



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

15th February, 2018

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 Mr. Speaker

Annual Report – Office of the Ombudsman

I have the honour to submit to you the Eighth Annual Report of the activities of the Office of the Ombudsman, for the period 1st January 2017 to 31st December 2017.

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

Yours faithfully,

Mrs. Allison Miller
OMBUDSMAN (Ag.)



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

15th February, 2018

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

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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



It is with humility and honour that I serve as the sixth Ombudsman of Grenada. It must be noted that this work cannot be done by an ombudsman alone for it is far from a one-person function rather it takes an organization of dedicated people who are passionate about promoting fairness, transparency and accountability in the public sector.

Indeed I am extremely privileged to have joined such an organization on August 1. It is therefore with a great sense of gratitude and satisfaction, I write this Foreword for the 8th Annual Report of the Office of the Ombudsman. Not unlike previous years, though 2017 was challenging, it was also gratifying. In May the Office witnessed the untimely passing of its first female Ombudsman - Ms. Nadica Mc Intyre. May she rest in peace!

In a rather difficult period, Mr. Ronnie Marryshow assented to the role of Acting Ombudsman and with the staff, he ensured that the Office retained a positive presence as an effective lawful authority, prepared to inspect the workings of public administration, investigating complaints promptly and extensively and when warranted recommending redress. I wish therefore to emphasize that the

Ombudsman exists to ensure that the powers given to functionaries by the Constitution, or any other law, are exercised within the ambit of reasonableness and justice.

Appointed as the second female Ombudsman and in my short time as Ombudsman, I have been struck by our staff's commitment to delivering an evidence based, impartial service. This is an undoubted strength and an encouraging sign for the future. I have also been grateful for the warmth of my welcome, from both staff and from the organisations we work with.

The period under review left us, as always with some lessons to be learnt. Outstanding among them was the efforts of the then Acting Ombudsman to balance the duties of Ombudsman coupled with that of being available to facilitate access to the Community Outreach Services to potential complainants.

Additionally, the year witnessed a further decline in the number of complaints lodged at the Office of the Ombudsman.

A major disappointment for the Office in 2017 was the absence of Grenada's Ombudsman at the Caribbean Association of Ombudsmen's Bi-Annual Conference held in Bonaire from 11th- 15th June.

This was because the Airline had major engine problems on the morning of departure, resulting in the loss of other connecting flights. It was a missed opportunity to benefit from the sharing of best practices, receiving insightful and inspirational lectures and forging relationships with regional and international colleagues.

I sought to provide new focus by reviewing and charting a more visible and proactive course for the Office. In this regard the Office undertook the following:

- Redesign of the brochures & information leaflets;
- Participation in three (3) live Radio & Television programmes;
- Participation in the Agri-Business Expo held by the Ministry of Agriculture in September in an effort to showcase the services offered by the office;
- The delivery of its first Christmas message which was widely disseminated.

It is my humble opinion these have all begun to bear results for it has impacted some persons who claimed they never had knowledge of the existence of the Office of the Ombudsman.

In the coming year the Office will embark on a series of presentations to management and staff of the various Ministries, Departments and Statutory Bodies. We will increase our efforts to investigate complaints with greater speed and focus.

We will continue to review and seek to improve our relationship with people who use our service, organisations we investigate and other stakeholders to promote mutual understanding, respect and trust. As Ombudsman I am concerned with the delay in responses by certain Ministries and would like to see an improvement in this area, if not I may have no choice but

to exercise my statutory powers under the Ombudsman Act #24 of 2007, to summon parties to appear before me, to give evidence and produce documents which will assist in dealing with the matters at hand.

In spite of the many challenges facing the Office we are committed to continue to seek to conduct a thorough investigation of complaints brought to our attention by members of the public. This Office, in its capacity as Public Protector in the service of many, including the most vulnerable among us, is consequently now more important than ever. It plays a vital role in building the trust which must exist between public officials, administrators, policy makers and members of the public.

I wish to express special thanks to my team here at the Office of the Ombudsman for their invaluable support. For it is with their vision, knowledge, commitment and hard work that ensure our Office is accessible and responsive.

I wish also to thank all those who in their own way have assisted and continue to assist the Office as it endeavours to fulfil its mandate under the law and aims to achieve the highest levels of Accountability, Fairness and Transparency for all persons.

-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**

STAFF OF THE OFFICE



Staff (L to R): Ms. Allison Gay, Mr. Ronnie Marryshow, Mrs. Allison Miller, Mr. Marlhon Benjamin, Ms. Beverley Baptiste



The Ombudsman (Ag.) and staff expressed their condolences to the family and friends of the late V. Nadica Mc Intyre and appreciate her contribution made to this institution when served as Ombudsman during the year 2016.



The Office wishes to extend congratulations to Mr. Marlhon Benjamin on the completion of a Masters degree in Crime Science Investigations and Intelligence.

Sample complaints



SAMPLE COMPLAINTS

Case 1

A complainant stated that in December 2008, 4,811 square feet of lands were acquired by the Government for the Rock Fall and Landslip Project in Constantine, St. George's. The complainant received a letter from the project coordinator, as it relates to same.

Nine months later, a letter from the Permanent Secretary in the Ministry of Works was issued requesting the complainant to furnish the Ministry with a copy of the deed, conveyance and original plan of the property so that compensation could be considered. The complainant indicated that same was submitted on two occasions but to date has not received any feedback on the matter. The complainant is therefore requesting the following as resolution:

- To be compensated for the 4,811 square feet of lands acquired by the Government;
- A new plan indicating the details of the lands acquired;
- A final plan of the remaining lands to be issued.

Case 2

A citizen complained to the Ombudsman that she was abruptly and unfairly dismissed from a teaching position at one of the renowned private schools on the island. A complaint was made to the Ministry of Labour but the complainant felt that an unreasonable treatment was meted out to her by the Labour Commissioner. A complaint was then made to the Ombudsman who interceded and was informed by the Labour Commissioner and the then Chairman of the Board of Directors

of the school that both parties had met with the Labour Commissioner and the following were recommended:

- The complainant be paid a termination allowance of one week's wage for each completed year of service that was given to the school;
- Payment for any outstanding vacation leave.

The management of the school accepted the recommendations but indicated that the School was not in a financial position to honour the payments of the outstanding monies immediately.

They approached the complainant and proposed a payment plan via installments; however, the complainant refused the proposal indicating instead that all monies be paid in full.

Within the last year this Office has made several efforts to contact the complainant however, they were all in futility. Further investigations by this Office revealed that the complainant signed a cheque dated February 27th, 2017 for the total outstanding balance.

Case 3

A resident of Woodlands, St. George's complained about the operations of a nearby garage which started some ten (10) years ago, providing repairs to bumper and other plastic related work. Initially this work did not pose any health hazard.

However within the last three years of operations the garage changed from the repair of plastic to auto body repairs. As a result, whenever the operators sprayed vehicles the fumes caused a nuisance to the complainant, his family and tenants.

Sample of Complaints

The matter was reported to the Ministry of Health, which was later reported to the Physical Planning Unit who upon investigations discovered that the shop was operating illegally.

A joint visit was made to the garage by both Public Authorities. An Enforcement Notice was issued to the owner of the garage. Nevertheless to date no corrective measures has been taken and the operations of the garage are allowed to continue.

Case 4

A complainant's son was arrested and charged by a police officer for the possession of a controlled drug in 2011. The son was granted bail and was required to submit all travel documents which was adhered to. Subsequently the matter was thrown out of the court however; the young man's passport was not returned to him. The complainant claimed that a complaint was made to the Criminal Investigation Department, Community Relations Office (CRO) and the Immigration Office with no solution.

In 2013, CRO acknowledged that the passport was lost. The complainant lodged a complaint to the Ombudsman who intervened and was able to resolve the matter with the issuance of a new passport to the complainant's son.

Case 5

A complainant owns land in Loretto, which was purchased from Model Farms in 1990. Squatters occupied approximately one (1) acre, claiming that they were given permission by the Government.

The complainant stated that three (3) years were spent negotiating with the Ministry of Agriculture on the issue seeking to obtain a reasonable resolution however; he was dissatisfied with the slow pace at which progress was made.

After several efforts to contact the Permanent Secretary in the Ministry of Agriculture proved futile, a complaint was lodged to the Ombudsman, who interceded and after preliminary investigation noted that the following were accomplished:

- A plan was drawn-up showing the area occupied by the squatters;
- A proposal detailing compensation for lands occupied was prepared for submission to Cabinet.

