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THE OMBUDSMAN
Republic of
Trinidad and Tobago

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DECEMBER 6, 1983

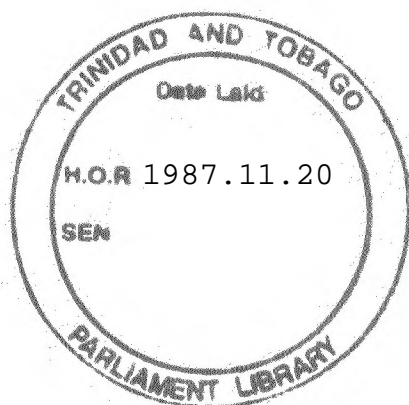
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THE OMBUDSMAN
Republic of
Trinidad and Tobago



Office of the Ombudsman,
St. Ann's Avenue,
St. Ann's.

5th December, 1986

The Honourable Speaker,
Parliament,
Red House,
Port-of-Spain.

Dear Mr. Speaker,

I have the honour to present the Seventh Annual Report of the Ombudsman for the period December 6, 1983 to December 5, 1984.

This report is submitted pursuant to subsection 5 of section 96 of the Constitution of the Republic of Trinidad and Tobago Act, 1976.

Yours faithfully,

EVAN REES
Ombudsman
Trinidad and Tobago

TABLE OF CONTENTS

I—PERIOD COVERED BY THE REPORT

- (i) Staff**
- (ii) Accommodation**
- (iii) Ombudsman Liaison**
- (iv) Visits**
 - (a) Hospitals**
 - (b) County Councils**

II—STATISTICAL OVERVIEW

III—SPECIAL COMMENTS—PERSONNEL MATTERS

IV—SELECTED CASE SUMMARIES

V—STATISTICS OF CASES HANDLED

VI—APPENDICES

PART I

PERIOD COVERED BY THE REPORT



PERIOD COVERED BY THE REPORT

(i) Staff

I began the year with a full complement of staff as provided for in the budgetary allocation. However, in August, 1984, Mrs. Joy Brathwaite, Investigator, was permitted to leave my office on promotion to a higher post in the Teaching Service Commission. The resulting vacancy was not filled during the period of this report. I was therefore one Investigator short for the remainder of the year. I also continued to press without success for two additional Investigators and a Complaints Officer in order to effectively handle the large number of complaints I receive each year.

(ii) Accommodation

I continue to occupy offices at St. Ann's Avenue, St. Ann's. The location is pleasant and the facilities are adequate for the present complement of staff. However, the question of furniture remains a cause for concern as I have not yet been provided with the furniture which was ordered in 1978. It is a sad reflection on the country as a whole when courtesy calls are made to my office by representatives of foreign countries. This unsatisfactory situation exists in spite of numerous requests to the competent authorities.

(iii) Ombudsman Liaison

As in previous years I maintained communication with other Ombudsmen throughout the world and the International Ombudsman Institute. I continued to serve on the Board of Directors of the Institute during the period of this report. I attended the meeting of the Board in Copenhagen, Denmark from June 22 to 23, 1984. Following this I attended the Third International Ombudsman Conference which was held in Stockholm, Sweden from June 25 to 28, 1984 and an International Ombudsman Seminar held in Helsinki, Finland from June 29 to July 1, 1984. I participated in the Third International Ombudsman Conference in my capacity as Ombudsman and delegate of Trinidad and Tobago. The Conference was hosted by the Office of the Swedish Parliamentary Ombudsman and attracted over 150 Ombudsmen and senior officials of Ombudsman Offices. Lectures and seminars were conducted on a number of important issues, such as, "The Ombudsman and Human Rights", "The Ombudsman and Politics" and "The Ombudsman and the Discretionary Exercise of Power". It also afforded participants the opportunity to meet informally and discuss matters of mutual concern, which in my view is the most important aspect of international conferences. The Seminar in Helsinki was designed for Ombudsmen and senior administrators from Ombudsman offices. The various issues involved in the day-to-day running of these offices were discussed.

(iv) Visits

In my Third Annual Report for the period December 6, 1979 to December 5, 1980 I gave details of visits that I had undertaken to a number of General and County Hospitals in Trinidad and Tobago. These visits were made to familiarize myself with existing conditions for a more meaningful understanding of complaints. In that report I also gave details of the recommendations arising out of my observations and the action taken by the Ministry of Health (then the Ministry of Health and Environment) which is responsible for the overall administration of those institutions. Since my office takes an ongoing interest in the administration of the health services of the nation I decided, in the period under review, to follow up my original visits with inspections of a greater number of hospitals. Included among these was the Mount Hope Medical Complex, which was then still under construction. During this period I also visited all the County Councils where I delivered lectures and received questions on the Ombudsman concept.

(a) Hospitals

During the period December 6, 1979 to December 5, 1980 I visited four hospitals: the Port-of-Spain General Hospital, the San Fernando General Hospital, the Tobago County Hospital and the Sangre Grande County Hospital. My observations, which are recorded in my Third Annual Report, centered primarily on the physical facilities at these institutions and identified areas of concern. I noted, amongst other things, that there was insufficient accommodation for patients, a shortage of staff, an unavailability of drugs and poor maintenance of costly specialist equipment. During the period of the current report I visited the San Fernando General Hospital, the District Hospitals at Princes Town, Couva, Point Fortin and Mayaro, the St. James Medical Complex and the Mount Hope Medical Complex. In each hospital I spoke with senior members of staff and in particular those persons responsible for particular units in the hospitals. I found that some small improvements had been made since my earlier visit, but in general the problems highlighted in the earlier report remained unresolved. Moreover, some of the hospitals were housed in buildings which could not accommodate the required facilities, for example, the Couva District Hospital. This hospital should be rebuilt to provide additional facilities such as a proper Emergency/Casualty Centre, an X-ray Room and an Operating Theatre. If this cannot be done in the near future then steps should be taken immediately to provide a new Emergency/Casualty Centre, the present one being totally inadequate in every respect.

In October, 1984 I visited the San Fernando General Hospital where I observed a number of unsatisfactory conditions. The Intensive Care Unit, which caters for the whole of South Trinidad, only had four beds. This situation is unfair to staff who are placed in the difficult position of having to decide who should be admitted and who should not. The storage of

medical records was nothing short of chaotic. Such records were kept in cramped areas without proper security measures for their safeguarding. This situation could be greatly improved by the use of computers and micro-film. I was also very concerned about the standard of cleanliness and maintenance which are in need of improvement. It is essential that adequate toilet facilities be provided, particularly in the Casualty Unit.

I was very impressed by the facilities under construction at the Mount Hope Medical Complex. If the proposals for the use of the Complex for the benefit of the region are implemented I would consider the money that has been spent on this institution to be well spent. The spacious layout, the up-to-date facilities and its central position should go a long way towards alleviating the problems being experienced by existing institutions. The location is ideal, situated as it is at the crossroads of the major highways linking North, South, East and West Trinidad. Moreover, as a Teaching Hospital it could give the region greater independence in the area of medical care.

(b) County Councils

The County Councils play a vital role in the life of our local communities. They are responsible for setting up and maintaining their basic infrastructure. The projects carried out are based on the decisions of the councillors who determine the priorities in the day-to-day running of the community. In recent years I have been receiving a substantial number of complaints against the County Councils which come under the administration of the Ministry of Community Development and Local Government.

I decided to do a lecture tour of all County Councils. This proved to be important because a number of questions raised at these tours concerned matters of policy which are outside my jurisdiction. I discovered that a major source of discontent was the question of the demarcation of responsibility between Local Government and Central Government. For example, Councillors stated that the National (Secondary Roads) Development Company Limited, a relatively new company for the purpose of constructing and improving secondary roads and the Development and Environmental Works Division were usurping the functions of the County Councils and the Central Government was thereby eroding their power.

In Nariva/Mayaro I was shown roads constructed by the Development and Environmental Works Division which the Councillors alleged were so poorly constructed that they were refusing to take them over. In some cases the Councils took over the roads but it was necessary for them to carry out work to upgrade the road to the required standard.

