of seventy as the Governor General, acting on the recommendation of the Prime Minister and the Leader of the Opposition may specify in order to enable the Ombudsman to give his or her decision or do any other thing in relation to any investigation he or she was conducting before he or she attained that age.

(4) Nothing done by the Ombudsman shall be invalid by reason only that he or she has attained the age at which he or she is required by this section to vacate office.”

Passed by the House of Representatives this 27th day of February, 2015.

WILLAN THOMPSON
Clerk to the House of Representatives.

Passed by the Senate this 13th day of March, 2015.

WILLAN THOMPSON
Clerk to the Senate.

Extracts from the Act

Making of complaint

22 (1) A complaint to the Ombudsman about any administrative action of a public authority—

- (a) shall be made by an aggrieved person, but may be made on his or her behalf by a member of his family or other suitable person to act for himself or herself;
- (b) may be made orally, electronically or in writing; and
- (c) shall be made within one year after the day the complainant first had notice of the administrative action, but the ombudsman may extend this time for a further period of six months, if in his opinion there are special circumstances which justify such extension.

Preliminary and minor inquiries

23 (1) Where a complaint has been made to the Ombudsman in respect of an action taken by, or on behalf of a public authority the Ombudsman may make inquiries of the public authority for the purposes of determining whether or not he or she is authorized to investigate the action—

(2) If pursuant to sub-section (1) the Ombudsman is authorized to investigate the action, the Ombudsman shall decide

- (a) Whether or not if he or she may subject to section 24, decide not to investigate the action; or
- (b) whether or not he may determine the action without the need for an investigation under this Act; having regard to the nature and seriousness of the complaint.

(3) An inquiry under subsection (1) is not an investigation for the purposes of section 27.

Notice of intention to investigate

27 (9) For the purposes of an investigation under this Act, the Ombudsman shall have the same powers as a judge of the Supreme Court in respect of the attendance and examination of witnesses and the production of documents.

Restriction on disclosure of certain matters

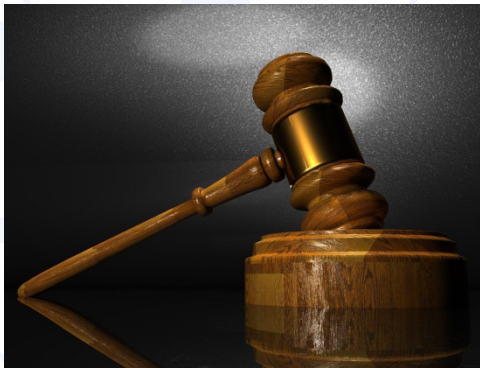
29.—(1) Where the Attorney-General certifies that the giving of any information or the answering of any document or thing or allowing of access to any premises;

- (a) might prejudice the security, defence or international relations of Grenada or the investigation or detection of offences;
- (b) might involve the disclosure of deliberation of the Cabinet; or might involve the disclosure or proceedings of the Cabinet or of any committee of the Cabinet relating to matters of a secret or confidential nature and would be injurious to the public interest,

the Ombudsman shall not require the information or the answer to be given or the document or thing to produce or access to the premises to be allowed.

(2) Subject to subsection (1), no information, answer, document or thing should be withheld from the ombudsman on the ground that its disclosure would be contrary to the public interest.

The Ombudsman shall not further require such information or answer to be given or such document or thing to be produced.



Functions of the Office

The office of the Ombudsman was established on 1st October 2009.

What is an Ombudsman?

An Ombudsman is sometimes called a “Complaints Commissioner”. He/she is an official appointed to look into complaints of mal-administration on the part of officers of departments of government or statutory bodies.

Instances of Mal-administration include:

- Unreasonable delay
- Abuse of power
- Unfair procedures
- Negligence
- Discrimination
- Arbitrary or unreasonable procedures
- Administrative actions contrary to law

Making a Complaint

If you believe you have been treated badly and after complaining to the senior officer/ manager of the particular department or statutory body you were still dissatisfied, you may then complain to the Ombudsman.

You may walk-in to the office, call by telephone to make an appointment, write or send an email.

You are to provide: Your name and address, the public authority you are complaining about and information about your complaint.

Steps in Complaints-handling:

The Ombudsman would:

- (1) Interview you (the complainant)
- (2) Acknowledge your complaint by letter.
- (3) Make enquiries of the public authority.
(This may include investigation into the complaint)
- (4) Make recommendations to public authority on what should be done to resolve the complaint.
- (5) Provide you with information on the results of his enquiry or investigation.

