



OFFICE OF
THE OMBUDSMAN



ANNUAL REPORT 2019



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

18th September, 2020

H.E. Dame Cécile 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 the tenth Annual Report of the activities of the Office of the Ombudsman, for the period 1st January 2019 to 31st December 2019.

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

18th September, 2020

Hon. Michael Pierre
Speaker
House of Representatives
Parliament Building
Mt. Wheldale
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

22th April, 2020

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

Dear Mr. President

Annual Report – Office of the Ombudsman

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Office Location



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

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FOREWORD 2019 REPORT



This year marks the 10th Anniversary of the establishment of the Office of the Ombudsman in Grenada. It is therefore with a sense of achievement and pride for me as Ombudsman that I introduce our 2019 Annual Report.

The anniversary was given recognition with a week of activities commencing Sunday 6th October under the theme: "Ensuring justice and fairness for everyone through an impartial and confidential service".

A snapshot into these ten (10) years will show that a total of eight hundred and seven (807) complaints have been lodged with the Office of the Ombudsman. Of this number, three hundred and seventy-one (371) were resolved. Additionally, an average of eighty-one (81) complaints was received annually, while the average number of resolved complaints per year stood at thirty-seven (37). On a yearly basis approximately forty six percent (46%) of complaints received was resolved. (Details of the celebrations can be found on pages 27-39 of this report)

I now turn to the 2019 year in review for which a total of fifty-nine (59) complaints were received. Of these six (6) were closed, nineteen (19) considered to be ongoing and advice/referrals given for twenty-five (25), with nine (9) being beyond our jurisdiction.

There was a surge in complaints from Private Entities that is eighteen (18) doubling that of 2018. Advice/referral was given for twelve (12) of these complaints while the remaining six (6) were outside the jurisdiction of this Office. This surge can be interpreted as an indication of the need for the expansion of the mandate of this Office, which has been in discussions and consideration for some time.

2019 has been a challenging year due in part to the fact that our budget was not approved. A sum of two hundred and fifty thousand (\$250,000.00) was approved, less than a third of what was submitted by the Office of the Ombudsman to Parliament. As a consequence, we were advised to utilize the funds in the account to cover the operational expenses. We continue to be faced with this uncertainty regarding the approval of our Budget and Plan and the negative signals given are of concern notwithstanding the requirements of Section nineteen (19) of the Ombudsman Act #24 of 2007.

Despite this I am of the opinion that the role of the Ombudsman remains a vitally important mechanism for resolving complaints on the services delivered by the Grenada Public Service and Public Authorities.

On a positive note the Ombudsman attended the 10th Biennial Caribbean Ombudsman Association (CAROA) Conference & Training held from 28th – 31st May at the Fairmont Southampton Resort in Bermuda.

The theme for the two-day Conference was Strengthening the Role and Performance of the Ombudsman and Human Rights Institutions in the Caribbean and Latin America.

The Conference was a success and concluded with the General Meeting and election of a new Council for the 2019 -2021 term of which Grenada became a member.

I conclude with heartfelt thanks and appreciation to my team for their priceless support. Their dedication, knowledge and

hard work ensure our Office is accessible and responsive. Thanks also to Permanent Secretaries and Heads of Departments and to all those who have contributed to the achievements of this Office.



Mrs. Allison Miller
OMBUDSMAN (Ag.)



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**.

Present Staff of the Office of the Ombudsman



Left to Right:

- Marlon Benjamin - Investigations Officer
- Allison Gay - Administrative Assistant
- Allison Audain-Miller - Ombudsman
- Beverly Baptiste - Executive Secretary
- Ronnie Marryshow - Complaints Officer

Sample complaints



SAMPLE COMPLAINT #1

A former employee of a well-known Estate who retired after having worked with the Company for forty-one (41) years lodged a complaint back in 2016 that on the year of retirement appropriate compensation was not made. The case was discussed with the Ministry of Labour and the Union representing the workers, whereupon it was revealed that the worker was not entitled to any payment under Article 22 of the collective bargaining agreement between the Company and the Union. The Company had earlier offered a one off ex-gratia payment of five thousand dollars (\$5000.00) to complainant; however the complainant refused the payment for the absence of no explanation given for such payment.



Since the payment of pension was absent in the collective union agreement and all efforts for consideration of a humanitarian gesture with both the Company and the Union failed. The complaint was therefore rendered closed in 2019.



SAMPLE COMPLAINT #2

A female complainant employed in the Private Sector for fifteen (15) years became unemployed in July 2015. Despite having sought assistance from the Ministry of Labour, the complainant had been waiting for over three (3) years and is still to receive the expected severance and vacation payment from the company concerned.



The complaint was lodged on the Ministry of Labour and their inability to resolve the matter. The Office of the Ombudsman is in discussions with the Labour Commissioner therefore the complaint remains open and ongoing.

Some complaints lodged against the Ministry of Labour required the intervention of the Minister of Labour who seemed not to have the time to give the appropriate attention to complaints of this nature.

The legislation for the Office of the Ombudsman does not provide for resolving complaints directly related to the private sector hence its involvement against the Ministry of Labour.

SAMPLE COMPLAINT #3

This complainant worked in the Public Service for many years, was retired paid and received his benefits. A second period of engagement took place and at the end the complainant expected/claimed some form of benefits. Being unsuccessful with

Sample of Complaints

this claim the assistance of the Office of the Ombudsman was sought in an effort to obtain all vacation leave and requisite benefits as claimed by the complainant.

Upon preliminary investigation by our Office, and correspondence received from the then Ministry of Works (now Infrastructure Development) it was revealed that the complainant had been previously severed. However the records also revealed that the complainant was in receipt of all benefits that were due at the time of severance.

Therefore this second period of employment for which the complainant made the claim that no benefits of vacation or otherwise were ever received was not entitled the rules and regulations governing the Public Service.

It should be noted that at the time of the complaint, the complainant was granted all the earned vacation leave for this second period of engagement and was in fact on vacation in March of 2019.

This complainant seemed unable to have clear understanding of the rules, regulations and procedures governing the Public Service hence the claim that turned into a complaint. This Office used the information obtained from the records of the Ministry and worked with the complainant identifying the evidence which proved that all the benefits entitled were indeed received. After this the complaint was rendered closed.

Analysis of Complaints



Analysis of Complaints

Table 1: Status of complaints made in 2019

PUBLIC AUTHORITIES	STATUS OF COMPLAINTS MADE					
	Total	Closed	Ongoing	Advice/ Referrals	Dis- continued	Beyond Jurisdiction
Grenada Electricity Services	1			1		
Grenada Tourism Authority	1	1				
Magistracy Department	1					1
Prime Minister's Min., Min. of National Security, Public Admin., Disaster Management, Home Affairs, Implem. & Info.	1			1		
Ministry of Agriculture & Lands	2			2		
Ministry of Education, Human Resource & Religious Affairs	1	1				
Ministry of Health, Social Security & International Business	3		3			
Ministry Of Labour	14	1	10	3		
Ministry Of Tourism	2		1	1		
Ministry of Social Development	1			1		
Ministry of Infrastructure Development, Public Utili- ties, Energy, Transport & Implementation	4	1	2	1		
National Water and Sewage Authority	1		1			
Other Private Entities	18			12		6
Physical Planning Unit	2	1	1			
Royal Grenada Police Force	6	1	1	2		2
Public Service Commission	1			1		
TOTAL	59	6	19	25	0	9

As seen in this table, there were fifty-nine (59) complaints in 2019. The largest number, eighteen (18) came from Private Entities, followed by fourteen (14) which were directed at the Ministry of Labour.

While only six(6) complaints are shown to have been closed, a comparatively high number – forty-four(44), is listed as ongoing or given advice/referred: nineteen(19) and twenty-five respectively. Nine (9) is the other statistical observation of note for complaints outside the jurisdiction of the Ombudsman.

From a breakdown of complaints received in 2019, six (6) were against the Police, four (4) for the Ministry of Infrastructural Development, three (3) from the Ministry of Health, and two (2) each from the Ministries of Agriculture and Tourism, and the Physical Planning Unit. Nine (9) other Ministries and Statutory Bodies registered one (1) complaint each for the year under review.

Ten (10) of the fourteen (14) complaints lodged against the Ministry of Labour remain ongoing with three (3) being referred/given advice; compared to that, twelve (12) against Private Entities were referred/given advice, and six (6) deemed to be outside the jurisdiction of the Ombudsman.