There was another common cry from the County Councils: the delay by Central Government in releasing funds for projects. Councillors protested that the Ministry of Finance and Planning does not generally approve the release of funds to the County Councils until the middle of the year.

By the time approval has been received for the expenditure of funds the rainy season which commences in June has already started and the County Councils are able to carry out little or no work. Since these unused funds cannot be carried over to the following year they are lost to the County Councils which are unable to carry out vital work on projects. I feel that steps should be taken to ensure that funds are released to local Government agencies early in the year and some time before the rainy season.

It was gratifying to note that as a result of my visits there was a significantly quicker response from the County Councils to requests from my office for reports.

PART II

STATISTICAL OVERVIEW



II-STATISTICAL OVERVIEW

During the period of this report I received 1,152 new complaints. Of these 349 or 30 per cent were outside my jurisdiction. I therefore proceeded with the investigation of 803 new complaints. At the end of the year I had concluded investigations on 415 or 51.7 per cent of these complaints. Table 1 shows the statistics on new complaints within the year.

TABLE 1
Statistics on New Complaints received during period
December 6, 1983 to December 5, 1984

Total number of complaints received	...	...	...	1,152	
Total number of complaints without jurisdiction	...	...	...	349	30.3%
Total number of complaints proceeded with	...	...	...	803	69.7%
Total number of complaints concluded	...	...	...	415	51.7%
Sustained	...	...	...	151	
Not sustained	...	...	...	96	
Discontinued	...	...	...	161	
Withdrawn	...	...	...	7	
Total number of complaints under investigation	...	...	...	388	48.3%

I am pleased to point out the comparatively higher number and percentage of complaints concluded at the end of this year in comparison with the two previous years. My staff and I continue to make every effort, given the constraints imposed on us, to conclude as many investigations as we can while continuing to maintain the high standards and thoroughness that my office should have. At Table 2 I have provided a comparison of the number and percentage of complaints concluded at the end of each reporting year since the inception of my office.

TABLE 2

Year	Number of complaints within jurisdiction	Percentage of complaints within jurisdiction	Total number of complaints concluded	Percentage of complaints concluded
1977-1978	846	77.0	438	51.7
1978-1979	777	80.4	350	45.0
1979-1980	653	59.3	337	51.6
1980-1981	618	63.2	355	54.5
1981-1982	682	62.7	302	44.3
1982-1983	825	64.8	321	38.8
1983-1984	803	69.7	437	54.4

In addition to the new complaints, this year inherited 961 complaints already under investigation from the preceding years. This figure represents the largest number of complaints ever "brought forward" in my office. Table 3 shows the way in which the total number of complaints under investigation this year were handled.

TABLE 3

Statistics on Complaints received for the year under Review and those brought forward from previous years

Total number of complaints brought forward from last report	...	961		
Total number of complaints received in 1984	...	...	...	1,152
Total	...	...	...	2,113
Total number of complaints without jurisdiction	...	...	...	349 16.1%
Total number of complaints proceeded with	...	...	...	1,764 83.9%
Total number of complaints concluded	...	...	...	852 48.3%
Sustained	...	...	382	
Not Sustained	...	...	183	
Discontinued	...	...	272	
Withdrawn	...	...	15	
Total number of complaints under consideration	...	...	...	912 51.7%

It is encouraging to note that in spite of the large number of complaints "brought forward" 48.3 per cent of all complaints under investigation were concluded at the end of the year.

This year's statistics indicate very clearly the adverse effect of complaints "brought forward" on the apparent performance of my office in concluding investigations. The number of new complaints still under investigation at the end of the year was 366; when the number of such complaints from those "brought forward" are included the figure is increased to 912 or 546 more.

I have included Table 4 in this report to illustrate the way in which my office disposed of the complaints pertaining to the eight departments of Government against which most complaints were investigated in the year.

TABLE 4

Ministry/Authority	Number of com- plaints	Within juris- diction		Without juris- diction		Sustained/ Rectified		Not sustained		Advised discon- tinued		Under investiga- tion	
		No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Judiciary ...	149	94	63.0	55	36.9	26	27.6	6	6.3	43	45.7	19	20.2
National Security ...	144	126	87.5	18	12.5	24	19.0	23	18.2	26	20.6	53	42.0
National Housing Authority ...	73	61	83.5	12	16.4	8	13.1	3	4.9	10	16.4	40	65.0
Finance and Planning ...	68	63	92.6	5	7.3	9	14.2	2	3.1	7	11.1	35	55.5
Works, Maintenance and Drainage ...	62	52	83.8	10	16.1	5	9.6	7	13.4	3	5.8	37	71.0
Agriculture, Lands and Food Production ...	61	51	83.6	10	16.3	0	.0	7	13.7	11	21.6	33	64.0
Community Development and Local Government ...	59	55	93.2	4	6.7	9	16.3	3	5.4	6	10.1	37	67.0
Health and Environment ...	53	45	84.3	8	15.0	10	22.2	5	11.0	6	13.3	24	53.3

With the exception of the Ministry of Health and Environment these departments have had the highest record of complaints against them since the inception of my office. The disposition of the complaints against these individual departments in this year are with small differences indicative of the previous years. For example, in this year most complaints were made against the Judiciary but only 63 per cent were within my jurisdiction, while 87.5 per cent of complaints against the Ministry of National Security were within my jurisdiction. At the end of the year the Judiciary recorded the smallest number and percentage of outstanding complaints. On the other hand the Ministry of Works, Maintenance and Drainage had the largest number of complaints under investigation at the end of the year.

The statistics also show that most complaints resolved against the Judiciary were classified under "advised/discontinued"; of the forty-three (43) complaints so described only two (2) fell under "discontinued". In comparison the Ministry of Works, Maintenance and Drainage showed the least number of complaints so disposed, only three.

Further analysis of complaints against the Ministry of Works, Maintenance and Drainage indicate that 22 or 40 per cent of complaints against that department pertained to construction or repair work. At the end of the year only one such complaint had been resolved. Complaints against

the Judiciary were about delay in the hearing of court matters or the delivering of judgments. A further 18 per cent were "requests for assistance" of some form or another.

The comparison of these two departments indicates that the disposition of complaints is in large part determined by the nature of the complaint.

PART III

SPECIAL COMMENTS—PERSONNEL MATTERS



PART III

III—SPECIAL COMMENTS—PERSONNEL MATTERS

By section 94(4)(b) of the Constitution it is provided that I shall not investigate the matters listed in the Third Schedule. Personnel matters fall under paragraph 8 of the Third Schedule. Paragraph 8 of the Third Schedule reads:

“MATTERS NOT SUBJECT TO INVESTIGATION”

- “8. Action taken in respect of appointments or removals, pay, discipline, superannuation or other personnel matters in relation to service in any office or employment in the public service or under any authority as may be prescribed.”

On the face of it then, it would appear that the Ombudsman is precluded from investigating personnel related matters. However, in order to find out whether I have jurisdiction in a matter, I must first find out whether the competent authority has acted within the scope of its prescribed functions. If it has acted outside the scope of these functions the Ombudsman has jurisdiction, even though the matter is a personnel related one.

The following two cases show how I handle complaints pertaining to personnel matters.

CASE A

A Swimming Pool Attendant at the Ministry of Sport, Culture and Youth Affairs complained to me against the Public Service Commission. The complainant stated that he had been employed as a Swimming Pool Attendant for eight years, but was not promoted to a vacant post of Assistant Swimming Instructor although he was interviewed for it. He was of the opinion that he fulfilled all the requirements for the post in question and claimed *that the Public Service Commission had discriminated against him.*

As the complainant claimed that he had been discriminated against, on March 29, 1984, I issued a letter of intention to investigate to the Director of Personnel Administration. The purpose of this letter, which is standard procedure in my office, is to inform the department or agency concerned of the complainant's allegations and invite it to make any representations which it might consider relevant. On the basis of this report I decide whether to undertake a formal investigation into the complaint.

