

OFFICE OF THE OMBUDSMAN Public Workers Union Building, Tanteen, St. George's, Grenada 12th June, 2023

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

Your Excellency,

Annual Report – Office of the Ombudsman

I have the honour to submit to you the thirteenth Annual Report of the activities of the Office of the Ombudsman, for the period 1st January 2022 to 31st December 2022.

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

Yours respectfully,

Mr. Ronnie Marryshow

OMBUDSMAN



OFFICE OF THE OMBUDSMAN Public Workers Union Building, Tanteen, St. George's, Grenada 12th June, 2023

Hon. Leo Cato Speaker House of Representatives Parliament Building Mt. Wheldale St. George's

Dear Mr. Speaker,

<u>Annual Report – Office of the Ombudsman</u>

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OMBUDSMAN



OFFICE OF THE OMBUDSMAN Public Workers Union Building, Tanteen, St. George's, Grenada 12th June, 2023

Dr. the Hon. Dessima Williams President of the Senate Parliament Building Mt. Wheldale St. George's

Dear Madam President

<u>Annual Report – Office of the Ombudsman</u>

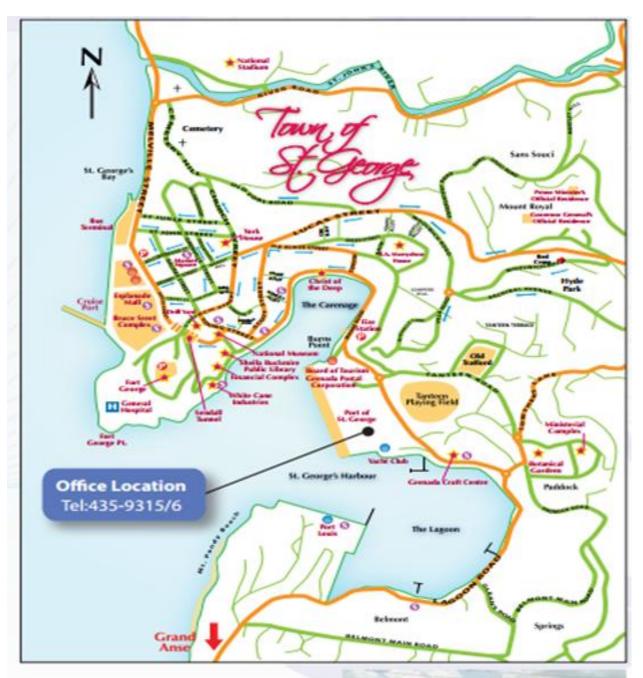
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Office Location



Office of the Ombudsman

Public Workers Union Building, Tanteen, St. George's, Grenada



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FOREWORD 2022 ANNUAL REPORT



to nation building.

I am deeply honoured to write the Foreword to the 2022 Annual Report, the thirteenth of the Office of the Ombudsman. 2022 marked the third year since COVID's unwelcome presence in Grenada, which had, and continues to have, serious ongoing negative effects on our people by slowing down our economic growth and overall development. Paradoxically, the challenges faced caused us to dig deeper, work harder and yearn more for what is essential and contributes

Following the retirement of Mrs. Allison Miller early in the year, I was officially appointed as Ombudsman by the Governor-General, Her Excellency Dame Cecile La Grenade. Thereupon I set about planning and attending meetings with the Cabinet Secretary, Permanent Secretaries and Heads of Departments. I also focused on reviewing the operations at our Office, completing the 2021 Annual Report, the Budget for 2022, as well as preparations for and attendance at meetings of the National Coordination Committee on Human Rights (NCCHR). Additionally, I attended scheduled virtual meetings of the Caribbean Ombudsman Association (CAROA) which were planned to finalize plans for its delayed 11th biennial Conference that was eventually held in St. Lucia.

The Office of the Ombudsman continued to serve the public by seeking redress to complaints of maladministration from both citizens and visitors in 2022. The total number of complaints for this year remains relatively small: thirty-five (35). One possible reason for this decline could be the limited financial resources available to aid in the awareness and continued education of the public about the role and services we provide. It is also possible that the number of complaints received is reflective of a changing landscape through which citizens can now air complains. Of this I am certain, there needs to be an improved working relationship between the Ombudsman Office and Permanent Secretaries and Heads of Statutory Bodies. This would certainly expedite the resolution of complaints which, in the past, has proven to be the best public relations for the Office.