Analysis of Complaints

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

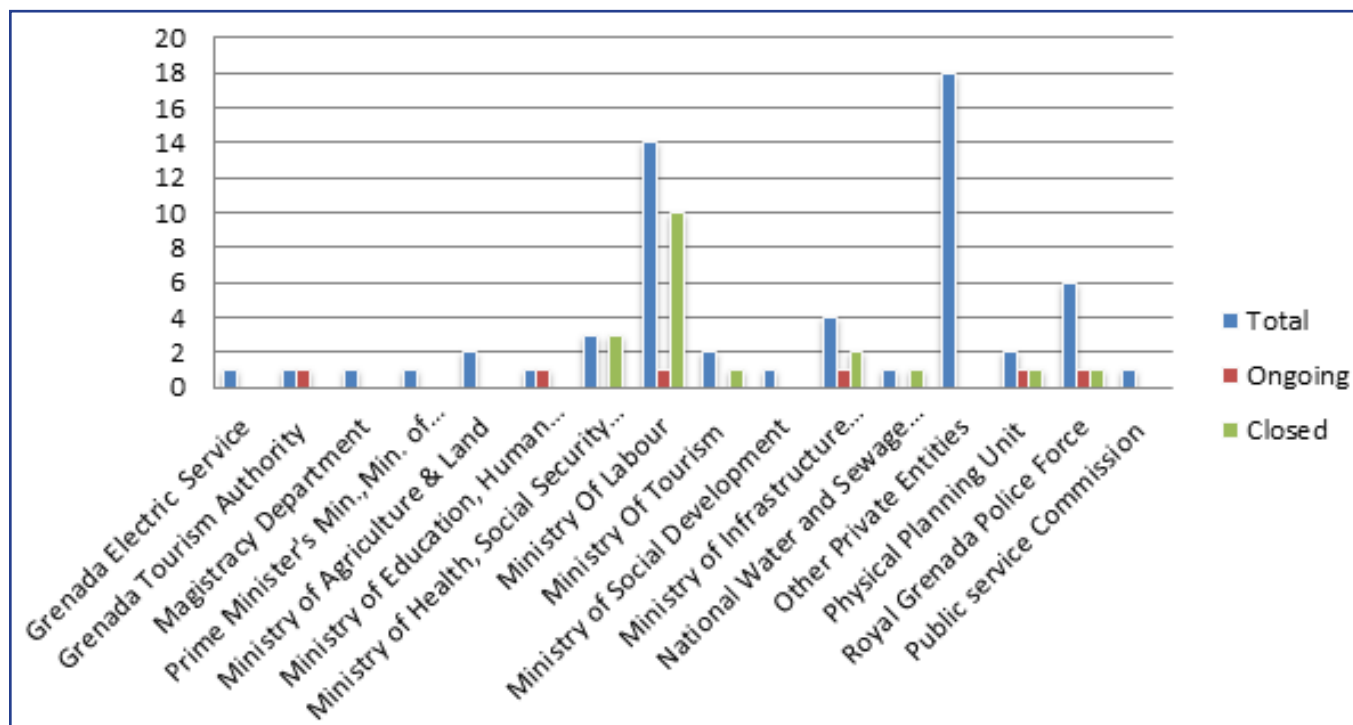


Table 2: Status of Rollovers 2018-2019

PUBLIC AUTHORITIES	STATUS OF COMPLAINTS					
	Total	Closed	Ongoing	Advice/ Referrals	Dis- continued	Beyond Jurisdiction
Child Protection Authority	3	1	2			
Ministry of Agriculture & Lands	5		4	1		
Ministry of Education, Human Resource & Religious Affairs	2	1	1			
Ministry of Finance, Planning, Economic Development & Physical Development	1	1				
Ministry of Health, Social Security & International Business	3		1		1	1
Ministry Of Labour	4	1	1	1	1	
Ministry of Infrastructure Development, Public Utilities, Energy, Transport & Implementation	1	1				
Royal Grenada Police Force	6		2	1	3	
Supreme Court Registry	1			1		
TOTAL	26	5	11	4	5	1

The breakdown in the numbers of the twenty-six (26) rollover complaints from 2018 are as follows: RGPF six (6), Agriculture five (5), Labour four (4), Child Protection Authority and Health three (3), Education two (2), and one (1) each for Finance, Infrastructural Development, and Supreme Court Registry.

Analysis of Complaints

Of the rollover complaints from 2018, five (5) or slightly less than one-fifth was closed in 2019. Another five (5) were **discontinued**, four were given **advice/referred**, and eleven (11) are shown to be ongoing. While only two (2) remain ongoing from the RGPF, four out of five are **ongoing** from the Ministry of Agriculture, an indication perhaps that more time is sometimes required before a resolution can be achieved for some complaints.

The graph below is a representation of the status of complaints in Table 2 above

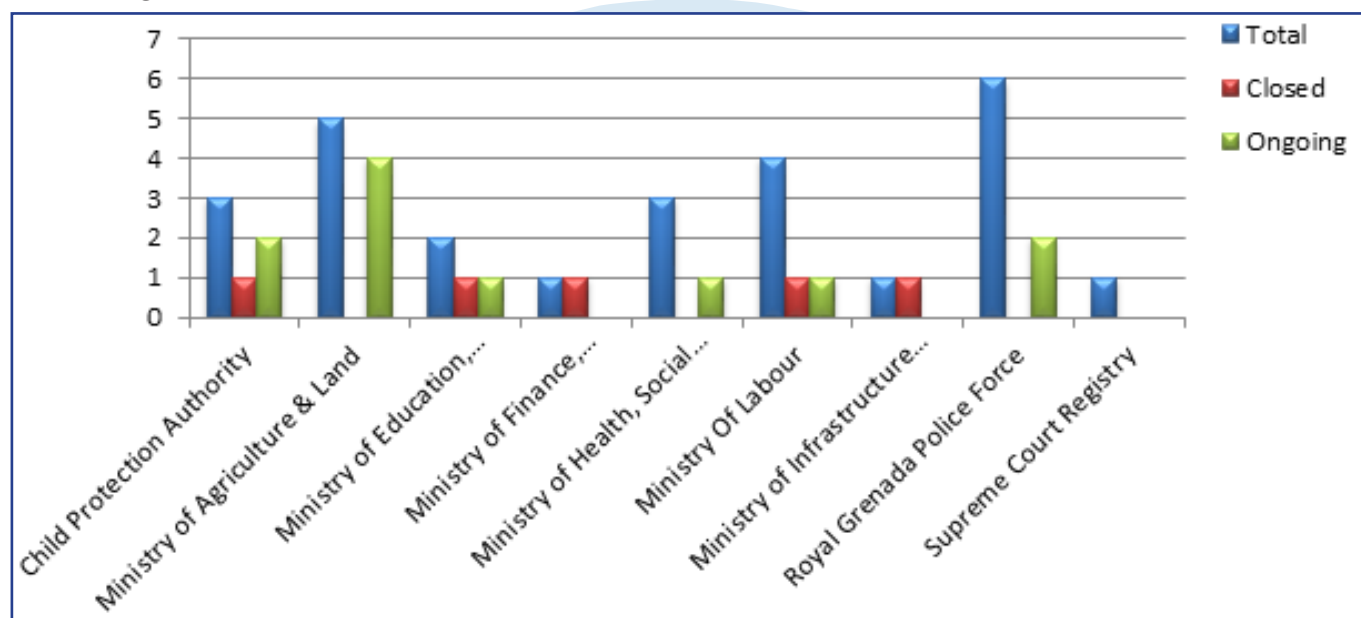


Table 3: Status of Rollovers 2017 - 2019

PUBLIC AUTHORITIES	STATUS OF COMPLAINTS						
	Total	Closed	Ongoing	Advice Given	Dis-continued	Advice / Referrals	Beyond Jurisdiction
Ministry of Agriculture & Lands	3	1	2				
Ministry of Infrastructure Development, Public Utilities, Energy, Transport & Implementation	3	1	2				
Ministry of Social Development and Housing	1	1					
Her Majesty's Prisons	1				1		
Ministry of Labour	6	1	4		1		
Ministry of Health, Social Security & International Business	1	1					
Inland Revenue Department	1	1					
Ministry of National Security, Public Admin., Home Affairs & Information Com. Technology	1	1					
Royal Grenada Police Force	1		1				
Grenada Airports Authority	1	1					
TOTAL	19	8	9	0	2	0	0