The Director of Personnel Administration, in a letter dated May 21, 1984 replied as follows:

“Sir,

Your letter Ref.: OMB: 83/488 dated 29th March, 1984 concerning the complainant, a daily-paid worker at the Chaguaramas Community Pool, Ministry of Sport, Culture and Youth Affairs, refers.

2. Cabinet by Minutes Nos. 3547 dated 8th December, 1977 and 5177 dated 7th December, 1979 agreed to the creation and classification of posts for the Swimming Pool Complexes of the then Community Development Division of the Ministry of Education and Culture (now Ministry of Sport, Culture and Youth Affairs). Among the new posts were the following:

Eight (8) Assistant Swimming Instructors ... Range 20

Eight (8) Swimming Pool Attendants ... Range 14

3. Proposals which were subsequently made by the Permanent Secretary, Ministry of Education and Culture for the filling of these vacancies called for the absorption of those daily-paid persons who were already serving with the Swimming Pool Complexes and who were considered suitable for permanent appointments. In commenting on the complainant's suitability for an appointment, the Permanent Secretary expressed some concern about the lack of interest displayed by him in the performance of his duties while serving in a daily-paid capacity. Accordingly, the complainant was not recommended for an appointment as an Assistant Swimming Instructor in which post he would have had responsibility for training and ensuring the safety of children and adults. The Permanent Secretary expressed the view, however, that the complainant was more suited to an appointment as a Swimming Pool Attendant.

4. In September, 1980 the Public Service Commission decided that all serving daily-paid persons should be interviewed by a Selection Committee with a view to assessing their suitability for appointment. The complainant was interviewed in connection with the filling of the vacancies for Swimming Pool Attendant but he was not assessed as suitable by the Committee. The Commission considered and accepted the Selection Committee's report. Appointments subsequently made to the vacancies were based on the Selection Committee's assessments.

5. Public Service Commission has since re-examined the circumstances surrounding the complainant's case and is satisfied that his claims to an appointment had been fully and properly considered. The Commission would be grateful if he could be so informed.

6. Finally, the Public Service Commission had observed from paragraph 4 of your letter under reference that you proposed to conduct an investigation into the complainant's case under section 93(1) of the Constitution of the Republic of Trinidad and Tobago. The Commission has requested me to inform you that it might be inadvisable to make such matters the subject of investigation at your end as it would encourage a flood of similar representations from persons whose applications for appointment/promotion in the Public Service were not successful. It would also be contrary to the restrictions imposed by section 94(4)(b) (Chapter 6 Part 2) and section 8 of the Third Schedule to the Constitution."

There is no doubt that this case is founded on action taken in respect of a personnel matter, that is, the failure of the complainant to be promoted from his employment as a Swimming Pool Attendant to a post of Swimming Pool Instructor. It is the function of the Public Service Commission to make such an appointment and by section 129(3)(c) of the Constitution the question whether a Commission has validly performed any function vested in it under the Constitution should not be enquired into in any court. If the Ombudsman is acting under the notwithstanding clause [94(5) of the Constitution] and the Court cannot enquire into the matter, then the Ombudsman cannot investigate it. My investigation, as far as it reached, was to enquire whether the Commission in the course of exercising the jurisdiction of promotion vested in it by the Constitution had discriminated against the complainant. As there was no discrimination I came to the conclusion that the Commission performed its duty validly. If the Commission had not promoted him because of his ethnic background or because he was too short or too fat, then it would be doing something that lay outside its functions and I would have declared that what the Commission had purported to do in not promoting the complainant for such a reason was null and void and that he should be promoted.

CASE B

A Police Constable complained to me that he had sustained an injustice as a result of a fault in administration on the part of the Police Service Commission in that the Commission wrongfully retired him from the Police Service on medical grounds.

The complainant is a negro. On January 15, 1973 at the age of 23, he joined the Police Service as a permanent member. In 1977, he contracted *sycosis barbae*, that is, an inflammation of the hair follicle of the face which tends to get worse if the skin is shaved and the hair is not permitted to grow. The only known cure is to avoid shaving. It is a condition commonly found in the negro race.

The complainant appeared before a Medical Board on September 5, 1977. The Board comprised a skin specialist and another physician. It recommended that the complainant should be "allowed to grow a beard if regulations permit". In other words, from a medical point of view he was physically fit to carry out the duties of a police officer.

The Police Service Commission did not permit the complainant to grow a beard. Since each attempt at shaving provoked an outbreak of the disorder the complainant was granted sick leave of 811 days for the period 1977-1980.

On March 13, 1980 the Commission decided that having regard to (i) the complainant's sick leave record and (ii) the complaint of *sycosis barbae* which prevented him from complying with Regulation 51 of the Police Service Regulations, 1971, the complainant should be retired from the Police Service on medical grounds.

Section 51 of the Police Service Regulations 1971 states:

"51. Police officers must always be cleanly and smartly turned out. They must always be alert on duty, smart in their movements and respectful in their bearing and manner. They shall not appear in public view improperly dressed. In the case of male police officers the hair on the head shall be kept short, the chin and upper lip shaven. The shaving of the upper lip is optional. Whiskers shall not be worn."

My investigation into this complaint was a lengthy affair and involved many man-hours on the part of my office. However, I was of the view that a fault in administration had occurred and that the complainant should not suffer in any arrangements to correct the injustice. Accordingly, I wrote to the Chairman of the Police Service Commission on August 18, 1983. My letter reads as follows:

"On January 7, 1982, the complainant complained that he had sustained an injustice as a result of a fault in the administration of the Police Service Commission (hereinafter referred to as 'the Commission'), in that the Commission wrongly retired him from the Police Service on medical grounds. I have now completed my investigations and in accordance with s. 96(2) of the Constitution I am informing you of my findings.

The complainant is a negro. On January 15, 1973, at the age of 23, he joined the Police Service as a permanent member and was given the number 8850. In 1977 he contracted a skin disorder called *sycosis barbae*, that is, an inflammation of the hair follicle of the face which tends to get worse if the skin is shaved and the hair is not permitted to grow. The only known cure is to avoid shaving.

Like sickle cell disease, it is a condition commonly found in the black race but its presence cannot be considered to impair competence and efficiency as a police officer.

The Police Medical Officer referred the complainant to the Department of Dermatology at the Port-of-Spain General Hospital. On March 16, 1977, a Skin Specialist advised that he was suffering from *Acne Keloiditis* due to incurling hairs on the face and recommended that he be allowed to grow a beard as part of the treatment.

On March 18, 1977, the Police Medical Officer requested that a Medical Board, comprising a Skin Specialist and another physician, be appointed to determine the suitability of the complainant for further service. On September 5, 1977, the Board met and recommended that the complainant should be 'allowed to grow a beard if regulations permit'. In other words, from a medical point of view he was physically fit to carry out the duties of a police officer.

In July 1978 the Commission directed that the complainant should be informed that the Police Service Regulations, 1971, do not allow a police officer to grow a beard, and was considering the termination of his appointment. Further, that the complainant should submit within 14 days of receipt of notification any representations he wished the Commission to consider before a final decision was taken in the matter. Regulation 51 of the Police Service Regulations, 1971, provides as follows:

"51. Police Officers must always be cleanly and smartly turned out. They must always be alert on duty, smart in their movements and respectful in their bearing and manner. They shall not appear in public view improperly dressed. In the case of male police officers the hair on the head shall be kept short, the chin and under lip shaven. The shaving of the upper lip is optional. Whiskers shall not be worn."

On September 18, 1978, the complainant replied to the directive given by the Commission as follows:

"I have to refer to your letter POL: 1139 Temp. dated 25th July, 1978, and in reply I have to state the following:

- (1) From the recommendations of the Medical Board as stated in paragraph 1 of your letter it can be presumed that the board is of the opinion that I am fit for duty provided that I be allowed to grow a beard as a result of my shaving problem.