Subsequently the Office of the Ombudsman held meetings with the Minister, Permanent Secretary of the Ministry of Agriculture and the complainant; who assured this Office that an agreement on the price per square foot for the land was decided and would be submitted to Cabinet.

Analysis of Complaints



Analysis of Complaints

Table 1: Status of Complaints made against the State-owned Entities in 2017

PUBLIC AUTHORITIES	STATUS OF COMPLAINTS MADE					
	Total	Closed	Ongoing	Advice Given	Dis-continued	Beyond Jurisdiction
Min. Of Agriculture, Lands, Forestry, Fisheries and the Environment	5	1	4			
Grenada Electricity Services	1				1	
Min. of Com. Works, Physical Dev., Public Utilities, ICT & Com. Dev.	5	2	3			
Ministry of Social Development and Housing	1		1			
Her Majesty's Prisons	1		1			
Min. of Education and Human Resource Development	2	1	1			
Private Entities	3			2		1
Child Protection Authority	1		1			
Ministry of Labour	6		6			
Min. of Health and Social Security	2		2			
Inland Revenue Department	1		1			
Prime Minister's Min. Min. of National Security, Public Admin., Disaster Management, Home Affairs, Implem. & info.	1		1			
Royal Grenada Police Force	7	1	4	1	1	
Grenada Airports Authority	1		1			
Magistracy Department	1	1				
NAWASA	2		2			
TOTAL	40	6	28	3	2	1

Table 1 presents an overview of the status of complaints lodged with the Office of the Ombudsman for the period January to December 2017. Unlike previous years, the highest number of complaints received was against the Royal Grenada Police Force that is seven (7) which amounted to 18% of the total complaints.

The Ministry of Labour followed with six (6) complaints and five (5) each from the Ministries of Agriculture and Works. A total of three (3) complaints were lodged against the Ministry of Education and that of Private Entities.

The Office continues to express concerns regarding the tardiness in responses from various Ministries.

As highlighted in previous reports that Public Officers serve the same people with some cross cutting issues, it is imperative for an improved inter and intra Ministerial relations which would facilitate the speedy responses/resolutions. Therefore, the Ombudsman reiterates that a proper procedure be put in place to allow the requisite communication and consultations among Permanent Secretaries who may be required to solve such complaints.

Further this Office implores the Ministry of Works to improve its efforts in assisting in a timelier manner with the resolution of complaints. While we commend the Ministry of Agriculture on their enhanced relations with this Office, we also encourage them to persevere in the research of information regarding complaints.

Additionally, we wish to commend both the Royal Grenada Police Force and Child Protection Authority for their improved efforts in working with the Office of the Ombudsman. The efforts of the Ministry of Labour are recognised and we urge them to continue.

Office Changes

Towards the last quarter of 2016 and the first quarter of 2017, the Office changed its telecommunication and internet services provider from Columbus Communication (FLOW) to Digicel, in keeping with the central Government System. This change was essential according to the late Ombudsman Mc Intyre to facilitate the calling of Public Officers directly as opposed to calling a Secretary or receptionist and waiting for the call to be transferred. She also deemed this transfer as a more cost effective one since both the Government and Ombudsman Office will be sharing the same service provider.

Unfortunately, the full transition took this Office approximately six (6) to eight (8) months with constant complaints from the technicians at the Ministry of Finance that they were short staff and the work load was heavy given that they were required to change the systems of all Government Offices throughout the tri island state. It appeared that this Office seemingly was not a priority and the Office was forced to continue its operations without access to both cellular and long distance phone calls for an estimated three months. Finally that aspect of the system was completed, unfortunately though when

complainants called this Office using a cellular phone, they complained that the calls were being answered by the Ministry of Education. This negatively impacted the Office giving rise to the perception that the Ombudsman Office was part of Central Government Operations.

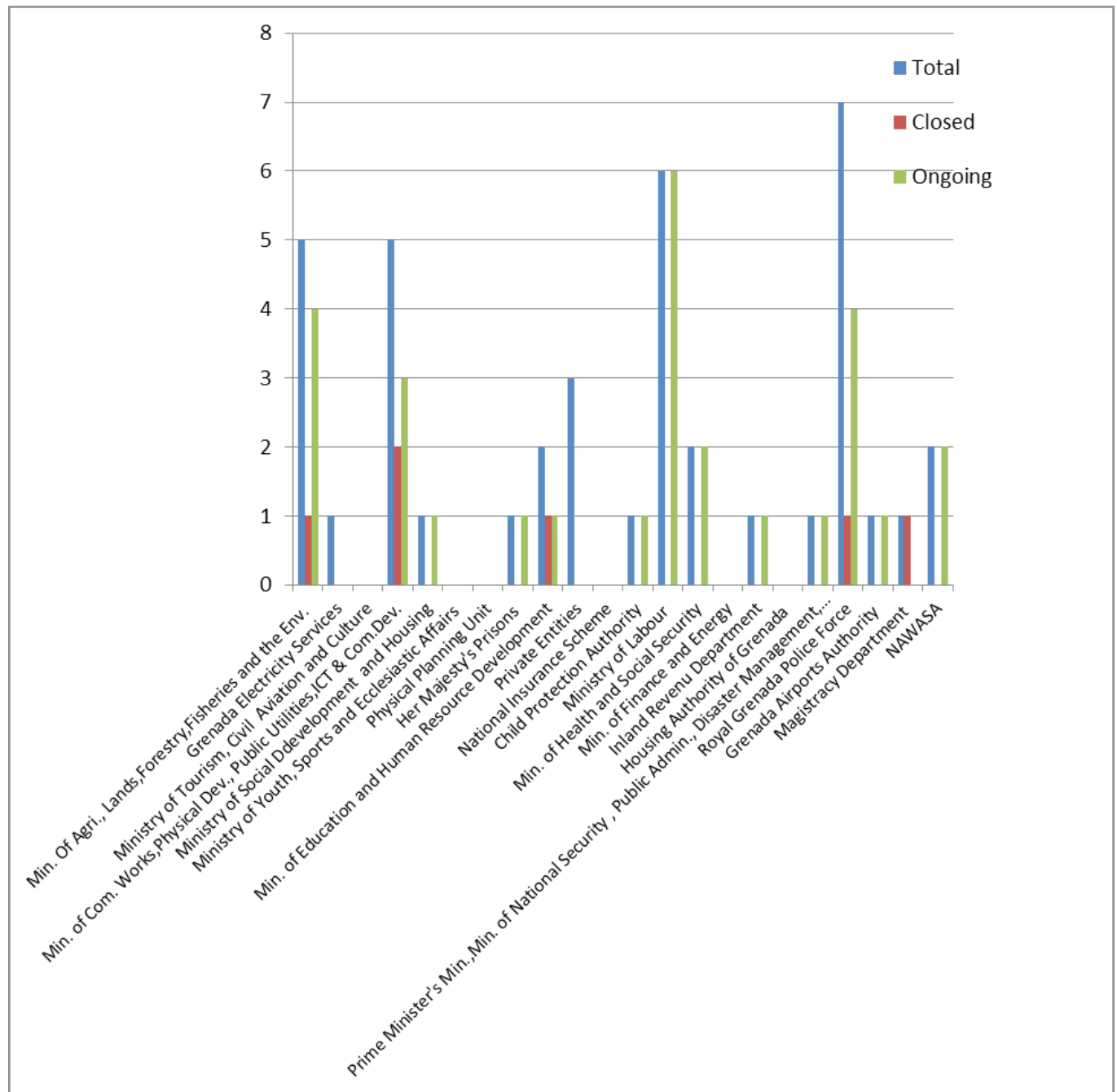
On assuming Office numerous complainants complained to the current Ombudsman, their experiences and in some cases the awful occurrences they encountered after redialling the number, thinking that it was their error. Several reports were made to the Technical team; however, no remedial action was taken. Additionally the system was not cost effective since the Office of the Ombudsman continued to make payments to FLOW for the use of their numbers.

The Ombudsman therefore thought since the Office of the Ombudsman according to ACT #24 of 2007 was meant to be independent of Central Government Operations and that if complainants are left to continue experiencing the aforementioned behaviour from staff at the Ministry of Education this would aid in the deterioration of the public's confidence in this institution and contribute further to their reluctance to complain. Consequently the telecommunication and internet services were reverted to the former provider FLOW.