General Elections were held in Grenada, Carriacou, and Petit Martinique around the middle of 2022, resulting in a new political party forming the government. The transition was, as expected, quite smooth. As Ombudsman, I call on every Grenadian to renew and make concrete our National Pledge to work together: "Heads, hands and hearts in unity..." to ensure the holistic development of our beautiful Nation!

While we are obligated to carry on doing what we can as our current Legislation mandates, I am of the firm opinion that Grenada would be better served if and when the Ombudsman Office eventually becomes an independent National Human Rights Institution. In the meantime, we are obligated to carry doing all that we can to the best of our abilities as a responsible, fair, and impartial national entity.

Our Plans for 2023 include the phased return of community outreach, continuation of visits to schools, and other promotional activities through traditional means such as radio and TV, as well as the use of Social Media. We intend to expand our social media platform so that the general public can become more aware of the role and function of the Office of the Ombudsman. Renewed efforts will therefore continue to be made towards the achievement of this goal.

I wish, in ending, to express sincere appreciation to everyone who contributed to making this Annual Report possible: the complainants, the Permanent Secretaries and other senior Public Officers who collaborated with us to resolve and/or bring closer to resolution some of the complaints received. I look forward to even greater cooperation in the future. Thanks also to my Investigations Officer, Executive Secretary and Administrative Assistant for their continued collaboration and encouragement.

AN INCH OF PROGRESS IS WORTH A YARD OF COMPLAINT

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.

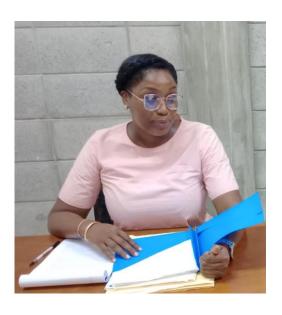
In consideration of all the above the Office of the Ombudsman pledges always to carry out its activities with **accountability** and **transparency.**

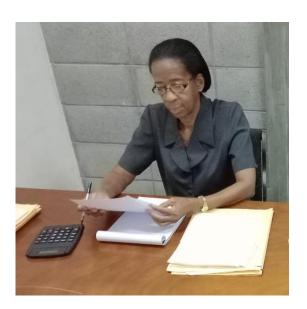
Present Staff of the Office of the Ombudsman



Right - Mr. Ronnie Marryshow-Ombudsman

Left - Mr. Marlhon Benjamin-Investigations Officer



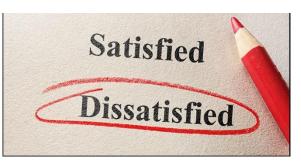


Left - Ms. Allison Gay-Office Assistant/ Data Entry Clerk

Right - Ms. Beveley Baptiste – Executive Secretary

The best way to find yourself is to lose yourself in the service of others. — Mahatma Gandhi —

Sample Complaints







SAMPLE COMPLAINT #1

A complainant purchased crown lands from the government situated, at Laura Land in St. David in 2012. This land was resurveyed in 2013 without permission from the owner by officials from the Ministry of Agriculture and Lands. As a result, the complainant suffered loses such as damage to agricultural crops, for example, sweet potatoes and pigeon peas to name a few and most importantly a shift in boundary lines resulting in him getting less land.



After countless visits to the Ministry of Agriculture and meetings with the former Director of Lands, a resolution was not attained. The Complainant then sought the assistance of the Ombudsman in 2016; visits were made to the plot by the current Director of Lands and a past Permanent Secretary. Sadly a resolution is does appear to be close.

Unresolved

SAMPLE COMPLAINT #2



A complaint was made to the Office of the Ombudsman in 2019 by someone who could no longer silently tolerate the foul smell coming from one of her closest neighbour's property. He was said to be engaged in rearing an ever-expanding number

of pigs, and seemed to take no notice of her discomfort. After having to bear with the situation for almost four years, she eventually complained to the Environmental Department in the Ministry of Health. Instead of the practice being scaled down or relocated it only got worse. The Ombudsman Office contacted the Chief Environmental Health Officer at the height of the Covid 19 pandemic in 2020 and also wrote to the Permanent Secretary on the matter. We were told in 2021 that a legal opinion is sought from the Attorney General's Office and feedback will be given when received. To date, no progress has been made and the case remains unresolved!