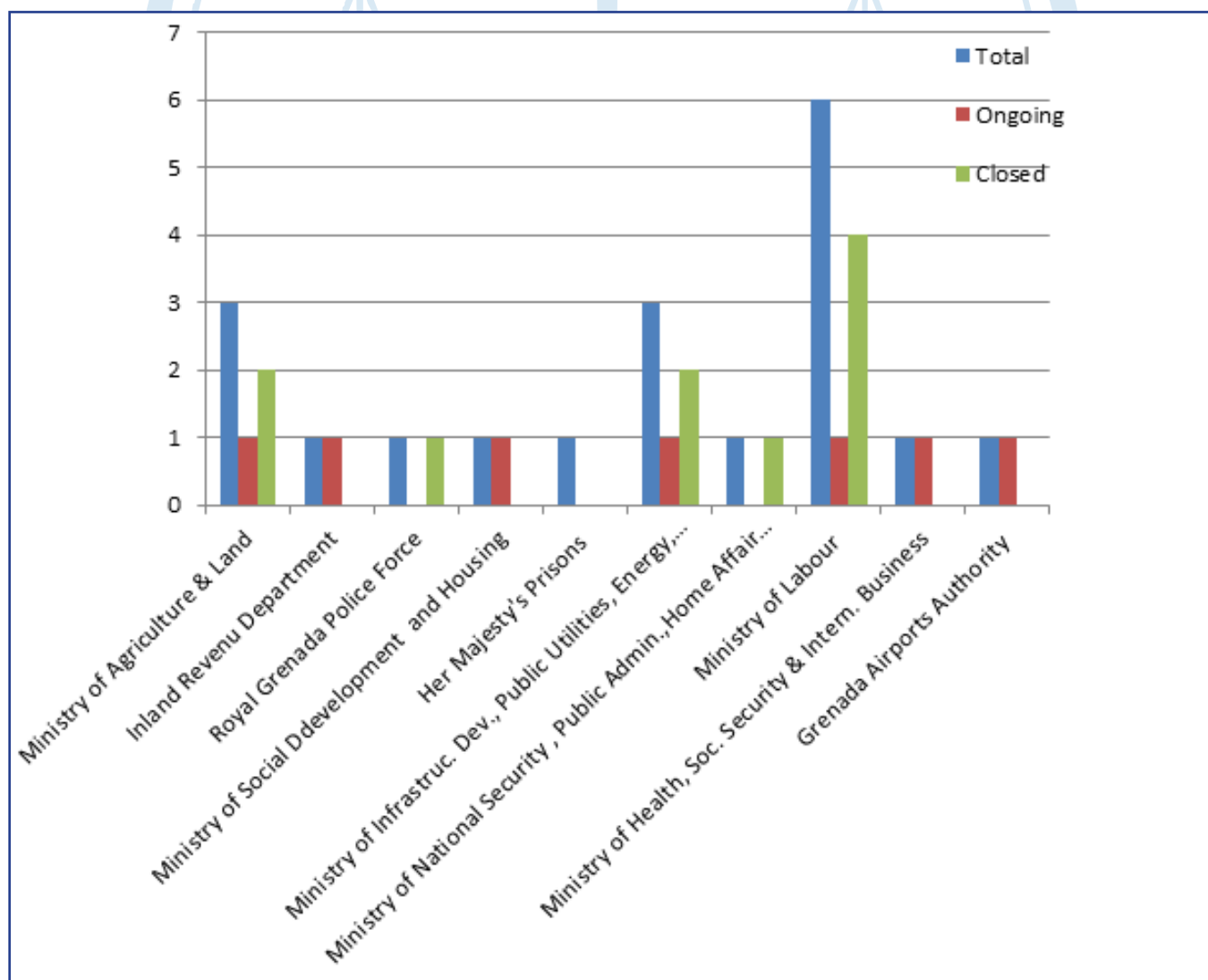
Analysis of Complaints

The data in the table 3 indicates that a total of nineteen (19) complaints were rollovers for the year 2017 into 2019 of this number eight (8) were resolved and two (2) were discontinued. There are nine (9) ongoing complaints four (4) of which are for the Ministry of Labour.

It is my opinion that these complaints can be easily resolved, however the efforts of the Commissioner has failed to settle them and therefore it is referred to the Minister of Labour in keeping with Section 82 of the Grenada Labour Code. It is very unfortunate that despite the efforts of this Office, Permanent Secretary and the Commissioner of Labour there remains failure on the part of the Minister of Labour to ensure compliance with the Grenada Labour Code and facilitate a hearing for these matters.

The Ministry of Infrastructure has two complaints ongoing; these are concerns relating to structural issues which require adequate financial resources. The final two are for the Ministry of Agriculture and are land related concerns. The Permanent Secretaries of both Ministries are collaborating with this Office for the realization of a resolution to these complaints.

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



Analysis of Complaints

Table 4: Status of Rollovers 2016-2019

PUBLIC AUTHORITIES	STATUS OF COMPLAINTS						
	Total	Closed	Ongoing	Advice Given	Dis-continued	Advice / Referrals	Beyond Jurisdiction
Min. of Agr., Forestry, and Fisheries	1	1					0
Min. of Edu. and Human Resource Dev.	1	1					
Ministry of Labour	3	1	2				
TOTAL	5	3	2	0	0	0	0

Rollover complaints from the year 2016 to 2019 period has been reduced to five (5) as against nineteen (19) in our last report resulting in the resolution of some fourteen (14) rollover complaints during 2019.

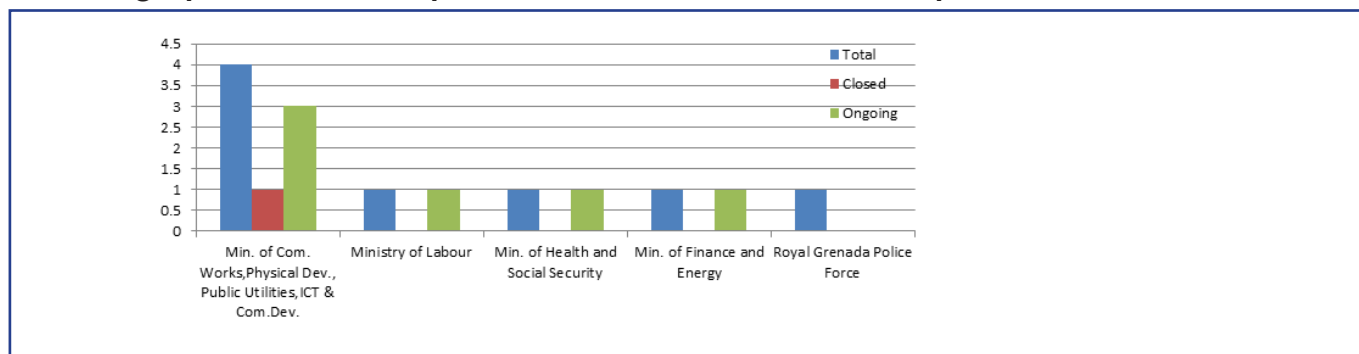
Of these five (5) complaints three (3) are against the Ministry of Labour, of which one was resolved with two remaining unresolved.

Table 5: Status of Rollovers 2015-2019

PUBLIC AUTHORITIES	STATUS OF COMPLAINTS					
	Total	Closed	Ongoing	Dis-continued	Advice / Referrals	Beyond Jurisdiction
Min. of Com. Works, Physical Dev., Public Utilities, ICT & Com .Dev.	4	1	3			
Ministry of Labour	1		1			
Min. of Health and Social Security	1		1			
Min. of Finance and Energy	1		1			
Royal Grenada Police Force	1			1		
TOTAL	8	1	6	1	0	0

There were eight (8) rollover complaints from 2015 to 2019, with half of them “belonging to” the Ministry of Works, now Ministry of Infrastructure Development; three (3) of its complaints remained ongoing. One (1) was from the RGPF, as well as the Ministries of Labour, Health, and Finance. Significantly, six (6) remained ongoing while one (1) of those against Infrastructure Development was closed. The sole complaint against the RGPF was discontinued.

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



Rollovers from 2014-2019, 2013-2019, 2012-2019, 2011-2019, 2010-2019

(See tables 6 – 10 below)

The number of Rollovers from 2014 and as far back as 2010 into 2019 is thirteen (13) in total (see Tables 6 to 10). Eight (8) of these originated from the Ministry of Infrastructure and are related to structural issues emanating from aged and poor construction. Issues of this nature require the availability of adequate financial resources which the Ministry continues to struggle to obtain approval during the budget process. It is very difficult to achieve resolution to these complaints without the requisite financial resources for in many of these cases reconstructive works is necessary. Although this Office continues to recommend for partial financing which could facilitate a phased approach, the Ministry seem unable to be successful with the Ministry of Finance.

Two of the remaining five (5) complaints are against the Royal Grenada Police Force, and one (1) each from the Ministries of Agriculture, Labour, and the Physical Planning Unit.

Of the total thirteen (13) complaints, eleven (11) are ongoing, while of the remaining two (2), one (1) was closed and the other discontinued.

Table 6: Rollovers from 2014 into 2019

PUBLIC AUTHORITIES	STATUS OF COMPLAINTS					
	Total	Closed	Ongoing	Dis-continued	Advice / Referrals	Beyond Jurisdiction
Physical Planning Unit	1		1			
Ministry of Labour	1		1			
Min. of Infrastructure Development, Public Utilities, Energy, Transport & Implementation	1	1				
TOTAL	3	1	2	0	0	0

Table 7: Rollovers from 2013 to 2019

PUBLIC AUTHORITIES	STATUS OF COMPLAINTS					
	Total	Closed	Ongoing	Dis-continued	Advice / Referrals	Beyond Jurisdiction
Min. of Infrastructure Development, Public Utilities, Energy, Transport & Implementation	3		3			
TOTAL	3		3		0	0

Analysis of Complaints

Table 8: Rollovers from 2012 into 2019

PUBLIC AUTHORITIES	STATUS OF COMPLAINTS					
	Total	Closed	Ongoing	Dis-continued	Advice / Referrals	Beyond Jurisdiction
Royal Grenada Police Force	1		1			
Ministry of Infrastructure Development, Public Utilities, Energy, Transport & Implementation	2		2			
TOTAL	3		3		0	0

Table 9: Rollovers from 2011 into 2019

STATUS OF COMPLAINTS MADE						
PUBLIC AUTHORITIES	Total	Closed	Ongoing	Dis-Continued	Beyond Jurisdiction	Advice Given
Royal Grenada Police Force	1		0	1		
Ministry of Infrastructure Development, Public Utilities, Energy, Transport & Implementation	1		1	0		
TOTAL	2	0	1	1	0	0

Table 10: Rollovers from 2010 into 2019

STATUS OF COMPLAINTS MADE						
PUBLIC AUTHORITIES	Total	Closed	Ongoing	Discontinued	Beyond Jurisdiction	Advice Given
Ministry of Agriculture & Lands	1		1			
	1		1			
Ministry of Infrastructure Development, Public Utilities, Energy, Transport & Implementation						
TOTAL	2	0	2	0	0	0

Table 11: Comparison of status of complaints: 2018 vs 2019

Year	Total	Closed	Ongoing	Advice / Referral	Discontinued	Beyond Jurisdiction
2019	59	6	19	25	0	9
2018	64	10	26	24	2	2

As seen in the table above there is no major difference with the years in comparison. However it is to be noted that complaints that are beyond the jurisdiction of this Office are on the rise. It means therefore that persons are searching for assistance with issues that confront them.