Matters Not Subject to Investigation

- (1) Action taken in matters certified by the Minister responsible for Foreign Affairs or the Minister of the Crown to affect relations or dealings between the Government of Grenada and any other Government or any international organization or states or Governments.
- (2) Action taken in any country or territory outside of Grenada, by or on behalf of any officer representing or acting under the authority of Her Majesty in respect of Grenada or any other public officer of the Government of Grenada.
- (3) Action taken by the Attorney-General relating to the extradition of any person under the extradition Act.
- (4) Action taken by or with the authority of the Attorney-General or any other Minister of the Crown, the Director of Public Prosecutions or Commissioner of Police for the purpose of investigating of crime or protecting of the security of Grenada, including action taken with respect to passports .
- (5) The commencement or conduct of civil or criminal proceedings before any Court of Law in Grenada, or before any international court or tribunal
- (6) Action taken in connection with the exercise or possible exercise of prerogative of mercy under the Constitution or otherwise.
- (7) Action taken in matters relating to contractual or commercial transaction, being transactions of a department of government or a statutory board not being transactions relating to:
 - (a) The acquisition of land compulsory or in circumstances in which it could be acquired compulsory;
 - (b) The disposal of surplus land acquired compulsorily or in circumstances in which it could be acquired compulsory.
- (8) Any action or advice of a qualified medical practitioner or consultant involving the exercise of professional or critical judgments.
- (9) Any matter relating to any person who is or was a member of the armed or police force of Grenada in so far as the matter relates to:
 - (a) The terms and conditions of service of such member; or
 - (b) Any order, command, penalty or punishing given to or affecting him in his capacity as such member.

Appendices

- (10) Any action which by virtue of any provision of the Constitution may not be enquired into by any court.
- (11) The grant of honor or awards.
- (12) Matters relating to the grant of liquor licences.
- (13) Matters relating to the regulation of public utilities.
- (14) Any function of the Minister under the Immigration Act or the regulations made there under.
- (15) Any judicial function not specifically excluded by paragraphs 1 to 4.
- (16) Matters or problems between private individuals.
- (17) Any matter that the complainant knew about more than one year ago.
- (18) The commencement or conduct of civil or criminal proceedings in a court of law in Grenada or before any international court or tribunal.
- (19) Action taken by the Minister responsible for Foreign Affairs relating to the extradition of any person.
- (20) Any decision or action of the Governor-General or the Public Service Commission relating to the appointment, removal or disciplinary control of any person.
- (21) Any matter which affects the security or external relations of Grenada.

List of Public Authorities

PUBLIC AUTHORITY	CODE	PUBLIC AUTHORITY	CODE
Ministry of Agriculture, Lands, Forestry, Fisheries and the Environment	MAF	Child Protection Authority	CPA
Ministry of Carriacou and Petite Martinique Affairs and Local Government	MCP	Gravel, Concrete & Emulsion Production Corporation	GCEP
Ministry of Communications, Works, Physical Development, Public Utilities, ICT & Community Development (Physical Planning Unit)	MCW PPU	Grenada Airports Authority	GAA
Ministry of Economic Development, Trade, Planning, Cooperatives and International Business	MTP	Grenada Authority for the Regulation of Financial Institutions	GARFIN
Ministry of Education and Human Resource Development	MED	Grenada Tourism Authority	GTA
Ministry of Finance and Energy -Inland Revenue Department - Government Printery - Customs & Excise Department	MFE IRD GOP CED	Grenada Bureau of Standards	GBS
Ministry of Foreign Affairs	MFA	Grenada Cultural Foundation	GCF
Ministry of Health and Social Security	MHS	Grenada Development Bank	GDB
Ministry of Labour	MOL	Grenada Food and Nutrition Council	GFNC
Ministry of Legal Affairs	MLA	Grenada Industrial Development Corporation	GIDC
Ministry of Social Development and Housing	MSD	Grenada National Museum	GNM
Ministry of Tourism, Civil Aviation and Culture	MTC	Grenada Ports Authority	GPA
Ministry of Youth, Sports and Ecclesiastical Affairs	MYS	Grenada Postal Corporation	GPC
Department of Audit	DOA	Grenada Solid Waste Management Authority	GSWMA
Financial Intelligence Unit	FIU	Housing Authority of Grenada	HAG