The Office commenced the use of its improved database management system in 2017 by retaining the services of the temporary employee who as part of her duties is now responsible for entering the cases in the new system. The use of this system will assist in the management of information, thereby increasing efficiency of this Office.

Analysis of Complaints

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



The data in Table 2 shows that as with previous years the number of complaints lodged continues to decrease with 2017 having the lowest number of complaints the office has recorded since its establishment.

A review of the numbers with previous years shows complaints lodged in 2014 was one hundred (100), 2015 was ninety-four (94), 2016 was seventy-four (74) and in 2017 forty (40) which was the biggest decline recorded in the last five years.

Analysis of Complaints

It should be noted that although there was a decline in the number of complaints generally there was a steady increase in complaints from Private Entities over a three (3) year period with a drastic decline over the remaining two (2) years. See details in Table 2 below.

Table 2: Total Complaints Recorded per year compared to total complaints against Private Entities over the last five years.

Year	Total complaints	Private Entities
2013	124	19
2014	100	26
2015	94	36
2016	74	15
2017	40	5

This decline can be attributed to several reasons, which can be directly related to a general improvement in the service delivery by Government Ministries and Public Officials.

A broader program of promotion of awareness on the role and functions of the Office of the Ombudsman may have provided some clarity and understanding to the general public and therefore this can also be a reason for the decrease in complaints from Private Entities as seen in Table 2 above.

Further the frequent change of Ombudsman (four in the past two years) has been identified by complainants as a reason for their disinclination in utilising the services offered. It should be noted that while the first Ombudsman served for a five (5) year period 2009 to 2013, in the period that followed there were five (5) different persons appointed to serve as Ombudsman. It seems therefore that this has been impacting the Office negatively.

Complaints from 2015

Table 3: Shows the Status of Rollovers from 2016 into 2017

PUBLIC AUTHORITIES	STATUS OF COMPLAINTS MADE					
	Total	Closed	Ongoing	Dis-continued	Advice / Referrals	Beyond Jurisdiction
Min. Of Agriculture, Lands, Forestry, Fisheries and the Environment	5		5			
Ministry of Tourism, Civil Aviation and Culture	1		1			
Min. of Com. Works, Physical Dev., Public Utilities, ICT & Com. Dev.	2		2			
Min. of Education and Human Resource Development	3		3			
Child Protection Authority	2	2				
Ministry of Labour	7	3	4			
Min. of Health and Social Security	2		1	1		
Inland Revenue Department	1				1	
Housing Authority of Grenada	1		1			
Min. of Carriacou and Petite Martinique Affairs and Local Government	1	1				
Royal Grenada Police Force	4	2	2			
TOTAL	29	8	19	1	1	0

Twenty-nine (29) of the complaints lodged at the Ombudsman Office in the calendar year 2016 remained unresolved at the end of the calendar year though the Office did not cease in its efforts to seek a resolution for them. The table above illustrates the status of these complaints on culmination of the activities for 2017. From the data represented in the table approximately twenty eight percent (28%) of the complaint were closed, an estimated sixty six percent (66%) continues to be under investigation, while three percent (3%) received an advice or referral and the investigations of another three percent (3%) were discontinued.

The period under review has not been different for the Office with respect to the pursuance of resolution of complaints. The customary probing of some Public Authorities for a response to correspondence and requests to convene meetings has not been different either. The complexity of some complaints has also adversely affected the number of complaints resolved. Additionally, the attitudes of some Public Officers towards work also impede resolutions and continue to be an issue of immense concern.

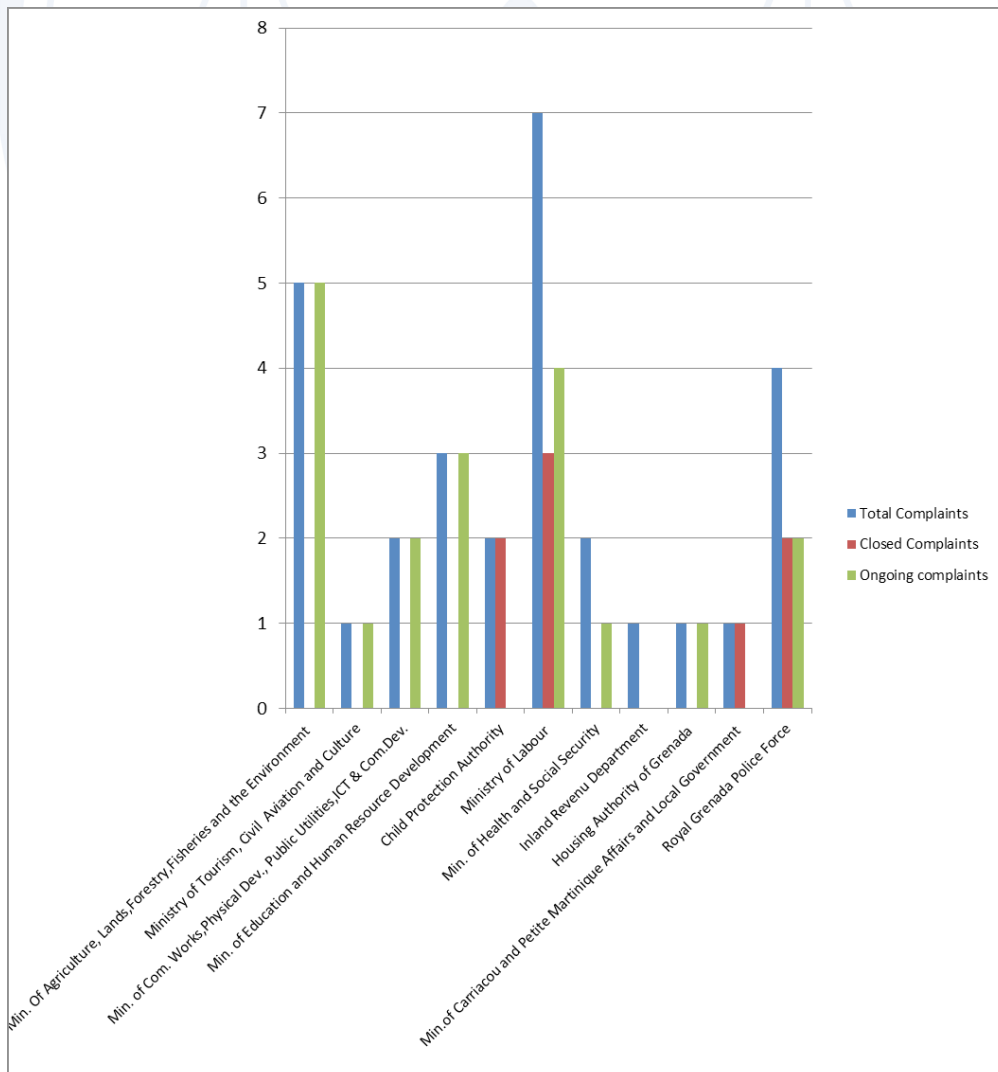
Analysis of Complaints

It must be noted that in some instances the resolution of some complaints requires minimal efforts by some Public Authorities, while in other instances it appears that some Public Officers deliberately do not adhere to the respective administrative procedures or are not practical in seeking the requisite information that could lead to the resolution of a complaint.

Commendation goes to the Royal Grenada Police (RGPF) who after publication of the most recent Ombudsman Annual Report recognised that the RGPF had a recurring number of outstanding complaints against them.

In an effort to correct the situation the Hierarchy of the RGPF requested a synopsis of all the complaints, conducted further research and finally convened meetings and held subsequent conversations with the Ombudsman. This approach aided the resolution of several of the outstanding complaints. The Ombudsman applauds this approach and admonishes the Ministry of Works and all other Ministries that are in a similar situation to adapt such approach.