Consequently there is a need for the issue of general human rights to be given some attention with the provision of a mechanism for persons to air their grievances with a view for the provision of a resolution.

This presents the opportunity for the Government to conclude on the transformation of this Office into a National Human Rights Institution and be the first in the region to achieve this mile stone.

Analysis of Complaints

The graph below shows a comparison of status of complaints for years 2018 & 2019

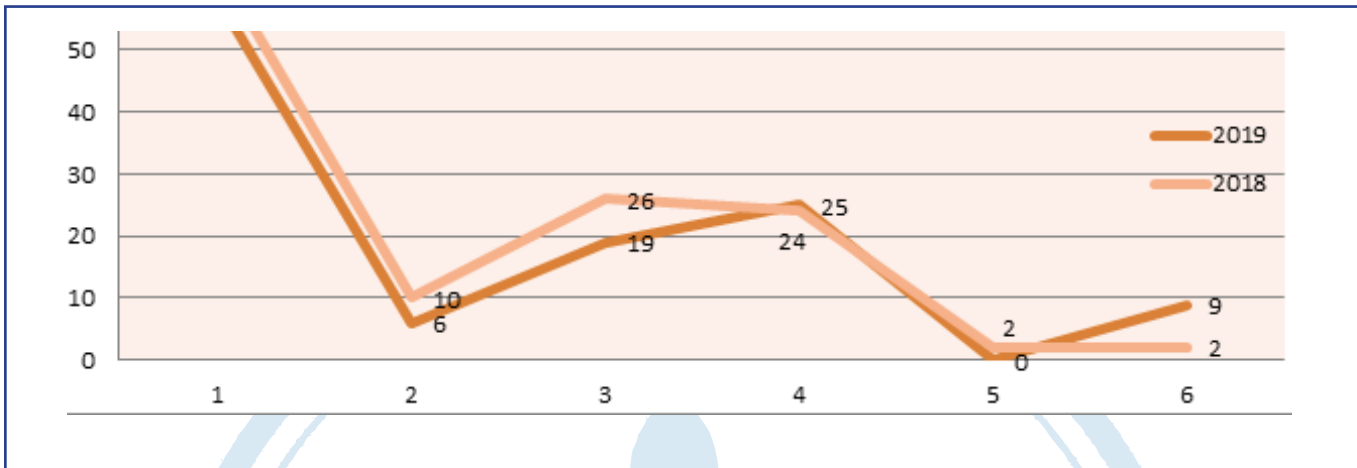
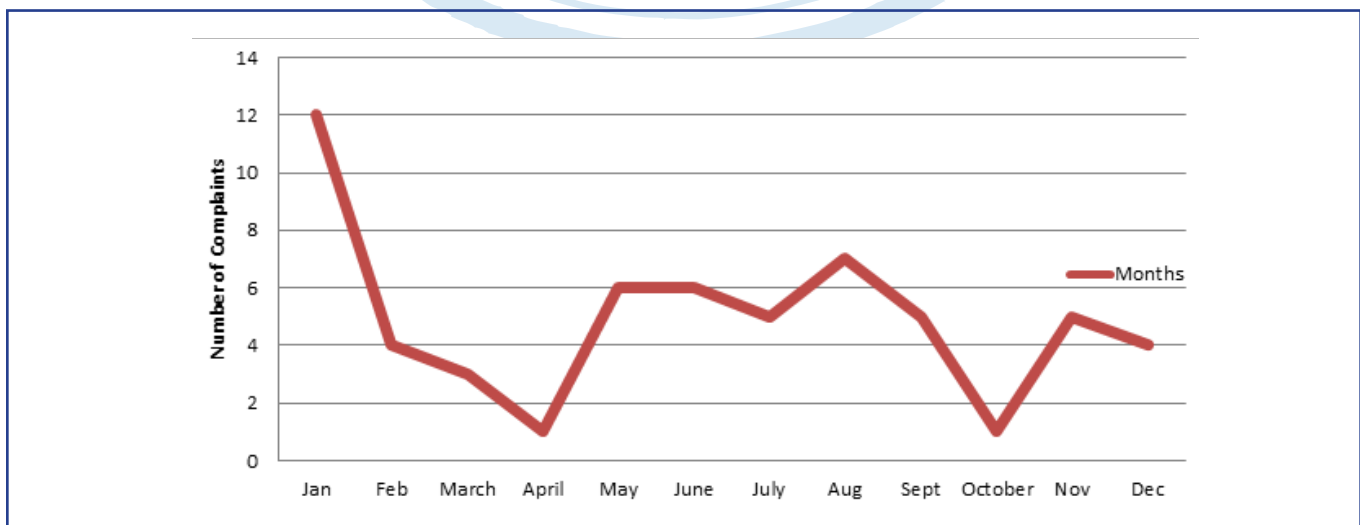


Table 12: Distribution of complaints per month for the year 2019

MONTHS	2019
Jan	12
Feb	4
March	3
April	1
May	6
June	6
July	5
Aug	7
Sept	5
October	1
Nov	5
Dec	4
Total	59

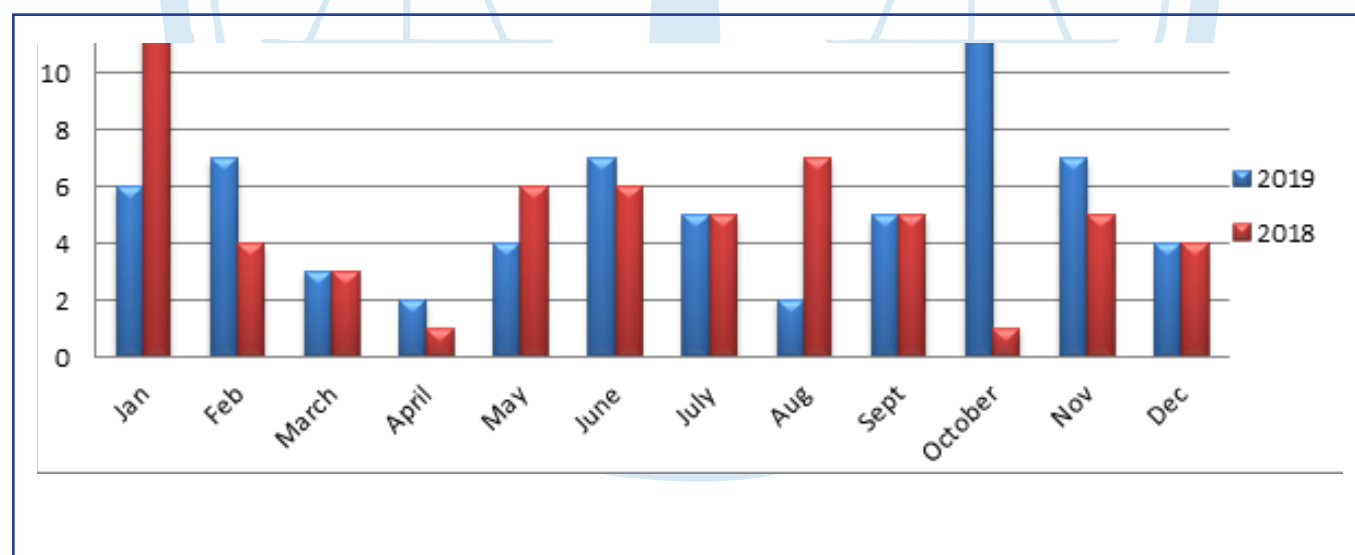
The line graph below shows distribution of complaints per month for the year 2019



Analysis of Complaints

Table 13: Complaints per month for the years 2018 vs 2019

MONTHS	2018	2019
Jan	6	12
Feb	7	4
March	3	3
April	2	1
May	4	6
June	7	6
July	5	5
Aug	2	7
Sept	5	5
October	12	1
Nov	7	5
Dec	4	4
Total	64	59



Distribution of complaints per month & Comparison of 2019 and 2018

In 2019, the highest number of complaints was received in the month of January: twelve (12). This was followed by seven (7) in August, and six (6) shared between May and June. When compared with 2018, twelve (12) was also the highest number of complaints received in one month, which happened this time to be October. In that year, three months: February, June and November shared the second highest number of complaints: seven (7).