Appendices

PUBLIC AUTHORITY	CODE	PUBLIC AUTHORITY	CODE
Office of the Governor General	OGG	Market & Rural Enterprise Project	MAREP
Her Majesty's Prisons	HMP	National Insurance Scheme	NIS
Magistracy Department	MAG	National Telecommunication Regulatory Commission	NTRC
Office of the Director of Prosecutions	DPP	National Water & Sewage Authority	NAWASA
Houses of Parliament	OHP	T. A. Marryshow Community College	TAMCC
Parliamentary Electoral Office	PEO	Marketing & National Importing Board	MNIB
Prime Minister's Ministry, Min. of National Security, Public Administration, Disaster Management, Home Affairs, Implementation & information	PMM		
-National Disaster Management Agency	NADMA		
-Department of Public Administration	DPA		
- Government Information Services	GIS		
Public Service Commission	PSC		
Royal Grenada Police Force	RGPF		
Supreme Court Registry	SCR		

Definitions

Public Authority

- a) A corporation established by an act of Parliament for the purpose of providing a public function and subsidiary company thereof registered pursuant to the provisions of the Companies Act;
- b) a Department or Ministry of the Government;
- c) Any body, board, commission, committee or other similar body providing a public function;

Public Function

Any activity performed a single time or continually, whether or not payment is received for it, and which is carried out by–

- a) A person for or on behalf of or under the direction of a Ministry, Department of Government, a statutory body, local government authority or a government company;
- b) A body, whether public or private providing public utilities including the provision of water, electricity or communications;

Public office

Any office of emolument in the Public Service

Public service

Subject to the provisions of the Constitution, the service of the Crown in a civil capacity in respect of the government of Grenada;

Administrative Action

Any action taken by or on behalf of an authority in the exercise of its administrative functions and includes:-

- a) A decision or an act;
- b) A failure to make a decision or do an act, including a failure to provide reasons for a decision;
- c) A recommendation;

- d) Any action taken because of a recommendation; or
- e) A failure to make a recommendation

Mal-administration

Inefficient, bad or improper administration and without, derogation from the generality of the foregoing, includes:-

- a) Unreasonable delay in dealing with the subject matter of an investigation;
- b) Abuse of power, including any discretionary power; or
- c) Administrative action that was –
 - Contrary to law;
 - Unfair, oppressive, discriminatory or based on procedures that are unfair, oppressive or discriminatory;
 - Based wholly or partly on a mistake of law or fact or irrelevant grounds;
 - Related to the application of arbitrary or unreasonable procedures;
 - Negligent

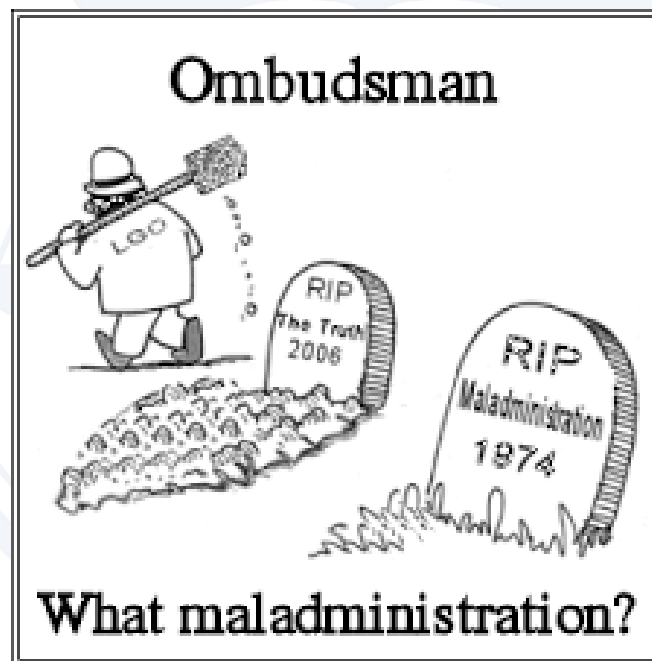
Copies of the Act may be found on the Government of Grenada website and Ombudsman's website.

Government of Grenada website

www.gov.gd

Ombudsman's website

www.ombudsman.gd





PUBLIC WORKERS



OFFICE OF THE OMBUDSMAN GRENADA

"JUSTICE AND FAIRNESS FOR ALL"

OPENING HOURS:

8:30AM - 4:30PM

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