Unresolved

SAMPLE COMPLAINT #3

This was a sample complaint from 2021 which was first received in 2019. It concerns the non-payment of monies owed to a long-standing officer who provided dedicated and sometimes overtime work for which compensation is still pending. This is symbolic of the slow pace with which the wheels of justice seem to turn for several individuals. To the complainant's credit,

she has been very patient and remains adamant that hers is a "model case" for the present and future. The Office of the Ombudsman, nevertheless, continues to be hopeful and expects that a resolution would definitely be reached in 2023.

Unresolved

SAMPLE COMPLAINT #4

This long-standing complaint (lodged as far back as 2015) concerns not one, but two complainants. Their complaints were made separately some months apart, but concerned the same offender: a male individual who operated and continues to operate an



auto body repair shop, resulting in the release of unbearable, hazardous fumes to the two neighbours. Despite the issuance of Stop Notices and visits by officers from officers from the Environmental Health Department, Physical Planning Unit, and the Ombudsman Office, the complaint remains unresolved. The owner of the Repair Shop has stated he will go to Court, if necessary, since he has already spent "a lot of money" to buy an extractor fan to reduce the fumes.

Unresolved



Analysis of Complaints









Table 1: Status of Complaints made against the various Public Authorities in 2022

			S	STATUS OF COMPLA	AINTS	
PUBLIC AUTHORITIES	Total	Closed	Ongoing	Advice/Referrals	Dis- continued	Beyond Jurisdiction
Other Private Entities	7	Olosea	Oligoling	4	continued	3
Ministry of Social & Community				-		
Development, Housing and Gender						
Affairs	1			1		
Ministry of Education, Youth,						
Sports & Culture	3		1	1		1
Ministry of Legal Affairs, Labour &						
Consumer Affairs	4	1	1	2		
Grenada Port Authority	1					1
National Water and Course						
National Water and Sewage Authority	3	4	2			
Authority	<u> </u>	1				
Ministry of National Security, Home						
Affairs, Public Administration,						
Information and Disaster						
Management	1			1		
Ministry of Agriculture and Lands,	3		2		1	
Child Protection Authority	1		1			
Ministry of Health, Wellness &						
Religious Affairs	1		1			
Supreme Court Registry	1	1				
Ministry of Finance	1	1				
Richmond Hill Prisons	2			2		
Ministry of Works, Physical						
Development and Public Utilities	2	1		1		
Ministry of Housing, Lands and						
Community Development	1			1		
Royal Grenada Police Force	3		1	2		
TOTAL	35	5	9	15	1	5

Table 1

The number of complaints received by the Office in 2022, though still rather small compared to the pre-Covid years increased to thirty-five (35), four more than the figure for 2021.

The largest, seven (7) or one-fifth of these complaints were made against Private Entities. The second largest, four (4) were directed at the Ministry of Labour. Three (3) complaints each were received against the Ministries of Education, Economic Development, Planning & Agriculture, National Water and Sewerage Authority, and the Royal Grenada Police Force. Richmond Hill (His Majesty's) Prisons and the Ministry of Works/Infrastructure accounted for two (2) complaints each, while other Ministries/Departments: Ministry of Social Development, Grenada Port Authority, Ministry of National Security, Child Protection Authority, Supreme Court Registry, and Ministries of Finance and Health all recorded one (1) complaint each lodged against them.

While five (5) complaints were "closed" and deemed "beyond Jurisdiction", there is also the significant occurrence of nine (9) complaints remaining "ongoing" (as was the case in 2021, and "advice/referrals made for fifteen (15) complaints compared to ten (10) in 2021.