- (2) Although the regulations of the Police Service do not in the strict sense of its interpretation permit a police officer to grow a beard, several police officers are permitted to grow beards having regard to the type of duty they are performing. There are several sections and departments in the Police Service to which I can be posted and make a useful contribution, notwithstanding my shaving problem.
- (3) On the question of the termination of my appointment, section 46 of the Police Service Commission Regulations, 1966, clearly states that the permanent appointment of a police officer may be terminated only for the reason set out in (a), (i) to (vi) of the said regulation. My case does not fall within any of the categories mentioned therein; and
- (4) When I joined the Police Service in January, 1973, I did not have a shaving problem. I developed this skin problem within the Police Service probably because of the fact that it is mandatory that I shave every day.

I am prepared to make a special effort to have my beard clipped to a certain height to afford me the opportunity to perform my functions in uniform or otherwise, and I can assure you that this would in no way embarrass the provisions of the existing regulations of the Service. I am also willing to chance the occasion by shaving to monitor improvement in my present condition."

It is to be observed that in the last paragraph of his letter the complainant was expressing his willingness "to chance the occasion by shaving to monitor improvement in my present condition". I understand this to mean that he was willing to take the chance to shave in order to comply with the regulations, but the Commission did not afford him that opportunity.

Section 46 of the Police Service Commission Regulations, 1986, to which reference is made in the complainant's letter, reads:

- "46. The Service of a police officer may be terminated only for the reason stated hereafter:
- (i) on dismissal or removal in consequence of disciplinary proceedings;
 - (ii) on compulsory retirement;
 - (iii) on voluntary retirement;
 - (iv) on retirement for medical reasons;

- (v) on being retired in the public interest;
- (vi) on resignation without benefits payable under any enactment providing for the grant of pensions, gratuities or compensation."

The statement made in paragraph 2 of the complainant's letter that "several police officers are permitted to grow beards having regard to the type of duty they are performing" is true and correct because my investigations disclose that four Constables, A, B, C, and D all suffering from the same condition (*Sycosis barbae*), are wearing short beards and are still performing duties in differing sections of the Police Service.

To take one example, when Constable A who is suffering with *sycosis barbae* was referred to the Medical Board, the Hospital Medical Director wrote to the Chief Medical Officer, as follows:

"I am attaching herewith a copy of my letter to you relevant to P.C. (Complainant)

P.C. A now comes to me again with a beard, also recommended for a medical board.

The circumstances are the same, and I think Constable A may also be allowed to carry a short growth of hair—much shorter than he has at the present time. He understands this.

I am suggesting that the Commissioner of the Police be asked to look at this entire question of *sycosis barbae*, continued service in the police force, and the swing of the social pendulum back to the acceptability of beards.

I do not see that the necessity to wear a minimum hair growth on the face because of a real pathological problem which can only be treated effectively in this manner, should militate against the gainful employment of a citizen in a service in which he has in other respects, shown competence.

Sycosis barbae, like sickle cell disease, is a condition commonly found in the black races. It would be a pity if one continues to maintain discriminatory regulations in either, where their presence cannot be considered to impair competence and efficiency."

In this letter the Hospital Medical Director, who is also a Skin Specialist and Medical Consultant, was stating that *sycosis barbae* cannot be considered to impair competence and efficiency in the performance of his duties. In other words, Constable A was medically fit to carry out his duties as a police officer.

The Chief Medical Officer, on her part, on December 5, 1979, wrote this letter to the Commissioner of Police—

“I have been requested to arrange for a Medical Board on Constable A. Constable A was first referred to the Skin Clinic in March, 1978. The recommendation of the Dermatologist was that Constable A should be allowed to carry a short growth of hair. The records placed before me indicate that this recommendation reached as far as the Assistant Commissioner North.

The particular skin condition of Constable A is not unique to his case and indeed it is a condition frequently seen in those of African descent. I can therefore predict that a ruling for a Medical Board on these grounds in the case of Constable A may be repeated on numerous occasions over the years. Since the only cause for the Medical Board is the fact that the Police Service has ruled against the wearing of beards, I respectfully beg to suggest that in view of this case, and that of Constable (Complainant) that policemen be allowed to wear beards if so recommended by a Dermatologist.”

Thus, another medical expert was stating in effect that P.C. A was physically fit to carry out his duties as a police officer. The Commission has not so far removed Constable A from the Police Service, presumably because there was no evidence that he was not physically fit to carry out the duties of a police officer. In the discretion of the Commissioner of Police he was posted in some section or department in the Police Service where he is making a useful contribution notwithstanding his shaving problem.

On March 13, 1980, the Commission decided that having regard to (i) the complainant's sick leave record and (ii) the complaint of *sycosis barbae* which prevented him from shaving thus rendering him unable to comply with Regulation 51 of the Police Service Regulations, 1971, that—

“(a) the report of the Medical Board which had examined the complainant on 5th September, 1977 should be accepted as sufficient evidence of his unfitness for further service and he should be retired from the service on medical grounds on the expiration of any vacation leave for which he might be eligible or two months' leave whichever was the greater, such leave to commence with effect from the date of receipt of notification of the Commission's decision; and

(b) The complainant should be informed that the Commission, after considering the report of the Medical Board which had examined him on 5th September, 1977 and his representations concerning the recommendation of the Medical Board, had decided to retire him from the Police Service on medical grounds.”

From 1977 when the condition surfaced to the 10th April, 1980, the complainant was in effect debarred from performing his duties by the Police Medical Officer who placed him on continuing periods of extended sick leave, amounting to 811 days.

This is supported by the words "Medical Board" written on the medical certificates given by the Police Medical doctor. Further, on no occasion was a certificate obtained from a private doctor. Therefore he ought not be considered a malingerer. As to (b) the evidence of the Medical Board is in effect that the complainant was physically fit to perform his duties if he grows a short beard. The question of whether or not there were regulations permitting him to grow a short beard was not one for the Medical Board and was quite irrelevant to the opinion being sought on the physical condition of the complainant. Be that as it may, what is abundantly clear from the recommendation of the Medical Board is that it did not state that the complainant was unfit for further service as a police officer. It follows that the evidence of the Medical Board was not sufficient evidence of his physical unfitness as a police officer to deserve his removal.

On April 11, 1980, the Director of Personnel Administration directed this letter to the complainant:

"I wish to inform you that the Police Service Commission, after considering the report of the Medical Board which examined you on 5th September, 1977 and your representations dated 18th September, 1978 concerning the recommendation of the Board, has decided that you should be and you are hereby retired from the Police Service on medical grounds.

2. The Permanent Secretary, Ministry of National Security has been requested to arrange for you to be granted any vacation leave for which you might be eligible or two months leave, whichever is the longer period, as from the date on which you are notified of the Commission's decision, at the expiration of which your retirement from the Police Service will take effect."

3. Please acknowledge receipt of this letter by signing on the attached copy. The signed copy should be returned to the officer delivering it to you for onward transmission to the Service Commission Department."

Section 123(1) of the Republican Constitution, which is substantially the same as section 99(1) of the 1962 Constitution, deals with the power of the Police Service Commission to appoint persons to hold or act in offices in the Police Service (including appointments on promotion and transfer and the confirmation of appointments) and to remove and exercise disciplinary control over persons holding or acting in such offices. The extent of

the jurisdiction of the Commission is closely and clearly defined in that section. The Commission is given effective authority—

- (1) to appoint officers to the Police Service including their transfer and promotion and confirmation and appointments; and
- (2) to remove and exercise disciplinary control over them.

In this case (1) does not apply.

There is good authority for saying that “to remove” from office in the Police Service in the context of section 123(1) of the Constitution embraces every means which a police officer’s contract of employment (not being a contract for a specific period) is terminated against his own free will by whatever euphemism the termination may be described. Therefore, although the phrase used in the letter of termination in this case was “you should be and you are hereby retired from the Police Service on medical grounds” it was a removal of the complainant against his own free will.

In the case of *Endell Thomas v. the Attorney General*, Privy Council Appeal No. 47 of 1980, Lord Diplock, who delivered the judgment of the Judicial Committee of the Privy Council said that “remove” in the context of section 99(1) [which is substantially the same as section 123(1)] must be understood as meaning “remove for reasonable cause”. “Reasonable cause” is not confined to wilful misconduct. It would embrace reasons such as ill health or unsuitability of temperament or even some personal characteristics anyone of which, through no fault of his own, had rendered the particular officer unfitted to perform with reasonable efficiency the duties of a police officer.