Analysis of Complaints

Distribution of complaints per Parish for the year 2019

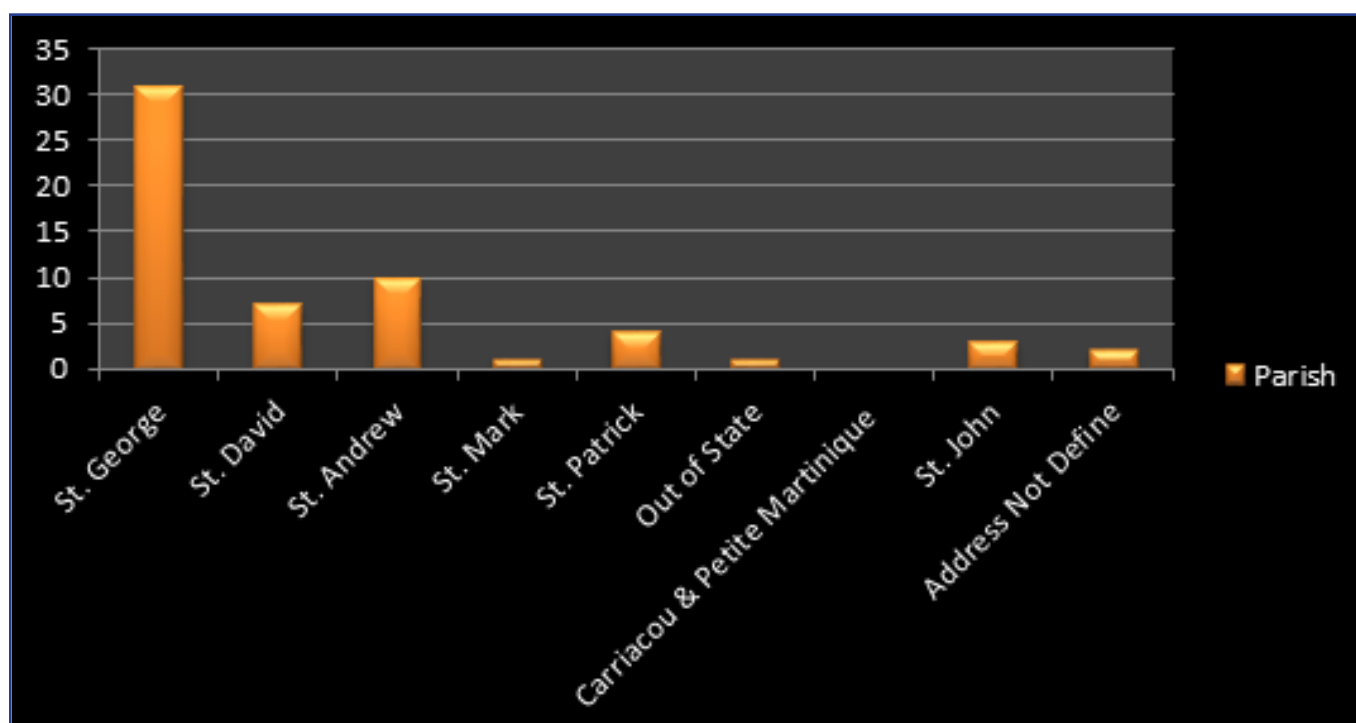


Table 14: Residence of complaints per parish 2018 vs 2019

PARISH	2019	2018
St. George	31	31
St. David	7	5
St. Andrew	10	8
St. Mark	1	7
St. Patrick	4	3
Out of State	1	2
Carriacou & Petite Martinique	0	1
St. John	3	7
Address Not Define	2	
TOTAL	59	64

The 2019 year under review, the parish of St. George received thirty-one (31) complaints, the most number. This was also the case in 2018. St. George has consistently received the greatest number of complaints over the years.

This can be as a result of the concentration of the services rendered by the Grenada Public Service and the fact that St. George being the capital of the country it is much more active and easily accessible than the other parishes.

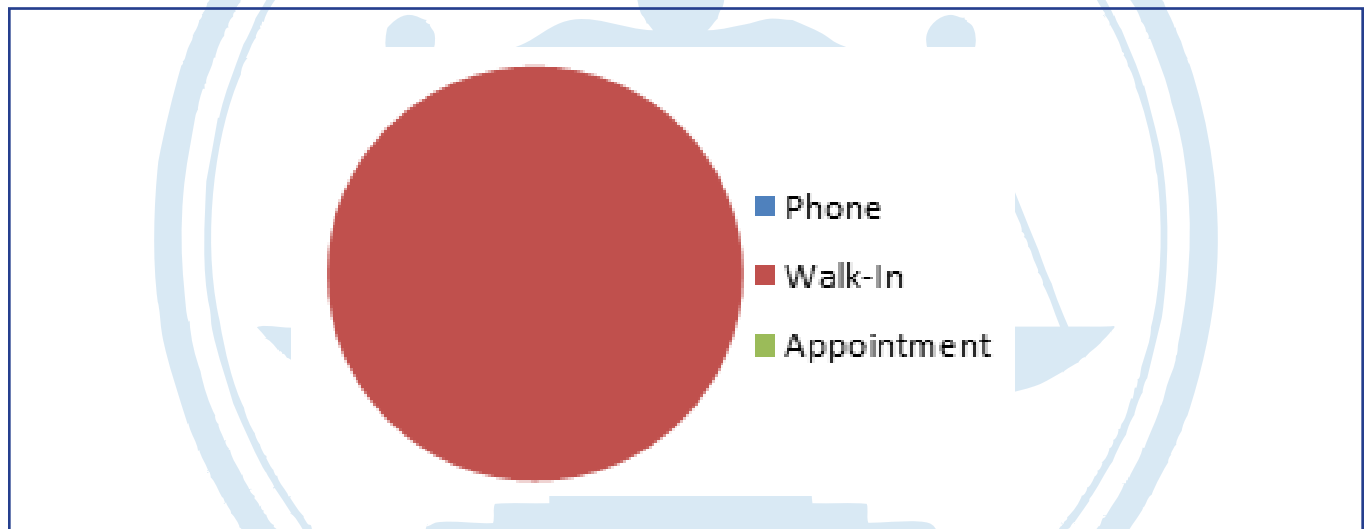
St. Andrew has received ten (10) complaints in 2019 two (2) less when compared to 2018 which had eight (8); it is the parish with the second highest number of complaints. Lower numbers were reported from the other parishes. In 2019, St. David received seven (7) while St. John and St. Mark which both recorded seven (7) complaints in 2018, received three (3) and one (1) respectively in 2019.

Analysis of Complaints

Table 15: Forms of Initial contact with the Office 2019

Phone	Email	Walk-In	Appointment	TOTAL
 0	 0	 59	 0	 59

The pie chart below is a pictorial representation of the information shown in the table above





Anniversary Remarks by Ombudsman – Audain-Miller

This year marks the 10th Anniversary of the establishment of the Ombudsman's Office in Grenada.

The work of the Ombudsman's Office has indeed grown; it is now firmly established as an institution that provides an important check on Government Departments and other Public Authorities.

The impartiality and independence of the Ombudsman's Office ensures that the public is provided with an effective mechanism for highlighting and dealing with any maladministration or injustices caused.

The Ombudsman's Office provides a complaints service, which is free of charge to the public and without which many people in our society would have little opportunity to obtain redress or understanding of their grievances against the public administration. The Ombudsman's Office, therefore, makes a positive contribution to the delivery of administrative justice in Grenada.

Today I am particularly happy that our first Ombudsman, the person who, arguably, had the most difficult job, Argar Alexander, is here to share with us his experience of his challenges as he embarked on the establishment of this Office. Mr. Raphael Donald, the third ombudsmen is also here and will share his experiences as well.

I wish to report that over the last ten years the Office of the Ombudsman has handled 807 cases with 371 being resolved with the average number of complaints on an annual basis being approximate eighty one (81). The average number of resolve complaints per year being thirty seven (37). The Ombudsman Office is therefore resolving approximately forty six percent 46% of complaints received on a yearly basis. This in my opinion is commendable, given that the resolution does not rest entirely with our office and also the complex nature of some of these complaints.

Today, the Ombudsman's Office has an increasingly important role to play in our society. The creation of this Office has catalyzed Government Departments and other Public Authorities in reflecting and taking steps to improve their own internal mechanisms to better address complaints. The Ombudsman's Office has a dedicated team who are eager to help the general public with their specific complaints and who are fully committed to making a meaningful contribution towards improving the delivery of our public services and the promotion of good administrative practice for the benefit of the entire country.

I wish here to express my appreciation to the Public Sector leaders for their relationship and cooperation over the last ten years. As we move forward to another ten years I look forward to the expansion of the authority of this Office to address emerging and new demands of the society. Further I challenge the public sector leadership to do some introspection on the service delivery provided to the public and seek improved ways to work with the public and with this institution to provide unquestionable service delivery.