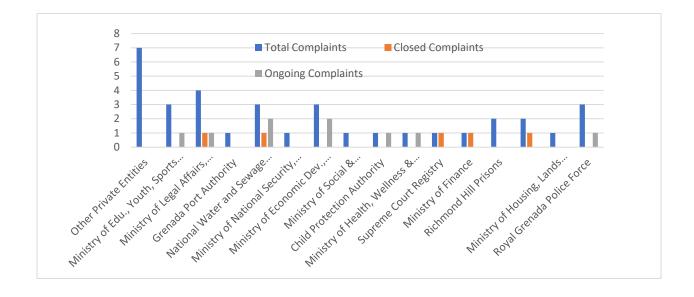


Table 2: Status of Rollovers from 2021 to 2022

				Status of Complaint	S	
PUBLIC AUTHORITIES	Total	Closed	Ongoing	Advice/Referrals	Dis- continued	Beyond Jurisdiction
Child Protection Authority	1				1	
Ministry of Labour	5	1	3	1		
Ministry of Health	2	1	1			
Royal Grenada Police Force	1				1	
TOTAL	9	2	4	1	2	0

Table 2

Of comparative significance is the fact that four (4) out of nine (9) complaints from 2021 rolled over in 2022. From the remaining five (5), two (2) each were "closed" or "discontinued".

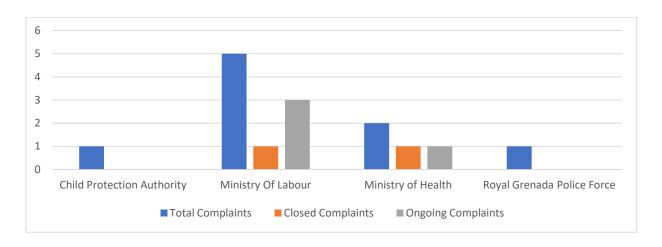


Table 3: Status of Rollover from 2020 to 2022

		Status of Complaint										
PUBLIC AUTHORITIES	Total	Closed	Ongoing	Advice Given	Dis- continued	Advice / Referrals	Beyond Jurisdiction					
Ministry of Agriculture Lands	1		1									
Ministry of Labour	1		1									
Physical Planning Unit	1		1									
Royal Grenada Police Force	1		1									
TOTAL	4	0	3	0	0	0	0					

All four (4) rollover complaints in **Table 3** from 2020 remained rollovers in 2022. Renewed, concerted efforts need to be made to urgently address them.

Table 4: Status of Rollovers from 2019 to 2022

	Status of Complaints							
PUBLIC AUTHORITIES	Total	Closed	Ongoing	Advice/Referrals	Dis- continued	Beyond Jurisdiction		
Ministry of Legal Affairs, Labour &								
Consumer Affairs	5		5					
Supreme Court Registry	1		1					
Ministry of Health, Wellness & Religious Affairs	2		2					
Ministry of Infrastructure Development, Public Utilities, Energy, Transport & Implementation	1		1					
Physical Planning Unit	1		1					
TOTAL	10		10	0	0	0		

Table 4Likewise, all ten (10) rollover complaints from 2019 were still "ongoing" in 2022.

Table 5: Status of Rollovers from 2018 to 2022

			9	Status of Complaint	1	
PUBLIC AUTHORITIES	Total	Closed	Ongoing	Advice/Referrals	Dis- continued	Beyond Jurisdiction
Child Protection Authority	1	1				
Physical planning Unit	1		1			
Ministry of Agriculture and Lands	4	2	2			
Ministry of Legal Affairs, Labour & Consumer Affairs	2	2				
Royal Grenada Police Force	1	1				
TOTAL	9	6	3	0	0	0

A happier picture is observed in **Table 5**. While six (6) of the nine (9) rollover complaints from 2018 were "closed" in 2022, three (3) still remain outstanding.

Table 6: Status of Rollovers from 2017 into 2022

		Status of Complaints									
PUBLIC AUTHORITIES	Total	Closed	Ongoing	Advice Given	Dis- continued	Advice / Referrals	Beyond Jurisdiction				
Ministry of Agriculture & Land	2		2								
Ministry of Infrastructure Development, Public Utilities, Energy, Transport & Implementation	1		1								
Ministry of Labour	1		1								
TOTAL	4		4	0	0	0	0				

Table 6

None of the four (4) rollover complaints from 2017 were "closed" in 2022.