The graph below is a representation of the status of complaints in Table 3



Complaints from 2015

Table 4: shows the Status of Complaints of Rollovers from 2015 to 2017

PUBLIC AUTHORITIES						
	Total	Closed	Ongoing	Dis-continued	Advice / Referrals	Beyond Jurisdiction
Min. of Com., Works, Physical Dev., Public Util., ICT & Com. Dev.	4		4			
Ministry of Labour	1		1			
Min. of education and Human Resource	1		1			
Child Protection Authority	1		1			
Min. of Health & Social Security	6	2	2		1	1
Min. of Finance and Energy	2	1	1			
P M's Min., Min. of National Security, Public Admin., Disaster Man., Home Affairs, Imp. & info.	1		1			
Royal Grenada Police Force	4	1	3			
Min.of Carriacou & Petit Martinique Affairs & Local Gov.	1		1			
TOTAL	21	4	15	0	1	1

There were twenty-one (21) unresolved complaints from 2015 which were investigated in 2017, nineteen percent (19%) of which were resolved. Approximately seventy one (71%) is unresolved and will continue to be investigated in the 2018. An advice or referral was given for an estimated five percent (5%), while another five percent (5%) was discontinued.

This Office is of the view that public officers with minimal experience need to become more familiar with policies and procedures that would enhance their service delivery. While the need for higher learning is important and it is evident that many public officers have been pursuing University degrees, there is still an urgent need for entry level training in Public Service rules, regulations and procedures so that the expectation for better service delivery with more graduates will be a reality.

Complaints from 2014

Table 5: shows the Status of Complaints from 2014 into 2017

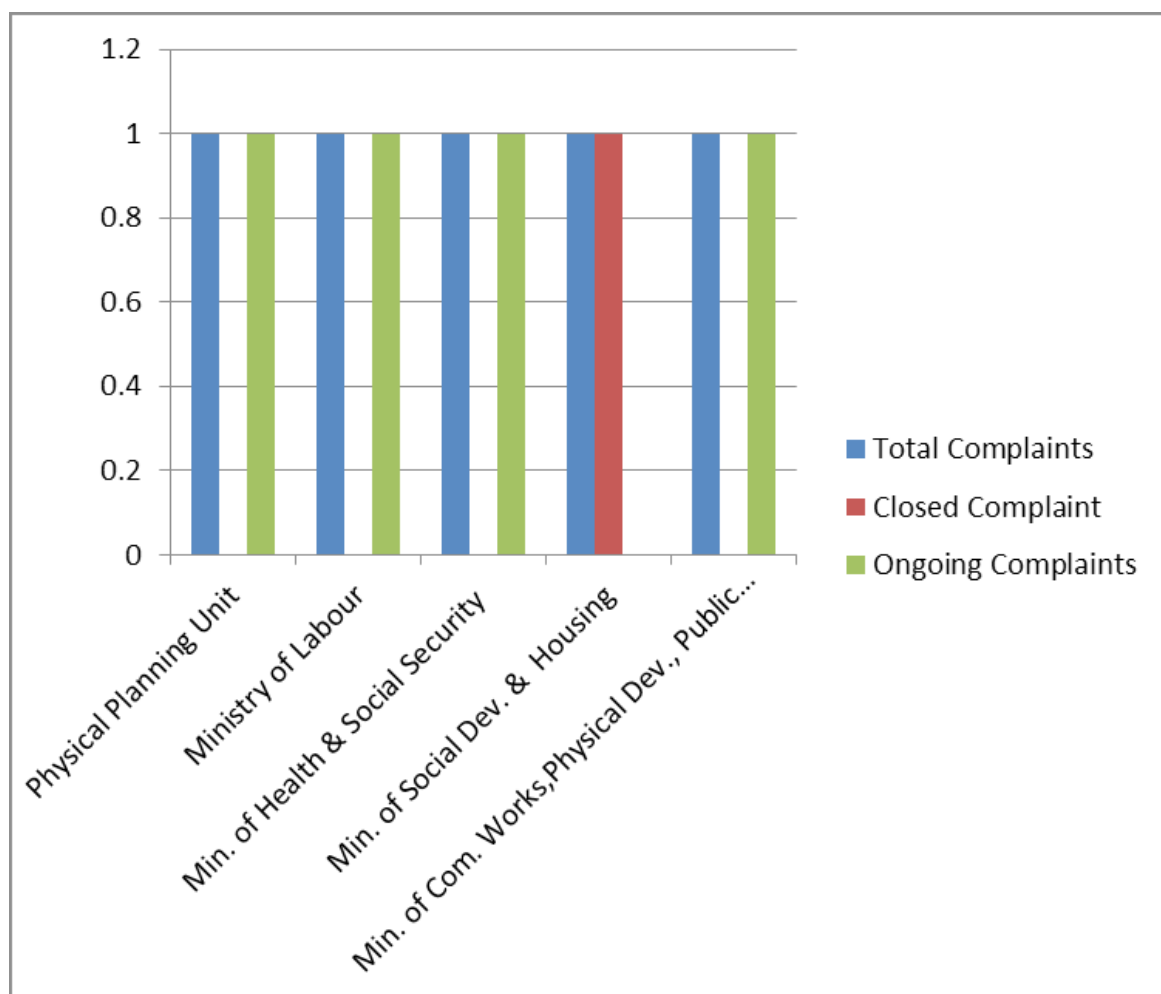
PUBLIC AUTHORITIES						
	Total	Closed	Ongoing	Dis-continued	Advice / Referrals	Beyond Jurisdiction
Physical Planning Unit	1		1			
Ministry of Labour	1		1			
Min. of Health & Social Security	1		1			
Min. of Social Dev. & Housing	1	1				
Min. of Com. Works, Physical Dev., Public Utilities, ICT & Com. Dev.	1		1			
TOTAL	5	1	4	0	0	0

Five (5) complaints lodged with this Office in 2014 remained unresolved on the commencement of the activities in 2017, investigation into these complaints continued. Table 5 above illustrates the current status of these complaints on culmination of the activities of the calendar year 2017. From the data represented twenty percent (20%) of the complaints were resolved whilst the remaining eighty percent (80%) continues to be under investigation.

It is the intention of the Ombudsman to continue to engage Ministers, Permanent Secretaries and other Heads of Department to work closer with this Office to realize the resolution of complaints generally but particularly those that are long outstanding. As it relates to the newer complaints the Ombudsman is of the opinion that there should be a shorter response time which would facilitate quicker resolutions.

Analysis of Complaints

The graph below is a representation of the status of complaints in Table 5



Complaints from 2013

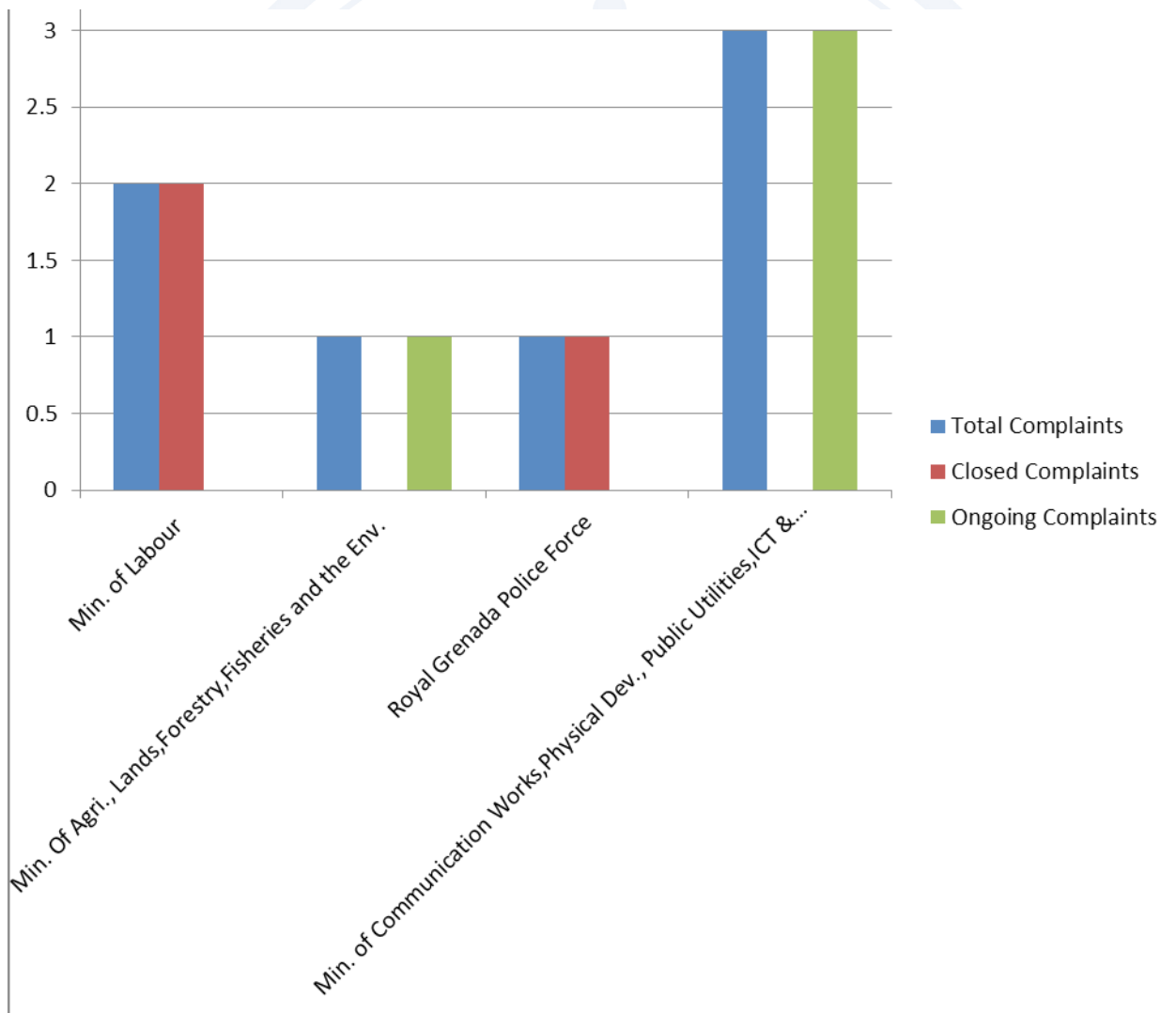
Table 6: shows the Status of Complaints from 2013 into 2017