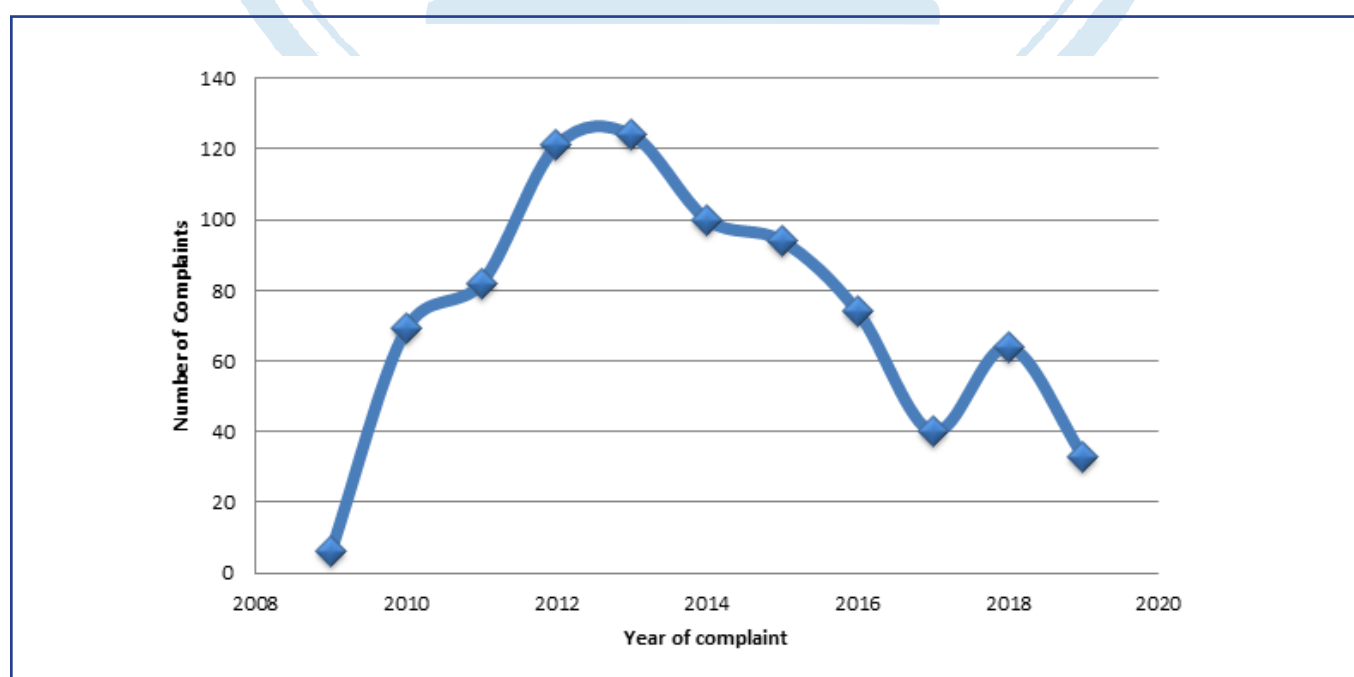
This Office stands ready to assist the public service in that work. I now wish to extend my profound gratitude to the former Ombudsmen for gracing us with their presence. Other invitees, members of staff, Students of Secondary Schools and the media I thank you for your participation and anticipates a successful week of activities.

Overview of the status of complaints for the last ten years (2009- 9th October 2019)

Number of Years in existence	Total Number Complaints per year	Number of Closed Complaints by year	Ongoing Complaints per year	Advice Given/ Referral Complaints per year	Discontinued Complaints per year	Complaints Beyond Jurisdiction per year
2019	33	10	21	1	0	1
2018	64	34	67	26	5	6
2017	40	28	75	5	3	2
2016	74	39	65	20	4	9
2015	94	27	59	37	2	20
2014	100	32	61	34	2	14
2013	124	100	42	32	9	12
2012	121	67	71	25	7	18
2011	82	24	56	1	2	0
2010	69	6	26	6	8	23
2009	6	4	0	0	0	2
Total	807	371	543	187	42	107

The data presented in the table above indicates that the average number of complaints that reached the Office on an annual basis is approximate eighty-one (81). The average number of complaints resolved per year is thirty-seven (37). It is therefore reasonable to say that the Office of the Ombudsman is resolving approximately forty-six percent 46% of the complaints reaching it on a yearly basis. This is a commendable effort, given that the resolution of complaints does not rest with the Office alone. Additionally, the complexity of some of these complaints impacts the process making a resolution difficult to realise.

The Graph below illustrates the distribution of complaints for the ten (10) years of existence of the Ombudsman



Celebrating Ten Years

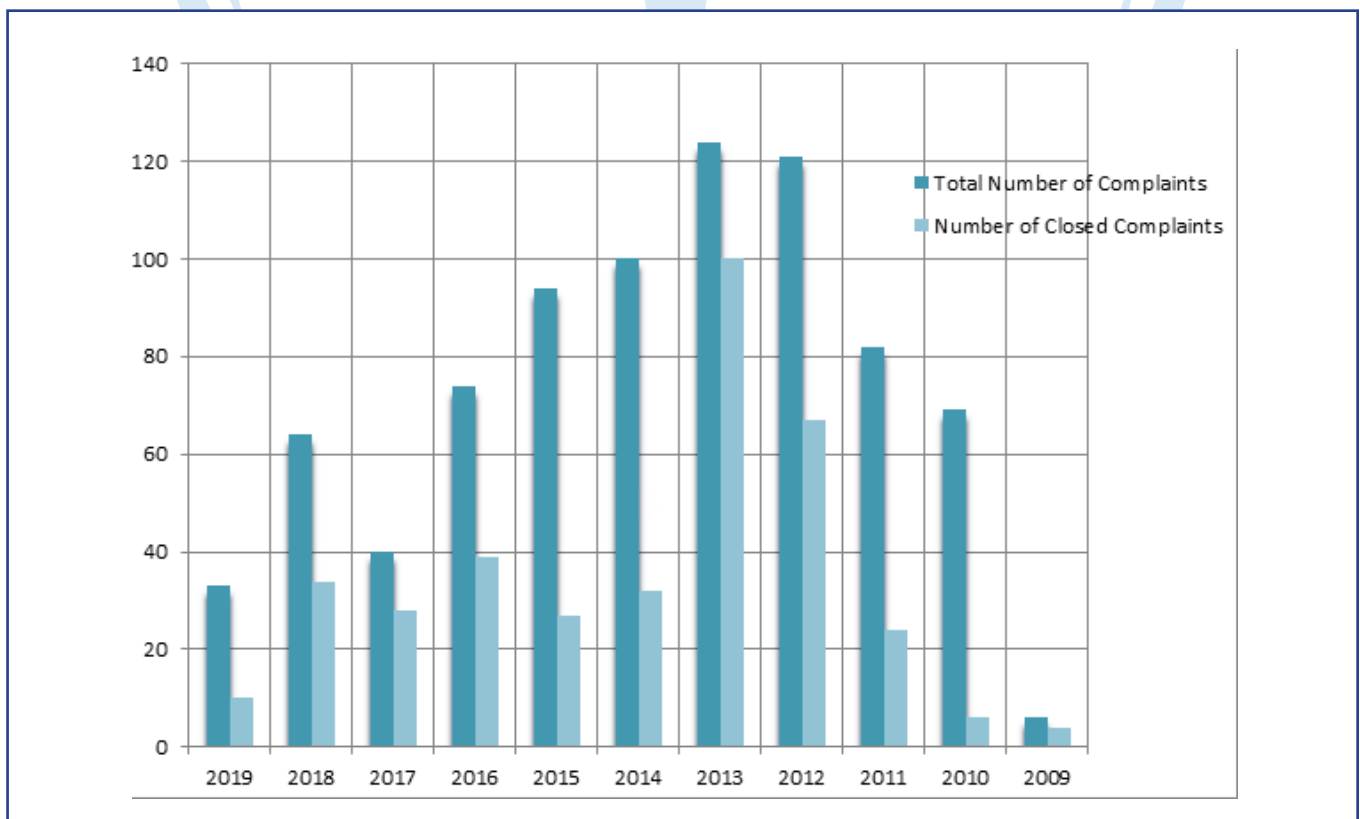
From the data presented in both the graph and table above it can be noted that there was a steady increase in the number of complaints lodged at the Office from 2009 to 2013. This increase could have been attributed to the wide public awareness champagne on the role and function of the Office as an organization that ensures people are treated fair by Officers of the state. It could also be an indication the society has begun to understand the reasons for the existence of such an Office.

In 2014, despite the vigorous public awareness campaign we saw the commencement of a decline in the number of registered complaints as is evident in the graph above. This decline was noted by the then Ombudsman who after observation of the social status of persons who complained, a Community Outreach Program was piloted in an attempt to ease the financial burden for complainants who accessed the Office, particularly the ones who were physically challenged and impoverished. Despite this Outreach Program, the decrease in complaints continued.

It should be noted though, that this constant decline in complaints may be attributed to the realization of Public officers that their service delivery is now under the microscope and can be complained against by persons who are dissatisfied with their quality of service delivery.

As a result they may have actually begun working harder to improve the quality of their service delivery to the public. In 2018 there was an increase in the number of complaints; however, 2019 not being fully accounted for given that the celebrations was during the said year.

The graph below illustrates the distribution of complaints for the ten (10) years of existence of the Office of the Ombudsman



The bar graph above reflects that on a yearly basis there was progressive increase in number of cases resolved for the first five (5) years (2009-2013) of the existence of the Office being two hundred and one (201) complaints. For the latter half of the decade one hundred and sixty (160) complaints were resolved, at an average of about thirty-two (32) complaints per year. The decrease in resolution of complaints could be attributed to the turnover of staff at the level of the Ombudsman coupled with the complexity of some cases, the constant changes of Permanent Secretaries and other Heads of Departments.

The number of Complainants who received advice or referral for the period (2009- 2013) amounted to sixty-four (64), whilst for the period (2014-2018) there were one hundred and twenty (122) almost doubled the first five year period. Reasons attributed for this could be that more persons became aware of the Role and Functions of the Office of the Ombudsman. Outside of the legal jurisdiction of the Office of the Ombudsman for the periods (2009-2013) and (2014-2018) there were fifty-five and fifty-one complaints respectively. 2019 is not fully accounted for given that the year is still in progress.