In the present matter the reason for the removal of the complainant from the Service was on medical grounds but there is no medical evidence that the complainant was medically unfit to perform with “reasonable efficiency” the duties of a police officer.

If the Commission removed the complainant without reasonable cause then they would have acted at whim and as Lord Diplock said in the *Thomas case (supra)* dismissal of individual members from the Public Service at whim is the negation of equality of treatment. Not only would it constitute a negation of equality of treatment but in my opinion the Commission acted outside its jurisdiction and what it purported to do in terminating the complainant’s appointment was null and void.

For the above reasons I am recommending under section 96(2) of the Constitution that the complainant be permitted to continue his service as a police officer which commenced on January 15, 1973.”

I received a letter from the Director of Personnel Administration dated May 29, 1984. The letter advised as follows:

“... after further consideration of the matter, the Police Service Commission has decided to rescind its decision to retire the complainant from the Police Service on medical grounds and to reinstate

him in the Police Service with effect from the 7th March, 1981 without loss of salary or other benefits.

After consultation with the Police Service Commission the Public Service Commission has also decided to appoint the complainant as a Customs and Excise Guard I, Customs and Excise Division, Ministry of Finance, on two years' probation . . . with effect from the date of his assumption of duty.

Copies of letters addressed to the complainant are enclosed for your record."

In a letter dated July 2, 1984 the complainant thanked me and members of my staff, ending with the words "... your office has truly made me satisfied".

PART IV

SELECTED CASE SUMMARIES



IV. SELECTED CASES SUMMARIES

CASE NO. 1

On 8th September, 1982 I received a complaint against the Agricultural Development Bank. The complainant stated that he was the leaseholder of a five-acre parcel of agricultural State land situated at Maracas Valley, St. Joseph. On 11th September, 1978 he had obtained a loan of \$80,000.00 from the Agricultural Development Bank for the purpose of establishing a mixed farm, comprising pigs and tree crops.

He claimed that the farm was not economical and he was therefore unable to repay his outstanding debt of \$78,880.00 with interest. The failure of his farm was due to bad advice and improper dealings by an officer of the Agricultural Bank, the Bank's disbursement policy and the fact that he had intended to establish a pig farm, not a mixed farm. He complained that the bank had refused to re-finance his loan to enable him to diversify his farm produce by the introduction of broiler rearing. He had already obtained approval from the District Medical Officer of Health for so doing, a quota of \$20,000.00 broilers from the Central Marketing Agency.

While I consider the Agricultural Development Bank to be the competent Authority to determine whether a farmer should be granted a loan, I decided to investigate this matter to determine the true facts of the case and ascertain whether the matter had been properly brought to the attention of senior officers.

Under section 97(2) of the Constitution I obtained and examined the two files on the complainant's matter from the Agricultural Development Bank. I also held a meeting on the matter with the General Manager of the Agricultural Development Bank, the Acting Manager, Loans Evaluation and Loans Officer III.

My investigations disclosed that the complainant's matter had been properly considered by the officials of the Agricultural Development Bank.

The performance of the farmer had been closely monitored since the inception of the farm and was found to be most unsatisfactory. He was described as showing a lack of commitment to the cropping and livestock programme and a lively interest in infrastructural development. The Bank considered the economics of going into broiler rearing to pay off the existing A.D.B. loan to be a risky venture.

The Bank had substantial documentation to support its position in the complainant's matter. I visited the complainant's farm to determine its condition and the *bona fides* of the complaint. I found it to be worse than

stated in the reports in the files of the Agricultural Development Bank. There was no evidence of either livestock or crops. In the circumstances I could not but concur with the stated intention of the General Manager that the farm should be handed over to a *bona fide* farmer.

This case shows the need for stringent controls by the Ministry of Agriculture, Lands and Food Production in granting leases of State lands for agricultural purposes to persons claiming to have an interest in farming, while perhaps desiring only to provide a home and security of tenure for themselves.

However, it must be clearly understood that I found no fault in the administration of the Ministry of Agriculture or the Agricultural Development Bank which resulted in an injustice to the complainant.

CASE No. 2

On the 7th June, 1983, a distraught mother wrote to me complaining about the delay in holding an Inquest into the cause and circumstances surrounding the death of her son who died on the 9th February, 1982. His body was never recovered.

I commenced my investigation on the 20th July, 1983 by letter to the Chief Magistrate requesting him to furnish me with a report. In his response the chief Magistrate informed me that copies of the statements received from the Police were forwarded on the 5th August, 1983 to the Director of Public Prosecutions for his direction to the Coroner to hold an inquest in conformity with the provision of the Coroner's Act, Chap. 6:04 section 35 and explained that this course of action was necessary having regard to the fact that the body of the deceased was not recovered.

Thereupon, I wrote the Director of Public Prosecutions enquiring whether he proposed that an Inquest should be held in the matter in keeping with the provisions of Chap. 6:04 section 35. I received no reply.

Further investigation revealed that the Inquest was held at the Sangre Grande Magistrate's Court on 7th May, 1984 and the Coroner had found that death was due to drowning and that there was no evidence to support an arrestable offence.

I communicated this information to the complainant and asked her to confirm whether the information I received was correct.

The complainant responded by letter dated 21st May, 1984 confirming the information I received and expressed her deepest thanks to me for bringing the matter to a close.

This is an instance of the resolution of a matter being speeded up but the Ombudsman is not informed by the department concerned of what is being done.

CASE No. 3

The complainant was a member of the Penal Women's Group which carried on a business providing lunches for school children under the School Nutrition Company Limited, School Feeding Programme. She complained that her contract with the company had been terminated as a result of victimization by certain officers of the Company.

From the facts given by the complainant I deduced that prior to the formation of the School Nutrition Company Limited, the complainant and three other women from the Penal Women's Group had operated a small catering service in Penal. She had subsequently been contracted by the Ministry of Education to serve meals to school children. When the School Nutrition Company was formed her organization, like all others of its kind, fell under the purview of the Company. The caterers had to enter into formal agreements with the Company to provide, distribute and serve meals and/or foodstuff to children attending primary and secondary schools, according to standards prescribed by the Company.

The investigation into the matter revealed that the complainant entered such an agreement with the School Nutrition Company on 17th November, 1981. From the outset the Company found that her operations did not conform to its standard in nutrition, amenities or hygiene. In 1982 a parent of one of the children she catered for complained to the Minister of Energy and State Enterprises about the type of food she served. The complainant had received warning letters from the School Nutrition Company with regard to the low nutritious value of meals served by her and her lack of co-operation with the Company's efforts to improve the service she offered.

It was evident that the complainant found it difficult to adjust to the new Management. She was an elderly person and had previously carried on her business without such close monitoring by the Authorities. She felt pressured and victimized.

It was pleasing to note from the documents I examined on this complaint that the School Nutrition Company exercises care and vigilance in their management of the School Feeding Programme. The complainant had received assistance in the form of advice on all aspect of her operation. It seemed to me that every effort had been made by the Company to upgrade the standard of the complainant's operation. In spite of this I found the complainant to be in breach of section 1 of the Agreement between the Company and herself. I visited the complainant and found her at the time to

be blind and ill, and definitely incapable of carrying on with her former occupation. I therefore concluded that the Company was not at fault in cancelling the contract with the complainant, in particular given the health risk to which the children she provided with meals were placed.

However, my examination of the Agreement showed at section 3 that the complainant should have been given three months prior notice of the Company's intention to terminate the agreement. This had not been done. The letter served on the complainant dated 30th May, 1983 requested that she cease her operations with immediate effect. The complainant had received the letter delivered by hand on the afternoon of 31st May with the result that she suffered a loss as the perishable foodstuff which she had purchased for the next day's meal remained on her hands.