PUBLIC AUTHORITIES	Total	Closed	Ongoing	Dis-continued	Advice / Referrals	Beyond Jurisdiction
Min. of Labour	2	2				
Min. Of Agriculture, Lands, Forestry ,Fisheries & the Environment	1		1			
Royal Grenada Police Force	1	1				
Min. of Communication Works, Physical Dev., Public Utilities, ICT & Community Dev.	3		3			
TOTAL	7	3	4	0	0	0

Analysis of Complaints

Matters lodged in 2013 that remained unresolved and investigated in 2017, amounted to seven (7). On culmination of the activities of 2017 approximately forty eight percent (48%) of these complaints were resolved. The remaining fifty two (52%) continues to be under investigation. The Ombudsman deemed this commendable and is optimistic about resolving the remaining complaints in the near future.

The graph below is a representation of the status of complaints in Table 6



Complaints from 2012

Table 7: shows the Status of Complaints from 2012 into 2017

STATUS OF COMPLAINTS MADE						
PUBLIC AUTHORITIES	TOTAL	CLOSED	ONGOING	DIS-CONTINUED	BEYOND JURISDICTION	ADVICE GIVEN
Min. of Labour	2	2				
Min. Of Agriculture, Lands, Forestry, Fisheries and the Environment	1	1				
Royal Grenada Police Force	1		1			
Min. of Communications Works, Physical Dev., Public Utilities, ICT & Community Dev.	2		2			
TOTAL	6	3	3	0	0	0

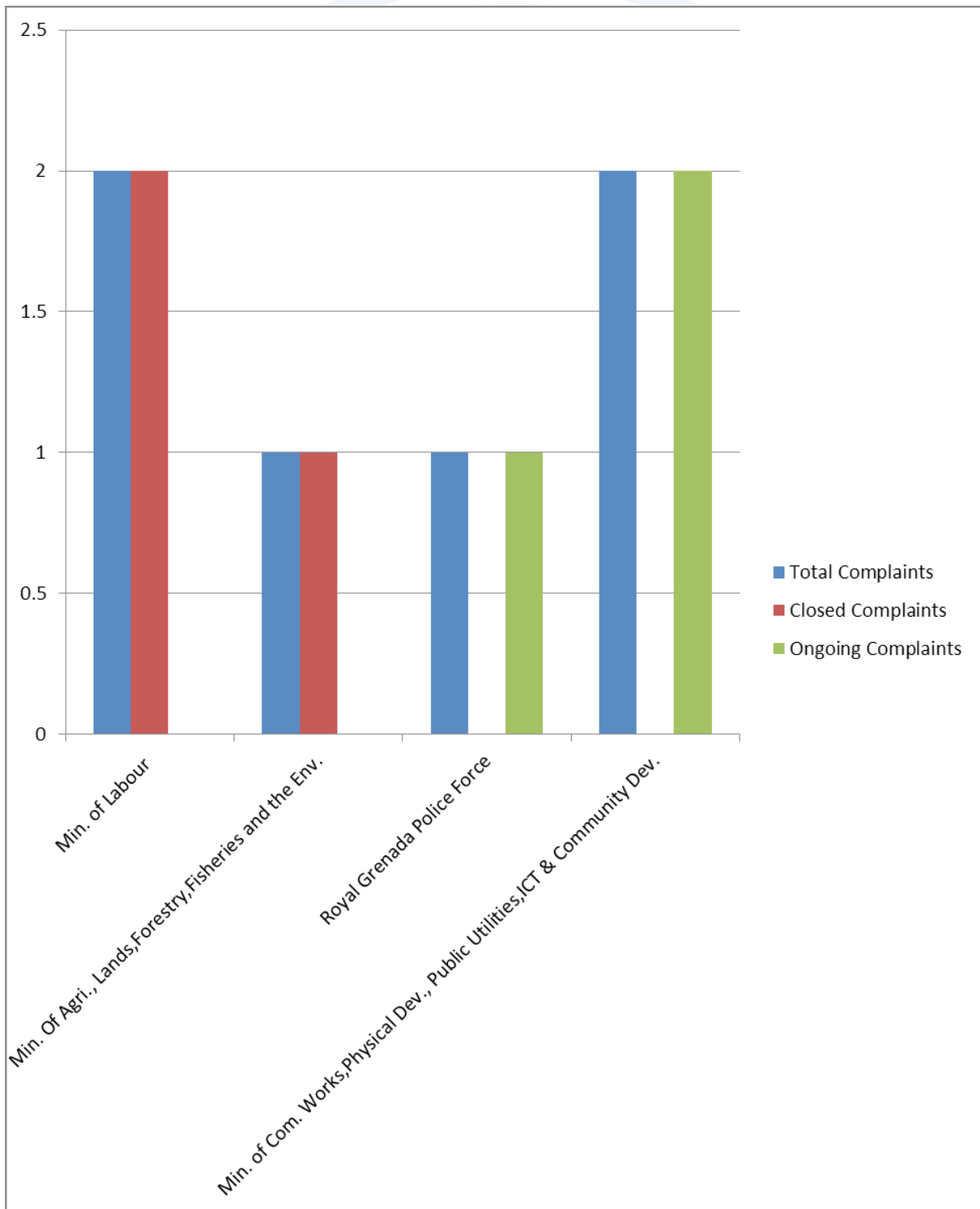
Represented in the table above is the current status of complaints lodged in 2012 which remained unresolved at the beginning of the year under review. Fifty percent (50%) of the complaints for this period were resolved while the remaining fifty percent (50%) continues to be under investigation. The improved working relationship between the Ministries of Agriculture and Labour with the Office of the Ombudsman has contributed to the resolution of many complaints.

Throughout 2017 the Ombudsman and her staff met with the Permanent Secretary and Heads of Divisions of the Ministry of Agriculture on multiple occasions to discuss complaints and possible resolutions. This approach proved to be very productive since many of the long outstanding complaints against this Ministry were resolved. A similar approach was adapted with the Ministry of Labour and the results obtained were parallel. Additionally, it is opined that many complaints lodged against the Ministry of Labour can be easily resolved working through the Labour Commissioner and Staff.

Analysis of Complaints

The Ombudsman is of the view that the time required in undertaking a thorough investigation for every complaint lodged at this Office can contribute to the misconception of inefficiency. Therefore, the Ombudsman encourages this method of resolution because it is more efficient, cost effective and affords flexibility in finding a resolution to complaints.