Challenges confronted by the Office of the Ombudsman

- Limitations in the powers/legal mandate of the Ombudsman, Act # 24 of 2007 and the requisite amendments which are inadequate to meet the emerging demands of the Grenadian society;
- The delayed responses and in some instances non response from some Public Authorities;
- The high expectations of complainants coupled with their perspectives of fair treatment and a good decision by a state own entity;
- Consideration by complainants of what is reasonable service delivery from public service employees;
- The reluctance by some persons to bring their complaints to this Office particularly noticeable in Carriacou.

Success Stories from Complaints received

Complaint # 1 - 2011

A complainant was appointed as an Agronomist, in the Ministry of Agriculture from January 1982 on probation for one (1) year and nine months. In October 1983, he was involved in an accident in the performance of his duties, which resulted in him becoming incapacitated being unable to walk with normality. He was on no pay leave from mid December, 1984, until his appointment as a Graduate I Teacher at Secondary School from September, 1990. The Post of Graduate I Teacher (ED9), to which the complainant was subsequently appointed, was of a lower grade to that of Agronomist (PR1-3) his former post. The Public Service Commission indicated that such situation was an anomaly given that the officer became worst off. This complaint attracted much attention and was also among one of the longest outstanding complaint for this Office. The resolution involved a system wide investigation, exemplary perseverance for closure on the part of the complainant, a meeting, convened on the initiative of the Senior Administrative Officer (SAO) in

the Ministry of Agriculture with representatives from the respective Ministries and Divisions and finally a Cabinet decision on the matter, which was finally resolved in May, 2017.

Complaint # 2 - 2011

A complainant owns land in Loretto St. Johns, which was purchased from Model Farms in 1990 complained that some residents (Squatters) who claimed that they were granted permission by the Government occupied approximately one (1) acre, the complainant informed that he spent three (3) years negotiating with the Ministry of Agriculture on the issue seeking to obtain a resolution.

After several efforts to contact the Permanent Secretary in the Ministry proved futile and being dissatisfied with the slow progress a complaint was lodged to the Ombudsman.

The Ombudsman conducted a preliminary investigation and the following was accomplished:

- A plan of the land was drawn identifying the areas occupied by the squatters;
- A detail proposal for compensation re: the lands occupied by the Squatters were 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 after which an agreement on the price per square foot for the land was agreed upon. A cabinet submission on the matter was then prepared and submitted to the Cabinet for approval.

Complaint # 1 - 2010

A citizen had a portion of his property acquired in 2006 to facilitate the construction of a bridge in the Grenville Vale area of the country. After repeated visits to the Ministry of Works the gentleman has had no satisfaction by way of compensation for his property; which was used for the construction of a bridge to facilitate the movement of traffic during the hosting of the 2007 Cricket World Cup in Grenada.

The Ombudsman engaged both Ministries of Works and Lands; conducted preliminary investigations which was a long and drawn out process however finally the matter was resolved in December, 2018.

Week of Activities

Press conference

First Ombudsman Mr. Anthony Agar Alexander and third Ombudsman Mr. Raphael Donald accepted an invitation to be part of the 10th anniversary activities and to share their experience and challenges of their respective tenure at the Office.

Celebrating Ten Years

Past and present Ombudsman



Left to right: Mr. Raphael Donald -3rd Ombudsman, Mr. Anthony Agar Alexander -1st Ombudsman and current Ombudsman Mrs. Allison Audain-Miller

Remarks and Recognition of Past Ombudsmen

Mr. Anthony Agar Alexander shared briefly on the establishment of the Office in October of 2009 and he also had some profound words of advice for the staff: "As individuals, I am looking at each one of you. Work in your life for the rest of your life to be ethical, that you be esteem that you have the respect of people, that you are trust worthy, that you are humble, that you are integrated, that integrity exist within you, that there is constancy in you, constancy has to do with reliability, so people can look at you and trust you because of who you are and what you stand for. If that reside within the Office and the wider society, it means that the Governance of the country of Grenada is going to be assured".



Mr. Anthony Alexander receiving token of appreciation from Executive Secretary, Ms. Beverley Baptiste who is the only current member of staff to have worked with him.

Celebrating Ten Years

Mr. Donald shared his experience giving a statement on the role of Office of the Ombudsman in the Grenadian Society. He said: “The Office of the Ombudsman plays a pivotal role in the lives of a lot of people in Grenada. It serves as a focal point for information, it offers direction to folks who don't know where to go, and it provides counselling”.



Mr. Raphael Donald receiving token of appreciation for Administrative Assistant Ms. Allison Gay

Present Staff of the Office of the Ombudsman and two former Ombudsmen



Commencement of Awareness program to Secondary Schools and T.A.Marryshow Community College (TAMCC):

The program commenced on **Tuesday 8th October** with the St. Joseph's Convent, St. George's but because of the inclement weather that day it was not possible to have the students gather in the school's court yard and therefore we embraced the opportunity to utilize the school's Public Address system to deliver our presentation. It was well received by both students and staff.

Other schools visited that day were Anglican High School, Grenada Boys Secondary School and T.A. Marryshow Community College which were all done face to face.

Thursday 10th October the team moved to Presentation Brothers' College, Wesley College and J.W. Fletcher R.C. Secondary School. On **Friday 11th October** the team moved to Carriacou & Petit Martinique where we visited the Hillsborough Secondary School, Bishops College and T.A. Marryshow Community College, and St. Thomas Aquinas R.C. School Students and Staff.

Ombudsman with students of the Anglican High School



Celebrating Ten Years

Ombudsman & Complaints Officer with students of the Presentation Brothers' College



Complaints Officer Mr. Ronnie Marryshow explaining the roles and functions of the Office of the Ombudsman to students of Wesley College



Celebrating Ten Years

Student of Wesley College Students impressed with information booklet at Ombudsman open house



Presentation to students and staff of J.W. Fletcher R.C. Secondary School



Celebrating Ten Years

Vote of Thanks to Ombudsman and Staff on behalf of JW Fletcher Secondary School



Principal of Bishops College, Carriacou



Celebrating Ten Years

Complaints Office & Ombudsman at T.A. Marryshow Community College Students in Carriacou



Carriacou saying thank you



Staff & Students of the St. Thomas Aquinas, Petite Martinique in rapt attention





CHRISTMAS MESSAGE 2019

As the holiday season is upon us, we find ourselves reflecting on the past year and those who have helped to fulfill our responsibilities. 2019 has been quite a year for us and we hope that it has been just as memorable for you as well! Paramount for us was the commencement of our tenth (10th) year of operations on 9th October 2019.

Although these ten years have had its challenges, this Office has certainly made tremendous strides. In 2009 the notion of an Ombudsman was virtually unheard of by the Grenadian Society, but, today in 2019, citizens and visitors alike have embraced the concept and the functions of such an Office, as it strives to provide an effective mechanism for resolution of complaints of mal administration. Over the ten year period the Office has received 807 complaints, resolving 371 of them. Considering that resolution of complaints does not rest entirely with this Office and given the complex nature of some complaints, this performance is very commendable.

This Christmas as you count your blessings sent to you by the Almighty, do not forget to pray for those who are not able to partake in this wonderful celebration. I urge us all to focus our minds on all that is positive, namely our values, our faith, and our generosity of spirit which enable us to experience the love, peace and gladness which is so central to Christmas.

As we approach another decade, we forge ahead with full commitment in maintaining relevance, bridging the gap between citizens and Public Sector Authorities, championing responsiveness and transparency, building trust and restoring people's faith in the social contracts that underpin good governance, having been appointed to serve those who feel powerless.

The Staff of the Office of the Ombudsman joins me in wishing our Governor General, Prime Minister, Ministers of Government, the Speaker, 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, as well as the general public, a safe, holy, peaceful and joyous Christmas Season. May God bless us all in 2020 and beyond!

Regional Meeting and Training

Report of the 10th Biennial Conference of the Caribbean Ombudsman Association May 28th – 31st 2019.

The 10th Biennial Caribbean Ombudsman Association (CAROA) Conference & Training was held from 28th–31st May at the Fairmont Southampton Resort in Bermuda.

The theme for the two-day Conference was ***Strengthening the Role and Performance of the Ombudsman and Human Rights Institutions in the Caribbean and Latin America.*** The program comprised informative sessions to benefit the work of our Offices. A total of thirty-nine (39) delegates attended – of these fifteen (15) were Ombudsman, Complaints Commissioners or Public Protectors. The Conference concluded with the General Meeting and election of Council for the 2019 -2021 term.

The Conference commenced with an Opening Ceremony which included Welcome and Introduction of Council by Ms Victoria Pearman Ombudsman for Bermuda, a Goodwill Message from Ms. Diane Welborn – Ombudsman for Dayton & Montgomery County, Ohio; First Vice President, International Ombudsman Institute; Vice President, United States Ombudsman Association and the Opening Remarks by The Hon. Walter H. Roban, JP MP, Deputy Premier and Minister of Home Affairs, Bermuda.

Keynote Speaker Dr. Victor Ayeni – Director, GMSI UK - After 20 years, what is the role of CAROA in the promotion of ombudsmanship and strengthening of human rights in the Caribbean and Latin American region?