I indicated this to the General Manager and recommended that the complainant be compensated by paying her a sum equal to one day's earnings. This was calculated at the number of children by price per meal. The Company accepted my recommendation as just and the complainant was paid \$579.00.

CASE NO. 4

The operator of a store at the National Insurance Board Mall, Scarborough complained to me in October, 1983 about an inordinate delay by the Management of the Mall in effecting repairs to the toilet facilities of her store, in spite of repeated representations to the Manager of the Mall, both verbally and in writing.

She further alleged that the delay was caused because she refused to permit the servicemen to pass through her shop instead of using the service entrance, at the back of the building, to go to the toilets. The toilets were defective and the Manager kept the keys for the defective toilets.

I sought a report on the matter from the Executive Director of the National Insurance Board. In January, 1984 he responded and provided me with exhaustive documentation on the matter. The document showed that there were in fact defects to the toilets as described by the complainant. The matter had been brought to the attention of the Chairman and the Executive Director. The Contractor in the matter was ready and willing to do the necessary repair work but for about six months the work could not be effected because of what I considered a personality conflict between the complainant and the Manager as to their respective roles as tenant and agent of landlord respectively.

In the circumstances I decided to meet with both parties on February 20, 1984 in the presence of the Building Superintendant of Works Department. I was shown the store and the toilet defects. I suggested that the repairs should be done, advised on the rights and obligations of a landlord and tenant in the particular circumstances of the complaint and happily received the full co-operation of all interested parties.

By the end of March the necessary repairs had been successfully effected.

CASE NO. 5

The complainant, a daily-rated worker with the Ministry of Works, Maintenance and Drainage, Tobago Division complained to me about the delay in receiving his retirement benefits.

He alleged that on 5th May, 1982 he wrote to the Technical Officer of his Ministry and the Board of Inland Revenue advising them that he would reach retirement age on the 2nd February, 1983. As his health was deteriorating, he requested that his benefits be paid to him within two months of the date of his retirement.

Six months after his retirement he had still not received his benefits. On August 8, 1983, I wrote the Permanent Secretary, Central Administrative Services on the matter. On 19th August, 1983, in reply, he advised that the matter was referred to the Tobago House of Assembly.

Shortly after I was informed that approval was given for the payment to the complainant of a gratuity in the sum of \$10,982.88 and severance pay benefits in the sum of \$42,118.47.

On the 20th January, 1984, the complainant informed me that he had received all his benefits on the 16th December, 1983 and expressed his thanks for my assistance.

CASE NO. 6

The complainant reported to me that she was driving her car PAA . . . , in the company of friends on the 25th October, 1980 along the Saddle Road, Maraval, between poles 94 and 95 when it came into contact with a deep, large pothole filled with water. As a result her car was severely damaged

and the cost of repairs amounted to one thousand nine hundred and sixty-nine dollars and ninety-one cents (\$1,969.91). She attributed the misfortune to be the responsibility of the Water and Sewerage Authority that was doing work on the roadway to repair a broken water main.

Some three years after the incident the complainant being dissatisfied with the response she was receiving from the Water and Sewerage Authority complained to me that she had suffered an injustice as a result of a fault in the administration of the Authority in that they were disclaiming liability and the cost of litigation was, in her particular circumstance, prohibitive.

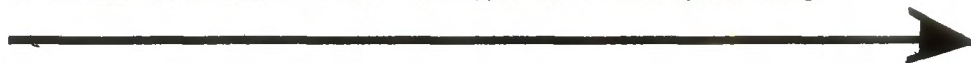
I commenced investigations by issuing a Letter of Intent to the Executive Director of the Water and Sewerage Authority. I was advised that the matter was put to the Board of Commissioners of the Authority.

By letter dated 27th June, 1984 I was informed that the Board had approved that the sum of nine hundred dollars (\$900.00) be paid to the complainant in full and final settlement of her claim.

I wrote the complainant who in reply stated that she was prepared to accept the sum offered by the Authority. She expressed her thanks for the assistance rendered.

PART V

STATISTICS OF CASES HANDLED



STATISTICS OF CASES HANDLED

CARONI LTD.

Number of complaints	...	...	17
Within jurisdiction	...	...	14
Without jurisdiction	...	...	3
Sustained/Rectified	...	...	6
Not sustained	...	...	4
Advised/Discontinued	...	...	3
Under investigation	...	...	1

Within Jurisdiction

No.	Subject of Complaints	Result
1.	Assistance in receiving remainder of his severance pay	Rectified
2.	Delay in obtaining remainder of severance pay	Rectified
3.	Delay in obtaining remainder of severance pay	Rectified
4.	Dissatisfied with amount paid as severance pay	Under investigation
5.	Dissatisfied with amount received as severance pay	Discontinued
6.	Dissatisfied with amount received as severance pay	Not sustained
7.	Dissatisfied with amount received as severance pay	Not sustained
8.	Dissatisfied with amount received as severance pay	Not sustained
9.	Failure to receive payment for work done	Discontinued
10.	Dissatisfied with amount received as severance pay	Rectified
11.	Dissatisfied with amount received as severance benefits	Withdrawn
12.	Dissatisfied with amount received as severance pay	Not sustained
13.	Dissatisfied with amount of severance pay received	Rectified
14.	Dissatisfied with amount of severance pay received	Rectified

Without Jurisdiction

No.	Subject of Complaints	Result
1.	Dissatisfied with amount of severance pay received	Informed
2.	Dissatisfied with amount of severance pay received	Informed
3.	Delay in securing land	Premature

CENTRAL ADMINISTRATIVE SERVICES

Number of complaints ...	...	13
Within jurisdiction ...	...	12
Without jurisdiction ...	...	1
Sustained/Rectified ...	...	6
Not sustained ...	...	0
Advised/Discontinued ...	...	0
Under investigation ...	...	6

Within Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>				<i>Result</i>
1.	Delay in obtaining travelling allowance	...	...	...	Under investigation
2.	Delay in obtaining travelling and acting allowances	...	...	...	Rectified
3.	Delay in obtaining compensation for crops damaged	...	...	...	Under investigation
4.	Delay in payment of gratuity	...	...	...	Under investigation
5.	Delay in receiving severance pay	...	...	...	Rectified
6.	Delay in receiving severance pay	...	...	...	Rectified
7.	Delay in receiving severance pay	...	...	...	Under investigation
8.	Difficulties being experienced in securing payment of acting allowances	...	...	...	Rectified
9.	Dissatisfied with amount of gratuity received	...	...	...	Under investigation
10.	Failure to submit application on list	...	...	...	Under investigation
11.	Delay in purchasing produce	...	...	...	Rectified
12.	Delay in receiving salary	...	...	...	Rectified

Without Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>				<i>Result</i>
1.	Non-payment of arrears of salary	...	...	...	Informed

JUDICIARY

Number of complaints ...	...	149
Within jurisdiction ...	...	94
Without jurisdiction ...	...	55
Sustained/Rectified ...	...	26
Not sustained ...	...	6
Advised/Discontinued ...	...	43
Under investigation ...	...	19

Within Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>				<i>Result</i>
1.	Assistance in obtaining information about a High Court Action	...	...	...	Advised
2.	Delay in hearing High Court Action	...	...	...	Rectified