The graph below is a representation of the status of complaints in Table 6



Complaints from 2011

Table 8: shows the Status of Complaints from 2011 into 2017

STATUS OF COMPLAINTS MADE						
PUBLIC AUTHORITIES	TOTAL	CLOSED	ONGOING	DISCONTINUED	BEYOND JURISDICTION	ADVICE GIVEN
Min. of Social Dev. & Housing	2	2				
Min. Of Agri., Lands, Forestry, Fisheries & the Environment	2	1	1			
Min. of Communications Works, Physical Dev., Public Utilities, ICT & Community Dev.	1		1			
TOTAL	5	3	2	0	0	0

The table above illustrates the status of complaints lodged at the Office in 2011 which were investigated in the year under review. On culmination of the activities of 2017, sixty percent (60%) of the cases were resolved while in 2018 investigation will continue for the remaining forty percent (40%)

The Ombudsman is very satisfied with the contribution of the various Ministries that were instrumental in the resolution of sample complaint- Case 6. This complaint attracted much attention; it was also among the longest outstanding ones for this Office. The resolution involved a policy decision by the Cabinet, a system wide investigation, exemplary perseverance for closure on the part of the complainant and a meeting convened on the initiative of the Senior Administrative Officer (SAO) in the Ministry of Agriculture with representatives from all Ministries and Divisions directly involved in the process.

Complaints from 2010

Rollovers from 2010 into 2017

The acquisition of a portion of land in the Grenville Vale area for a public purpose remains the longest outstanding complaint lodged at this office. The Office noted a deficiency in the adherence to administrative procedures on land acquisition and compensation between the Ministries of Works and Agriculture. Although the legislation governing land acquisition and compensation i.e. CAP 159 of the 2002 Continuous Laws of Grenada is very explicit, there seems to be some grey areas between the Officers of the two Ministries involved.



The Office noted information obtained from investigations that is the absence of consultation with land owners prior to acquisition, the lengthy time taken for resolution and/or possible compensation and the number of unresolved complaints, clearly suggesting that adherence to the legislation was absent. The Ombudsman therefore recommends that the process of land acquisition and compensation be executed in accordance with the requisite legislation and in cases of infringement then the public official should be disciplined or surcharged accordingly.

This Office is also of the view that the principle of equity and equivalence should take prevalence in matters relating to land acquisition and compensation. Public Officials must therefore ensure that individuals including the less fortunate who are affected do not become victims of mal-administration or abuse.

Table 9: Comparison of status of complaints: 2016 vs. 2017

Year	Total	Closed	Ongoing	Advice /Referral	Discontinued	Beyond Jurisdiction
2017	40	6	28	3	2	1
2016	74	16	28	18	4	8

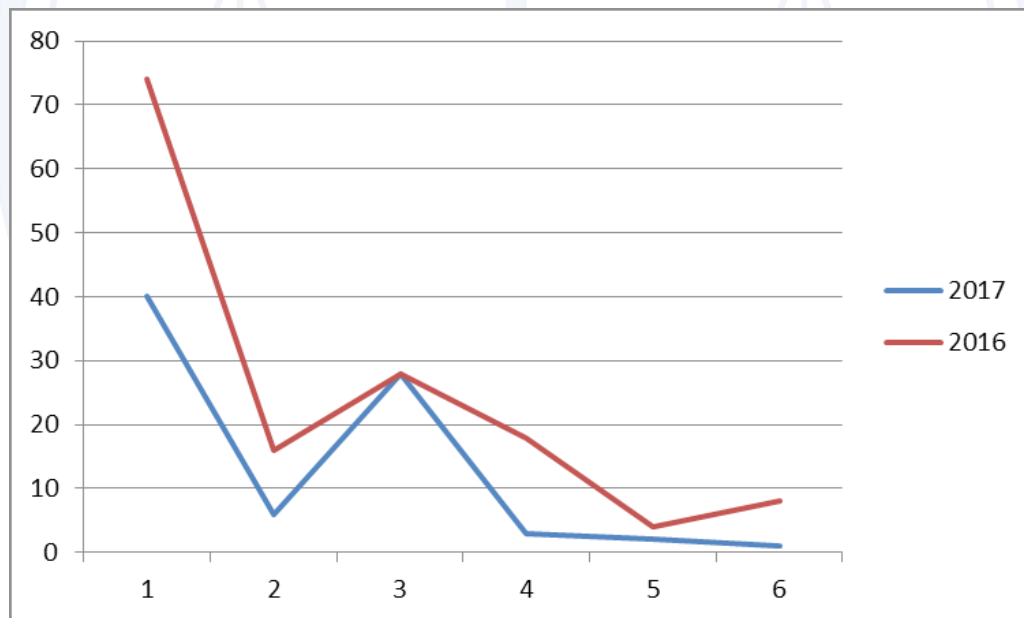
The table above gives a numerical overview of the current status of complaints that were entertained at the Office of the Ombudsman for the calendar years 2016 and 2017.

From the data represented it can be observed that the total number of complaints brought to the Office of the Ombudsman in 2017, amounted to forty (40/114) or thirty five percent (35%) as compared to (74/114) or approximately 65% in the previous year. It can be concluded that there was an estimated forty six percent (46%) decrease in the number of complaints brought to the attention of the Ombudsman in 2017.

Analysis of Complaints

As it relates to the resolution of complaints twenty seven percent (27%) or (6/22) of the cases lodged in 2017 were resolved during the calendar year 2017 while approximately seventy three percent (73%) or (16/22) received closure in 2016. The number of cases that continues to be under investigation for both periods coincidentally is numerically the same that is twenty eight (28). It is noted that upon analysis fifty percent (50%) or (28/56) of the cases received by the Office in 2017 remained unresolved on culmination of the year as compared to an estimated thirty eight percent (38%) or (28/56) resolved in 2016. Thirteen percent (13%) or (3/23) of the complainants who complained in 2017 obtained an advice or referral while approximately eighty seven percent (87%) or (18/23) were similarly treated in 2016. Approximately thirty three percent (33%) or (2/6) of the cases were discontinued in 2017 as opposed to an estimated seventy seven percent (77%) or (4/6) in 2016. The total number of cases which were considered beyond legal jurisdiction for both periods amounted to nine (9). Approximately eleven percent (11%) or (1/9) were recorded in 2016 and the remaining eighty nine percent (89%) or (8/9) in 2017.

The graph below is a pictorial comparison of statistics for the years 2016 and 2017



Analysis of Complaints

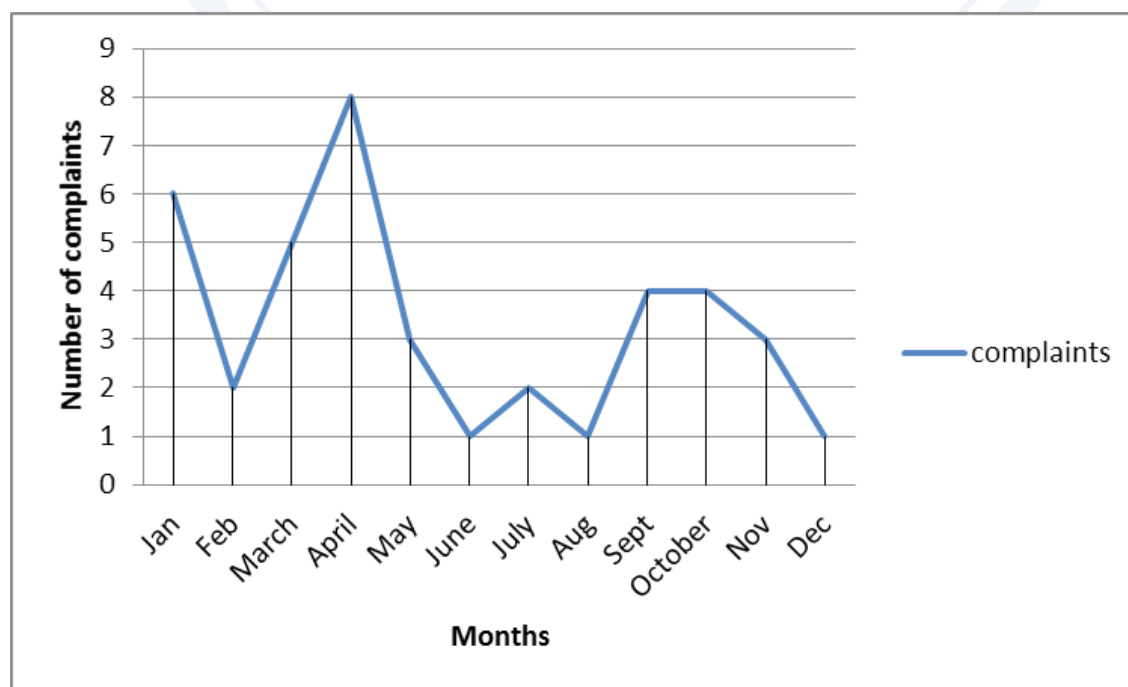
Table 10: Distribution of complaints per month 2017

MONTHS	2017
Jan	6
Feb	2
March	5
April	8
May	3
June	1
July	2
Aug	1
Sept	4
October	4
Nov	3
Dec	1
TOTAL	40

From the data represented in the table above and the line graph below, it can be observed that there were some fluctuations in the number of complaints recorded per month throughout the year under review.