Table 7: Status of Rollovers from 2016 into 2022

				Status	of Complaint		
PUBLIC AUTHORITIES	Total	Closed	Ongoing	Advice Given	Dis- continued	Advice / Referrals	Beyond Jurisdiction
Ministry of, Agriculture and Lands	1		1				
Ministry of education, Human Resource & Religious Affairs	1		1				
Ministry of Legal Affairs, Labour & Consumer Affairs	1				1		
TOTAL	3	0	2	0	1	0	0

Table 7 shows little or no movement as two (2) out of three (3) rollover complaints from 2016 remain "ongoing" in 2022.

Table 8: Status of Rollovers from 2015 into 2022

				Status of	Complaints		
PUBLIC AUTHORITIES	Total	Closed	Ongoing	Advice Given	Dis- continued	Advice / Referrals	Beyond Jurisdiction
Ministry of Infrastructure Development, Public Utilities, Energy, Transport & Implementation	1	1					
Royal Grenada Police Force	1	1					
Ministry of Health, Wellness & Religious Affairs	1	1					
Ministry of Finance	1	1					
Physical Planning Unit	1		1				
TOTAL	5	4	1	0	0	0	0

Table 8

Four (4) out of five (5) complaints from 2015, however, were "closed" while one (1) is still "ongoing".

Table 9: Status of Rollovers from 2014 into 2022

				Status of	Complaints		
PUBLIC AUTHORITIES	Total Closed Ongoing Given continued Referrals Jurisdiction						
Royal Grenada Police Force	1	1	Origoning	Given	Continueu	Referrals	Julisuiction
Ministry of Legal Affairs, Labour & Consumer Affairs	1		1				
TOTAL	2	1	1	0	0	0	0

Table 9

Of the two (2) rollover complaints from 2014, one (1) was "closed" and one (1) remained "ongoing".

Table 10: Status of Rollovers from 2013 into 2022

				Status of	Complaints		
PUBLIC AUTHORITIES	Total	Closed	Ongoing	Advice Given	Dis- continued	Advice / Referrals	Beyond Jurisdiction
Ministry of Infrastructure Development, Public Utilities, Energy, Transport & Implementation	2	1	1				
Physical Planning Unit	1		1				
TOTAL	3	1	2	0	0	0	0

Table 10

This Table simply reveals that, of the three (3) rollover complaints from 2013, one (1) was "closed" and two (2) remain "ongoing".

Table 11: Status of Rollovers from 2012 into 2022

		Status of Complaints										
PUBLIC AUTHORITIES	Total	Closed	Ongoing	Advice Given	Dis- continued	Advice / Referrals	Beyond Jurisdiction					
Ministry of Infrastructure Development, Public Utilities, Energy, Transport & Implementation	1	1										
TOTAL	1	1		0	0	0	0					

Table 11 shows that the sole remaining complaint from 2012 was finally "closed".

Table 12: Status of Rollovers from 2011 into 2022

	Status of Complaints						
PUBLIC AUTHORITIES	Total	Closed	Ongoing	Advice Given	Dis- continued	Advice / Referrals	Beyond Jurisdiction
Ministry of Infrastructure Development, Public Utilities, Energy, Transport & Implementation	2		2				
Ministry of Agriculture and Lands	1		1				
TOTAL	3		3	0	0	0	0

Table 12

But alas, there still remain three (3) rollover "ongoing" complaints from 2011, awaiting resolution in 2022.

Table 13: Comparison of status of complaints: 2021 vs. 2022

Year	Total	Closed	Ongoing	Advice /Referral	Discontinued	Beyond Jurisdiction
2021	31	2	9	10	1	9
2022	35	5	9	15	1	5

Table 13

Apart from showing the total number of complaints received for 2021 and 2022, this Table reveals that, although more complaints were closed in 2022, five (5) opposed to two (2) in 2021, and similar number of "ongoing" and "discontinued" complaints, more referrals were made in 2022 (15, compared to 2021 (10). However, nine (9) complaints were deemed "beyond jurisdiction in 2021, and only five (5) in 2022.