Judiciary--Continued

<i>No.</i>	<i>Subject of Complaints</i>			<i>Result</i>
3.	Inordinate delay in hearing High Court Action	...	...	... Discontinued
4.	Delay in hearing High Court Action	...	...	... Under investigation
5.	Assistance in obtaining information about a High Court Action			... Advised
6.	Delay in hearing High Court Action	...	...	... Not sustained
7.	Assistance in obtaining information about an Appeal Court matter			... Advised
8.	Delay in hearing Magisterial Court matter	...	...	... Rectified
9.	Delay in hearing High Court Action	...	...	... Discontinued
10.	Delay in hearing High Court Action	...	...	... Advised
11.	Delay in dealing with application for increase in rent	...	...	... Rectified
12.	Delay in hearing High Court Action	...	...	... Advised
13.	Delay in hearing High Court Action	...	...	... Advised
14.	Non-payment of witnesses costs	...	...	... Discontinued
15.	Assistance in obtaining information about a High Court Action			... Advised
16.	Delay in giving decision on an inquest	...	...	... Rectified
17.	Delay in hearing Appeal Court matter	...	...	... Not sustained
18.	Delay in attending to application for bail	...	...	... Under investigation
19.	Assistance in obtaining early trial date	...	...	... Under investigation
20.	Assistance in obtaining information about Appeal Court matter			... Advised
21.	Delay in hearing inquest	...	...	... Not sustained
22.	Assistance in obtaining information about a High Court Action			... Advised
23.	Failure in having summons served	...	...	... Advised
24.	Delay in issuing bench warrant	...	...	... Rectified
25.	Assistance in obtaining information about a High Court Action			... Rectified
26.	Assistance in obtaining copy of Judgment	...	...	... Rectified
27.	Unable to locate court proceedings	...	...	... Rectified
28.	Assistance in obtaining information about an Appeal Court matter			... Withdrawn
29.	Delay in hearing inquest	...	...	... Under investigation
30.	Delay in hearing Appeal Court matter	...	...	... Rectified
31.	Assistance in obtaining early trial date	...	...	... Advised
32.	Delay in hearing Magisterial Court matter	...	...	... Under investigation
33.	Inordinate delay in having High Court matter concluded	...	...	... Discontinued
34.	Delay in hearing High Court Action	...	...	... Rectified

Judiciary—Continued

<i>No.</i>	<i>Subject of Complaints</i>				<i>Result</i>
35.	Delay in obtaining hearing for Court matter	...	...	...	Under investigation
36.	Delay in hearing High Court Action	...	...	...	Advised
37.	Fear of losing employment because of faulty record	...	...	...	Advised
38.	Delay in hearing High Court matter	...	...	...	Advised
39.	Delay in hearing High Court matter	...	...	...	Advised
40.	Delay in obtaining extract from Magistrate's Case Book	...	...	...	Rectified
41.	Unable to obtain Notes of Evidence	...	...	...	Rectified
42.	Denied the right to have case retried	...	...	...	Not sustained
43.	Unable to obtain Notes of Evidence	...	...	...	Advised
44.	Delay in having court matter determined	...	...	...	Discontinued
45.	Delay in hearing High Court Action	...	...	...	Not sustained
46.	Delay in having summons served	...	...	...	Rectified
47.	Delay in hearing of Appeal Court matter	...	...	...	Advised
48.	Assistance in obtaining refund of money	...	...	...	Under investigation
49.	Delay in hearing inquest	...	...	...	Advised
50.	Delay in hearing High Court Action	...	...	...	Advised
51.	Delay in hearing inquest	...	...	...	Under investigation
52.	Unable to obtain fruits of judgment	...	...	...	Rectified
53.	Assistance in obtaining information of High Court Action	...	...	...	Advised
54.	Delay in hearing inquest	...	...	...	Discontinued
55.	Difficulties being experienced in obtaining fruits of judgment	...	...	...	Advised
56.	Assistance in obtaining information about a High Court Action	...	...	...	Rectified
57.	Delay in obtaining maintenance deposited into Court	...	...	...	Under investigation
58.	Delay in hearing High Court Action	...	...	...	Discontinued
59.	Assistance in having Notes of Evidence returned	...	...	...	Advised
60.	Assistance in obtaining early indictment	...	...	...	Rectified
61.	Delay in hearing inquest	...	...	...	Under investigation
62.	Delay in obtaining fruits of judgment	...	...	...	Rectified
63.	Delay in hearing Appeal Court matter	...	...	...	Under investigation
64.	Delay in giving reasons for decision	...	...	...	Advised
65.	Delay in hearing High Court Action	...	...	...	Under investigation
66.	Delay in hearing Magisterial Court matter	...	...	...	Advised
67.	Delay in receiving maintenance payments	...	...	...	Rectified

Judiciary—Continued

<i>No.</i>	<i>Subject of Complaints</i>				<i>Result</i>
68.	Delay in obtaining fruits of judgment	...	...	...	Advised
69.	Assistance in obtaining information about High Court Action	...	...	...	Advised
70.	Delay in executing warrant	...	...	...	Rectified
71.	Delay in hearing inquest	...	...	...	Rectified
72.	Delay in obtaining witness costs	...	...	...	Rectified
73.	Delay in hearing Magisterial Court matter	...	...	...	Advised
74.	Delay in having matter concluded	...	...	...	Advised
75.	Delay in hearing High Court Action	...	...	...	Advised
76.	Delay in having matter concluded	...	...	...	Rectified
77.	Discrimination in the granting of licence	...	...	...	Under investigation
78.	Delay in serving indictment	...	...	...	Rectified
79.	Delay in hearing High Court matter	...	...	...	Under investigation
80.	Delay in giving reasons for decision	...	...	...	Under investigation
81.	Delay in receiving witness costs	...	...	...	Under investigation
82.	Delay in hearing High Court Action	...	...	...	Rectified
83.	Failure to serve Writ of Summons	...	...	...	Under investigation
84.	Delay in hearing High Court Action	...	...	...	Advised
85.	Assistance in obtaining information about a High Court Action	...	...	...	Advised
86.	Unable to locate proceedings	...	...	...	Advised
87.	Delay in securing compensation for loss of use of vehicle	...	...	...	Advised
88.	Delay in hearing Appeal	...	...	...	Under investigation
89.	Delay in having matter concluded	...	...	...	Under investigation
90.	Delay in appointing legal representative	...	...	...	Rectified
91.	Delay in appointing legal representative	...	...	...	Advised
92.	Delay in delivering judgment	...	...	...	Rectified
93.	Delay in appointing legal representative	...	...	...	Advised
94.	Delay in delivering judgment	...	...	...	Not sustained

Without Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>				<i>Result</i>
1.	Assistance in having a robbery charge heard before a murder charge	...	...	...	Advised
2.	Assistance in obtaining Notes of Evidence	...	...	...	Advised
3.	Dissatisfied with the decision of the court	...	...	...	Advised

Judiciary—Continued

<i>No.</i>	<i>Subject of Complaints</i>				<i>Result</i>
4.	Unfairly charged for obscene language	...	...	...	Informed
5.	Assistance in obtaining bail	...	...	...	Informed
6.	Dissatisfied with the decision of the court	...	...	...	Advised
7.	Assistance in obtaining Notes of Evidence	...	...	...	Advised
8.	Child removed without court's permission	...	...	...	Informed
9.	Assistance in obtaining early trial date	...	...	...	Informed
10.	Assistance in obtaining Notes of Evidence	...	...	...	Informed
11.	Dissatisfied with the decision of the court	...	...	...	Informed
12.	Assistance in ceasing maintenance payments	...	...	...	Informed
13.	Delay in hearing Appeal Court matter	...	...	...	Referred
14.	Dissatisfied with decision of the court	...	...	...	Informed
15.	Unable to obtain Notes of Evidence	...	...	...	Informed
16.	Assistance in obtaining Notes of Evidence	...	...	...	Premature
17.	Assistance in obtaining early trial date	...	...	...	Informed
18.	Assistance in obtaining date of hearing	...	...	...	Informed
19.	Dissatisfied with decision of the court	...	...	...	Informed
20.	Assistance in obtaining date of hearing	...	...	...	Informed
21.	Assistance in obtaining date of hearing	...	...	...	Informed
22.	Assistance in obtaining date of hearing	...	...	...	Informed
23.	Assistance in having court matter reviewed	...	...	...	Informed
24.	Assistance in obtaining early trial date	...	...	...	Informed
25.	Assistance in obtaining date of hearing	...	...	...	Informed
26.	Assistance in obtaining Notes of Evidence	...	...	...	Advised
27.	Assistance in obtaining Notes of Evidence	...	...	...	Informed
28.	Request for legal assistance	...	...	...	Informed
29.	Assistance in obtaining early trial date	...	...	...	Informed
30.	Delay in having matter concluded	...	...	...	Informed
31.	Dissatisfied with decision of the court	...	...	...	Informed
32.	Assistance in obtaining early trial date	...	...	...	Informed
33.	Assistance in obtaining early trial date	...	...	...	Informed
34.	Assistance in obtaining early trial date	...	...	...	Informed
35.	Assistance in getting retrial	...	...	...	Informed