The highest number of complaints recorded per given month was twenty percent (28%) or (8/40) in April followed by January and March with fifteen percent (15%) or (6/40) and twelve percent (12%) or (5/40) respectively. The Office recorded on average of three (3) new complaints per month in 2017.

The Line Graph below shows a pictorial representation of complaints made to the Office in 2017



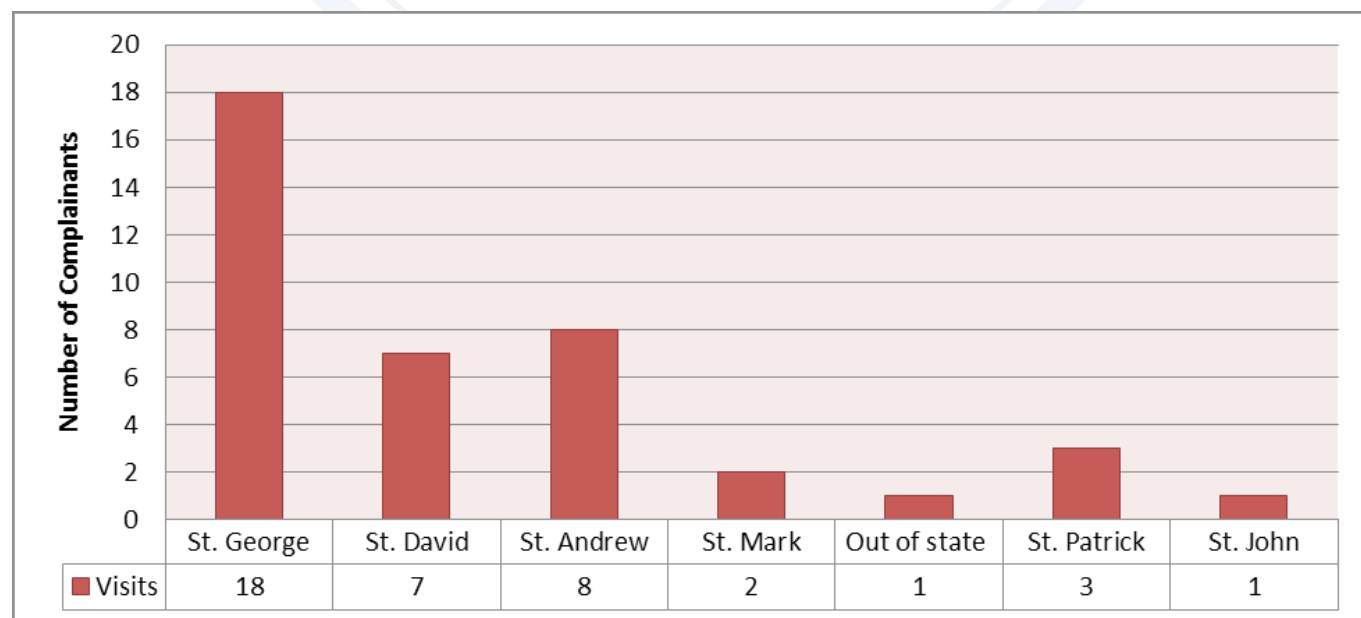
Analysis of Complaints

Table 11: Distribution of complainants per parish for the year 2017

PARISH	NO. OF COMPLAINANTS
St. George	18
St. David	7
St. Andrew	8
St. Mark	2
St. Patrick	3
St. John	1
Carriacou & Petit Martinique	0
Out of state (England)	1
TOTAL	40

Despite efforts to improve the Outreach Services the data in Table 11 above shows that St. George continues to record the highest number of complaints being forty-five percent (45%) or (18/40). St. Andrew and St. David followed with twenty percent (20%) or (8/40) and eighteen percent (18%) or (7/40) respectively. The other parishes show between one and three complaints with Carriacou & Petit Martinique having none for 2017 while the office received one complaint from London, England.

It can be therefore concluded that there is need for much more work to be done with the Outreach Services. It may be possible that the hours are conflicting with that of working hours of citizens making the Outreach Services inaccessible. Consequently the Office is considering an amendment to the hours of the Outreach Services making it more accessible.



Comparing the residence of complaints for the years 2015 and 2016

Table 12: Residence of Complainants per Parish 2016 vs 2017

PARISH	2016	2017
St. George	31	18
St. David	7	7
St. Andrew	17	8
St. Mark	5	2
St. Patrick	4	1
St. John	0	3
Carriacou & Petite Martinique	3	0
Out of State (England)	7	1
TOTAL	74	40

The number of complaints recorded at the Office of the Ombudsman for the period January 1st to December 31, 2017 is approximately half that number for the same period in 2016 but with a wider distribution of complainants in 2016.

Although there was a decrease in the number of registered complaints for the period under review, the areas from which the highest number of complainants reside remains the same i.e. St. George, St. Andrew and St. David respectively.

Analysis of Complaints

Forms of Initial contact with the Office

The table summarizes the sources through which information was provided to the Office in the calendar year 2017.

Table 12: Forms of initial contact with the Office

	In Person 95% 38 by walk-ins
	Appointments 2.5% 1 by appointment
	Telephone 2.5% 1 by phone
Total Contacts in 2017	40

The graph below illustrates an overview of the forms of initial contact with the Office of the Ombudsman in 2017.



ANNUAL BUDGET & PLAN

The Ombudsman is required to prepare a Plan for the activities and funding for the office and submit same to the Speaker to be laid before the House of Representatives by 15th September of each year as stipulated in Section 19 (2) of the Ombudsman Act # 24 of 2007.

The 2018 Budget and Plan were submitted to the Speaker on 4th September 2017 to be laid before the House of Representatives. It details all activities the Office of the Ombudsman hopes to execute over the year in the furtherance of its objectives.

It is observed that although the Budget and Plan is submitted each year to the Speaker this Office has no evidence or record that the Office was granted any opportunity to explain or defend its Budget and Plan; neither is there any evidence of official information regarding approval or otherwise of the said Budget and Plan.

It is an area the Director of Audit continues to highlight in his Annual Audit Report of the accounts of the Office. Also highlighted in the Annual Audit Report is the issue of the allocation of finance required for salary, allowances and other resources for the operations of this Office has been allocated to the Vote of the Houses of Parliament contravening the legislation which calls for the expenditure to be a charge on the consolidated Fund without any further appropriation other than this Act.

MEMBERSHIP

- The Office of the Ombudsman continues to retain membership in the Caribbean Ombudsman Association (CAROA) which is a Regional Organisation. CAROA provides support to members and promotes good practices in the region. Its membership includes Trinidad and Tobago in the South right up to Bermuda in the North.
- The International Ombudsman Institute is a worldwide Body that provides updates of activities of member states. Training opportunities and conferences are advertised and best practices are shared.

COMMUNITY OUTREACH SERVICES

Evaluation of the Community Outreach Services in 2017

The Office of the Ombudsman was established by Act # 24 of 2007 to advocate for persons for good administration. One primary responsibility as stated in the Act is to respond to and resolve complaints of Mal-Administration against all Public Bodies/Authorities.

The Community Outreach Service is one strategy offered to disseminate information to users of services provided by this Office and to make known the options available to resolve cases of Mal-Administration against Public Bodies and Authorities.

The year under review (2017) showed total outreach visits to be forty (40) with a few cancellations. In the area of rollover complaints, follow-up work was done with four (4) complaints from the previous year.

The strategy has proven to be very economical particularly for residents of the Carriacou and Petit Martinique and those of the outer parishes who no longer were required to incur transportation expenses to access the main Office located on Port Highway in St. George's.

Despite the foregoing and although the services improved in 2017, there is need for a review of this strategy given that the services at the location of some venues became inaccessible, while the times the services are offered seemed to be clashing with the hours of work of potential complainants. These we believe were responsible for the low number of complaints for the year; additionally from the profile of complaints received by the community outreach it appears that the population is still not fully aware or sure of the role of the Office of the Ombudsman.