Delegates at the conference



The two days of Conference comprised six (6) Sessions with nineteen (19) Speakers and Session Chairs:

STRENGTHENING RELATIONSHIPS WHILE MAINTAINING INDEPENDENCE Session Chair – Mr. Patrick Mark Wellington, Ombudsman Trinidad & Tobago;

SPECIAL CAROA 20 TH ANNIVERSARY SESSION: REFLECTIONS & DISCUSSIONS ON THE NEXT STEPS Session Chair - Mrs. Allison Audain-Miller, Ombudsman for Grenada;

OMBUDSMAN IN THE CARIBBEAN AND LATIN AMERICA: 50 YEARS OF PROGRESS AND CONTINUING CHALLENGES Session Chair – Dr Rachnilda Arduin, Former Ombudsman for Sint Maarten;

MAXIMISING OMBUDSMAN EFFECTIVENESS: SHARING LESSONS OF GOOD PRACTICES Session Chair – Dr Rosemarie Husbands-Mathurin, Parliamentary Commissioner for St. Lucia;

CLIMATE CHANGE, NATURAL DISASTERS AND OMBUDSMANSHIP Session Chair – Lt. Col. the Hon. David Burch, OBE (Mil), ED, JP MP, Minister of Public Work

LOOKING TO THE FUTURE

Session Co-Chairs: Ms. Victoria Pearman – Ombudsman for Bermuda, CAROA President & Mr. Keursly Concincion – Ombudsman for Curaçao, CAROA Vice President;

CAROA GENERAL MEMBERSHIP MEETING AND ELECTION OF NEW COUNCIL FOR 2019-2021.

At the General Membership Meeting a new Council for 2019-2021 was elected:

- President: Dr. Rosemarie Husbands-Mathurin (St. Lucia)
- Vice President: Ms. Sheila Brathwaite (British Virgin Islands)
- Secretary: Mr. Randolph Duggins (St. Maarten)
- Treasurer: Mr. Raymond Mathilda (Curaçao)
- Member: Ms. Allison Audain-Miller (Grenada)
- Member: Mr. Patrick Wellington (Trinidad & Tobago)

Additionally there were two proposals presented to the membership to be voted upon:

1. The induction of the under listed five new Honorary Life Members into the Association:

- Dr. Nilda Arduin (St. Maarten)
- Ms. Cynthia Astwood (Turks & Caicos)
- Madame Florence Elie (Haiti)
- Mr. Walford Gumbs (St. Kitts & Nevis)
- Ms. Lynette Stephenson (Trinidad & Tobago)

2. The second proposal was for strengthening the financial stability of the Association by increasing membership fees which was discussed and voted upon. It was noted that the current membership fee of one hundred and fifty US dollars (US\$ \$150.00) has been in

effect from the inception of CAROA, some twenty one years ago. The new membership fee of three hundred US dollars (US\$300.00) was approved and will come into effect from 2020.

The Conference concluded on the premise that CAROA will continue to build on the momentum, learning and fellowship shared during the time spent in Bermuda. Thanks and appreciation for the work done was expressed to the outgoing Executive that comprised the following:

- Vice President: Keursly Concincion (Curaçao)
- Secretary/Treasurer: Mr. Raymond Mathilda (Curaçao)
- Member: Dr. Marion Blair (Antigua & Barbuda)
- Member: Ms. Sheila Brathwaite (British Virgin Islands)
- Member: Ms. Arlene Harrison Henry (Jamaica)

Following the Conference delegates attended a first-class training facilitated by Dr. Victor Ayeni, a well-known international authority on the Ombudsman and related oversight institutions. Dr Ayeni was a strong proponent for the establishment of CAROA.

The theme for the training was **Advancing the Ombudsman's Impact, Role, Service and Performance.**

The Sessions were very interactive and were facilitated through a combination of presentations, case studies and practical exercises. The training was also shared remotely which facilitated the participation of Officers at the local Offices.

The training sessions covered the following key dimensions:

- Fundamental principles and changing nature of the Ombudsman;
- Ombudsman's multi-dimensional services;
- Ombudsman complaints handling and investigations;
- Clients and stakeholders management, external image, reporting and the public accountability of the office; and
- Roles and performance of Ombudsman's deputies and staff.

At the conclusion of the training, Certification of Participation accredited by the British Accreditation Council for Independent Further and Higher Education were distributed.

I wish here to extend my sincere thanks and appreciation to the Ms. Victoria Pearman, Ombudsman of Bermuda and the International Ombudsman Institute for the part sponsorship given.

Past and present CAROA Executive - GRENADA being a current member



Left to right: Patrick Wellington Trinidad & Tobago (**current**), **ALLISON AUDAIN-MILLER - GRENADA**, Sheila Brathwaite British Virgin Islands (**current**), Keursly Concincion – Curaçao, Victoria Pearman Bermuda, Raymond Matilda - Curacao (**current**), Dr. Marion Blair - Antigua & Barbuda, Randolph Duggins - St. Maarten (**current**) and Rosemarie Mathurine - St. Lucia (**current**).

Lyrics for Ombudsman Jingle

If you're a victim of maladministration – see the Ombudsman;

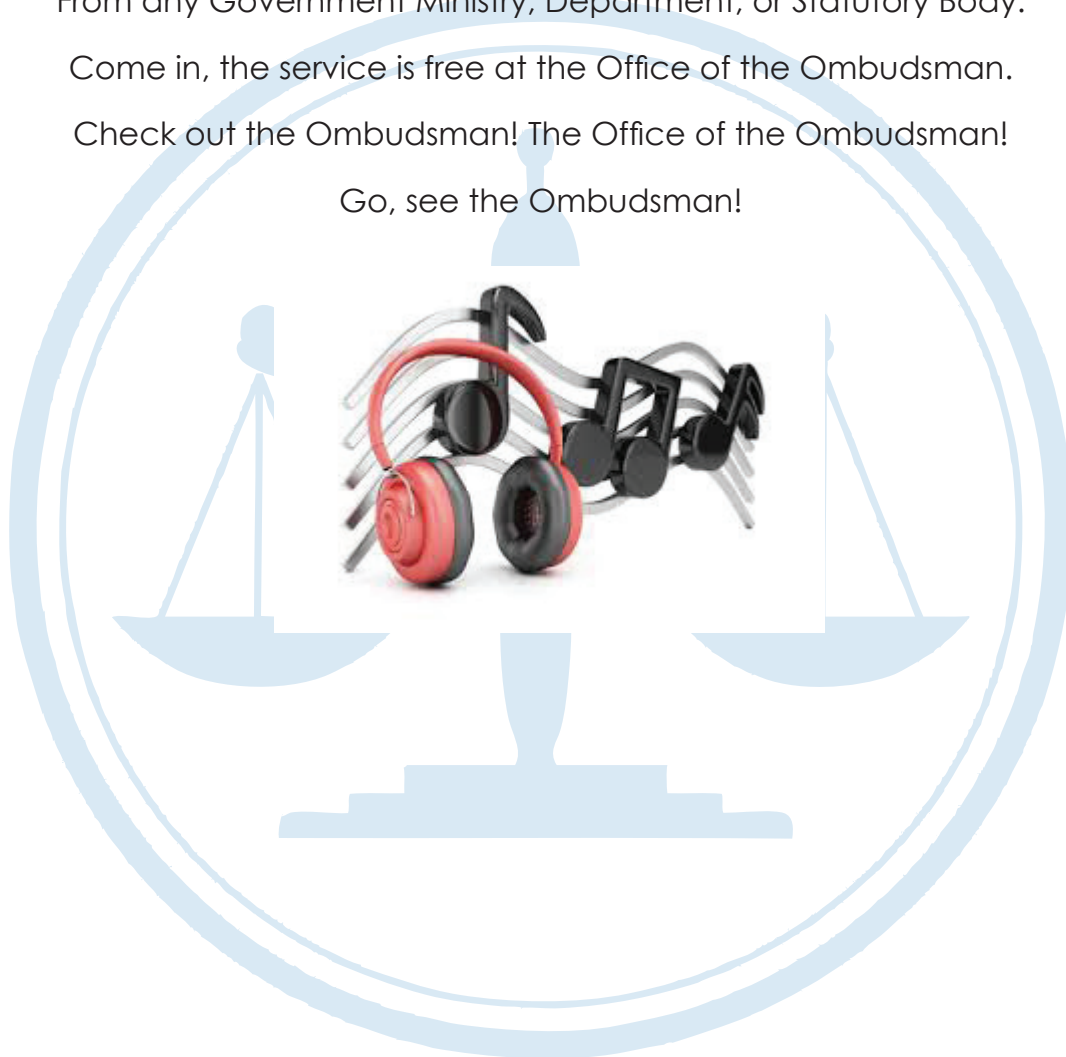
Abuse of power, discrimination - go to the Ombudsman.

From any Government Ministry, Department, or Statutory Body:

Come in, the service is free at the Office of the Ombudsman.

Check out the Ombudsman! The Office of the Ombudsman!

Go, see the Ombudsman!



Copies of the Act may be found on the websites of
The Office of the Ombudsman & the Government of Grenada

Office of the Ombudsman Website
www.Ombudsman.gd
&
Government of Grenada website
www.gov.gd





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WWW.OMBUDSMAN.GD*