Table 14: Distribution and Comparison of Complainants per Month 2022

MONTHS	2022	2021
Jan	3	1
Feb	2	2
March	5	2
April	4	4
May	2	4
June	2	6
July	1	1
Aug	2	2
Sept	2	1
October	6	2
Nov	3	3
Dec	3	3
Total	35	31

Table 15: Residence of complainants per parish 2021 and 2022

Parish	2021	2022
St. George	18	17
St. David	2	3
St. Andrew	4	5
St. Mark	1	1
St. Patrick	1	
Out of State	0	0
Carriacou & Petite Martinique	3	
St. John	2	2
Address Not Defined		7
TOTAL	31	35

Table 15

2022 as in the most recent five (5) years the majority of the complainants reside in St. George's.

Table 16: Forms of initial to the Office in 2022

Phone	Letter	Email	Walk-In	Appointment	TOTAL
12	2	3	18	0	35



Report on the 11th
Ombudsman Association



Biennial Conference of Caribbean

The Caribbean Ombudsman Association (CAROA) held its 11th Biennial Conference in St. Lucia on November, 2021. CAROA is comprised of *Ombudspersons* from several territories and islands from the English, French, Spanish, and Dutch speaking Caribbean.

The Conference, which should have taken place in 2021 but had to be postponed due to the Covid 19 outbreak, was hosted by out-going President, Dr. Rosemarie Husbands-Mathurin, Parliamentary Commissioner (official title instead of Ombudsman) of St. Lucia under the theme: "The importance of building resilience in Governance". I was joined in St. Lucia by CAROA's Secretary, Mr. Randolf Huggins from St. Maarten and Treasurer, Mr. Raymond Matilda from Curacao respectively. All other members attended the Conference virtually.

Host Prime Minister, Hon. Philip J. Pierre, delivered the welcoming address which was followed by a stimulating two-hour training session facilitated by a team from the Inter-American Commission on Human Rights (IAHCR). The General Membership Meeting began immediately after lunch with Roll Call, confirmation of Minutes, and Reports by the Treasurer and President respectively. Following Reports was an important session on the "Future of CAROA" during which two particularly relevant issues were discussed: 1) the lack of tangible support from

individual governments as well as the perceived or real *challenge* posed by larger versus smaller islands. This then led to the Election of Council Members for the period: 1^{st} December, $2022 - 30^{th}$ November, 2024.

CAROA's new Executive is as follows:

- Ms. Gwendolien Mossel, Ombudsman, St. Maarten President
- Mrs. Erica Smith-Penn, Complaints Commissioner, British Virgin Islands –
 Vice-President
- Mr. Randolf Duggins, Ombudsman Office, St. Maarten Secretary
- Mr. Raymond Matilda, Ombudsman Office, Curacao Treasurer
- Dr. Rosemarie Husbands-Mathurin, Parliamentary Commissioner, St. Lucia
 Floor Member
- Mr. Ronnie Marryshow, Ombudsman, Grenada Floor Member.

Three former *Ombudspersons*, including Grenada's immediate past Ombudsman, Mrs. Allison Audain-Miller, were nominated Lifetime CAROA members.

In my remarks as a newly appointed Executive Council Member, I pledged to collaborate with all my colleagues in advocating for proper and efficient administrative procedures as well as working to ensure that the rights of Grenadian and other Caribbean citizens are both respected and protected.

Ronnie I. Marryshow

IN CLOSING...

Having already experienced several months in 2023, it is perhaps timely to offer words of encouragement even as we continue living and working together. The collective opportunity is ours to make a positive difference through what we say and do.

First and foremost, we must endeavour to appreciate one another more. As a small island-State with very beautiful, talented people let us demonstrate that we do, in fact, appreciate and value each other. Let us also strive in particular to pay close attention to the young and elderly, to be more tolerant and law-abiding, and significantly lessen abuse and all forms of violence in our communities.

As we prepare to celebrate our golden anniversary of Independence, our focus should be on embracing our diversity and uniqueness which would demonstrate our living up to the maxim: we all have rights as well as responsibilities.

Copies of the Act may be found on the Government of Grenada Website

Ombudsman's website www.Ombudsman.gd

Contact us: 1473435-9315/16

Email Address: Ombudsmangd@spiceisle.com

Government of Grenada Website <u>www.gov.gd</u>