Therefore while it is good to meet people where they are in their respective community, the Office intends to amend the hours the services are offered along with consideration to a change in some of the venues all in an effort to obtain a wider reach, make the services more accessible and to ensure value for monies expended in this area.

PROFILE OF COMPLAINTS RECEIVED FROM OUTREACH ACTIVITIES IN 2017

- A resident from St. Andrew, a former employee of the Ministry of Sports, complained about the length of time his matter was brought before the Ministry of Labour;
- A resident from St. David complained about the lack of representation by his Union regarding an issue with the Ministry of Education;
- A retired Police Officer, from St. Patrick complained on behalf of her daughter who was injured by an old refrigerator belonging to a well-known businessman in the area which was disposed in front of his store;
- A resident from St. Andrew complained on her family regarding disagreement about land and boundary marks;
- Two complainants both from St. Andrew who scheduled appointments but did not appear;
- 1) A bus driver claimed to be having problems with the police which has led to him being taken to Court; and
- 2) A complainant related about damage to his crop which was cultivated on lands where he resides, but does not own. He is of the opinion that he is being abused because of his political affiliation; however he refused to visit either the Outreach or the main Office;
- A complainant from St. John did not complete nor sign the Complaints Form. Delivery of same was promised in early 2018;
- Four (4) rollover complaints from 2016 were actioned. Two of the complainants were from Carriacou and two from St. Andrew.

SNEAK LOOK INTO 2017 ACTIVITIES OF THE OFFICE

- Completion and submission of the 2016 Annual Report to the Speaker of the House of Representatives for presentation to the House.
- At the end of May the Office witnessed the sad passing of the first female Ombudsman - Ms. Nadica Mc Intyre and on May 9th the staff attended her funeral service.
- In June the office was represented at a Seminar organized by the United Nations Economic Commission for Latin America & the Caribbean to raise awareness on Principle 10 of the Rio Declaration and provide information on its implementation in the Caribbean sub-region.
- After a nine-month acting period by the Complaints Officer a new person was appointed as acting Ombudsman effective 1st. August 2017.
- Establishment of a management team comprising: Investigations Officer, Complaints Officer and Ombudsman;
- Establishment of the general staff meetings and weekly case management meetings with the management team;
- In September, the 2018 Budget and Plan for the Office of the Ombudsman was submitted for presentation and approval by the House of Representatives.
- The Ombudsman and Complaints Officer appeared on a few radio and television programmes with GIS, GBN, and Chime FM's Sundays with George Grant show.
- Ombudsman and staff participated in the Ministry of Agriculture's Agri-Business Expo held at the Trade Centre during the last weekend of September.
- The Office of the Ombudsman participated in the Inaugural International Anti-Corruption Day March held by the Integrity Commission on 8th December.

Meetings

- The Office was represented in routinely scheduled meetings of the National Coordination Committee for Human Rights, chaired by the Ministry of Foreign Affairs.
- In April the Complaints and Investigations Officers together with a complainant attended a meeting with the Minister and Permanent Secretary of the Ministry of Agriculture.
- In July the Acting Ombudsman, Investigations Officer and a complainant together with her relative attended a meeting at the Ministry of Education with the Chief Education Officer and the Principal of a Secondary School.
- Introductory meeting was held with the new Director of the Child Protection Authority and the new Ombudsman together with the Complaints and Investigations Officers.
- In October, the Ombudsman, Complaints and Investigations Officers met with Officials from OAS to discuss the Mechanism for the Inter American Convention Against Corruption (MESICIC) and Grenada's follow-up to the Second Round Recommendations on Government hiring systems.

Complaints Handling

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 on 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 the public authority on what should be done to resolve the complaint.
- (5) Provide you with information on the results of The Ombudsman's enquiry or investigation.

PUBLIC AUTHORITY

APPENDIX 11

CODE

Prime Ministers Ministry (National Security, Public Administration, ICT)	PMM
Grenada Food and Nutrition Council	FNC
Ministry of Social Development	MSD
Grenada Housing Authority	GHA
Ministry of Tourism and Civil Aviation	MTC
Grenada Industrial Development Corporation	IDC
Ministry of Works, Physical Development and Public Utilities	MWP
Grenada National Lottery Authority	NLA
Ministry of Youth Empowerment and Sports	MYS
Grenada National Museum	GNM
Department of Audit	DOA
Grenada Port Authority	GPA
Governor General's Office	GGO
Grenada Postal Corporation	GPC
Integrity Commission	ICO
Grenada Solid Waste Management Authority	SWA
Magistracy	MAG
Marketing & National Importing Board	MIB
Office of the Director of Prosecutions	DPP
National Insurance Scheme	NIS
Office of the Houses of Parliament	OHP
National Telecommunication Regulatory Commission	NTRC
Parliamentary Electoral Office	PEO
National Water & Sewage Authority	NAWASA
Public Service Commission	PSC
T. A Marryshow Community College	TAMCC
Supreme Court Registry	SCR
Royal Grenada Police Force	GPF
Grenada Rural Enterprise Project	REP
Physical Planning Unit	PPU
Department of Public Administration	DPA
Ministry of Agriculture, Forestry, and Fisheries	MAF
Child Protection Authority	CPA
Ministry of Carriacou and Petite Martinique Affairs	MCP

Gravel, Concrete & Emulsion Production Corporation(GCE), Ministry of Education and Human Resource Development(MEH), Grenada Airport Authority(GAA), Ministry of the Environment, Foreign Trade and Export Development(MEF), Grenada Authority for the Regulation of Financial Institutions(ARF), Ministry of Finance, Planning, Economy, Energy and Cooperatives(MFP), Grenada Tourism Authority(GTA), Ministry of Foreign Affairs(MFA), Grenada Bureau of Standards(BOS), Ministry of Health(MHE), Grenada Cocoa Association(GCA), Ministry of Housing, Lands and Community Development(MHL), Grenada Cooperative Nutmeg Association(CNA), Ministry of Labour, Social Security and Ecclesiastical Affairs(MLS), Grenada Cultural Foundation(GCF), Ministry of Legal Affairs(MLA), Grenada Development Bank(GDB).



2017 CHRISTMAS MESSAGE FROM THE OFFICE OF THE OMBUDSMAN

The Christmas season is a time when family, friends and loved ones gather to strengthen the ties that bind us, plan for the coming year, and reflect on the events of the past year, both joyous and sad, with its achievements and difficulties.

It is also an opportunity to take the time to demonstrate giving, the true spirit of the season. And in so doing, we embrace those who are less fortunate, contributing our time and resources so that they, too, may feel blessed and experience God's profound love for humanity; this joyous season allows for hope and new life with encouragement to face the year ahead in a positive spirit.



As the New Year approaches it is an opportune time to reflect on the activities, achievements and challenges of the last twelve (12) months as we endeavour to continue our efforts to provide **Justice and Fairness for all**.

For the year under review, the office is pleased to inform that its report for the year 2016 has been tabled to the House of Representatives.

Additionally the Budget and Plan for 2018 was submitted to the House of Representatives in accordance with the legislation.

During the period our Office received a total of seventy four (74) complaints, sixteen (16) of which were resolved, we provided advice for seventeen (17). Investigations of

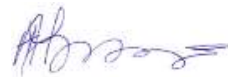
twenty nine (29) continues in 2017, four (4) we discontinued and eight (8) were outside of our jurisdiction. Though 2016 came with its challenges we trust that the Office of the Ombudsman will continue to contribute towards the development of a public service culture characterized by fairness, dedication, commitment, openness, accountability and the promotion of the right to good public administration.

We wish therefore to acknowledge the efforts of those public officers who have gone above and beyond to provide services centered on that culture and to encourage others to examine their efforts and rise to future challenges.

As instruments of God's love, peace and mercy I urge all of us to embrace each other and share with each other the joy, peace and good tidings of this festive season.

And as we celebrate the season, I extend special greetings and blessings to our Governor General, Prime Minister, Ministers of Government, the Speaker of the President and Members of the Houses of Parliament, Cabinet Secretary and Members of the Senior Managers Board, other Public Officers and staff of Statutory Bodies. May we all live the true spirit of Christmas, a spirit of sharing our blessings and hope that the warmth of the season will permeate our hearts and our homes. May you truly be blessed this season and throughout 2018.

Sincerely



.....
Mrs. Allison Miller
Ombudsman (Ag)



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