Judiciary—Continued

<i>No.</i>	<i>Subject of Complaints</i>						<i>Result</i>
36.	Assistance in obtaining bail	...	...	...	...	...	Informed
37.	Assistance in obtaining extension of an ejectment notice	...	...	...	...	...	Advised
38.	Assistance in obtaining original copy of birth certificate and medical certificate	...	...	...	...	...	Informed
39.	Assistance in obtaining early trial date	...	...	...	...	...	Informed
40.	Assistance in obtaining early trial date	...	...	...	...	...	Informed
41.	Assistance in obtaining retrial	...	...	...	...	...	Informed
42.	Assistance in obtaining bail	...	...	...	...	...	Rectified
43.	Assistance in enforcing judgment	...	...	...	...	...	Advised
44.	Assistance in obtaining early trial date	...	...	...	...	...	Informed
45.	Assistance in obtaining early trial date	...	...	...	...	...	Informed
46.	Assistance in obtaining early trial date	...	...	...	...	...	Informed
47.	Assistance in obtaining early trial date	...	...	...	...	...	Informed
48.	Assistance in obtaining early trial date	...	...	...	...	...	Informed
49.	Assistance in obtaining Notes of Evidence	...	...	...	...	...	Discontinued
50.	Assistance in enforcing judgment	...	...	...	...	...	Informed
51.	Assistance in paying judgment debt and costs	...	...	...	...	...	Informed
52.	Dismissed without given reason to explain	...	...	...	...	...	Informed
53.	Assistance in obtaining early trial date	...	...	...	...	...	Informed
54.	Dissatisfied with decision of the court	...	...	...	...	...	Informed
55.	Assistance in obtaining Notes of Evidence	...	...	...	...	...	Informed

MINISTRY OF AGRICULTURE, LANDS AND FOOD PRODUCTION

Number of complaints	...	...	61
Within jurisdiction	...	...	51
Without jurisdiction	...	...	10
Sustained/Rectified	...	...	0
Not sustained	...	...	7
Advised/Discontinued	...	...	11
Under investigation	...	...	33

Within Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>						<i>Result</i>
1.	Delay in obtaining arrears of retirement benefits (Imperial College, Tropical Agriculture)	...	...	...	...	...	Not sustained
2.	Delay in obtaining redress for demolished house	...	...	...	...	...	Under investigation

Ministry of Agriculture, Lands and Food Production—Continued

<i>No.</i>	<i>Subject of Complaints</i>				<i>Result</i>
3.	Assistance in obtaining a reduction of annual land rent	...	...	...	Discontinued
4.	Refusal of application for lease of a parcel of land	...	...	...	Not sustained
5.	Assistance in obtaining renewal of a lease	...	...	...	Advised
6.	Discrimination in allocating land	...	...	...	Discontinued
7.	Delay in payment of compensation for demolition of house	...	...	...	Under investigation
8.	Delay in taking action on report of squatting	...	...	...	Advised
9.	Assistance with respect to instalments to be paid	...	...	...	Under investigation
10.	Delay in obtaining copy of Tripartite Agreement	...	...	...	Under investigation
11.	Assistance in determining boundary line	...	...	...	Discontinued
12.	Assistance in obtaining permission to use State lands	...	...	...	Advised
13.	Failure to have entrance to property cleared	...	...	...	Not sustained
14.	Assistance in obtaining leave for land occupied	...	...	...	Under investigation
15.	Delay in paying arrears of money due	...	...	...	Under investigation
16.	Assistance in being reinstated and obtaining loss of earnings	...	...	...	Not sustained
17.	Delay in payment of compensation for acquisition of land	...	...	...	Under investigation
18.	Delay in approving survey plan	...	...	...	Under investigation
19.	Delay in approving survey plan	...	...	...	Under investigation
20.	Delay in approving survey plan	...	...	...	Under investigation
21.	Assistance in obtaining Deed of Conveyance	...	...	...	Not sustained
22.	Unable to obtain lease for a parcel of State land	...	...	...	Advised
23.	Allegation of victimization	...	...	...	Under investigation
24.	Delay in obtaining lease for a parcel of State land	...	...	...	Under investigation
25.	Assistance in obtaining possession of land leased	...	...	...	Under investigation
26.	Delay in executing lease agreement	...	...	...	Discontinued
27.	Discrimination in appointment of workers	...	...	...	Under investigation
28.	Delay in payment of retirement benefits	...	...	...	Under investigation
29.	Delay in payment of retirement benefits	...	...	...	Under investigation
30.	Delay in acquiring a parcel of land	...	...	...	Under investigation
31.	Dissatisfied in permitting neighbour to use pathway	...	...	...	Under investigation
32.	Delay in payment of arrears of back-pay	...	...	...	Under investigation
33.	Assistance in obtaining stay of execution of sale of land	...	...	...	Not sustained
34.	Delay in granting petition for Supplemental Grant	...	...	...	Under investigation

Ministry of Agriculture, Lands and Food Production—Continued

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
35.	Assistance in retaining occupation of State land reserved for another purpose	Under investigation
36.	Delay in obtaining Deed of Conveyance	Under investigation
37.	Failure to submit relevant information relating to estate	Advised
38.	Delay in obtaining compensation for land acquired	Advised
39.	Delay in obtaining compensation for land acquired	Under investigation
40.	Assistance in obtaining extension of time to repay loan	Under investigation
41.	Delay in responding to application	Under investigation
42.	Delay in receiving retirement benefits	Under investigation
43.	Delay in securing Certificate of Title for land	Under investigation
44.	Delay in payment of compensation for damage done to property	Under investigation
45.	Assistance in securing tenancy of land	Not sustained
46.	Delay in attending to death benefits	Under investigation
47.	Discrimination in preferring junior officer for acting appointments	Under investigation
48.	Delay in payment of compensation for land acquired	Under investigation
49.	Assistance in obtaining extension of time to repay loan	Under investigation
50.	Assistance in securing possession of a parcel of State land	Under investigation
51.	Assistance in securing tenancy of land	Discontinued

Without Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
1.	Delay in obtaining compensation for land acquired—Land Acquisition	Premature
2.	Disadvantage to farmers owing to the increase of feed prices	Informed
3.	Delay in clearing pathway	Informed
4.	Assistance in having her application receive favourable consideration	Informed
5.	Assistance in having interest on loan temporarily suspended	Informed
6.	Application to host rally	Premature
7.	Unable to obtain possession of land	Informed
8.	Assistance in obtaining permission to remain on the land	Advised
9.	Assistance in obtaining permission to remain on the land	Advised
10.	Assistance in obtaining extension of time to repay loan	Advised

ARIMA BOROUGH COUNCIL

<i>No.</i>	<i>Subject of Complaints</i>				<i>Result</i>
1.	Nuisance created by Joiner Shop next door	...	...	...	Rectified
2.	Waterway blocked with piles of gravel and sand	...	...	...	Rectified
3.	Delay in obtaining remainder of retirement benefits	...	...	...	Under investigation
4.	Overlooked for promotion	...	...	...	Under investigation
5.	Dissatisfied with amount of retirement benefits received	...	...	...	Under investigation

Without Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>				<i>Result</i>
1.	Excavation done is endangering building	...	...	...	Informed

MINISTRY OF COMMUNITY DEVELOPMENT AND LOCAL GOVERNMENT

Number of complaints	...	...	59
Within jurisdiction	...	...	55
Without jurisdiction	...	...	4
Sustained/Rectified	...	...	9
Not sustained	...	...	3
Advised/Discontinued	...	...	6
Under investigation	...	...	37

Within Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>				<i>Result</i>
1.	Delay in having road repaired	...	...	...	Not sustained
2.	Wrongfully denied employment	...	...	...	Rectified
3.	Delay in receiving compensation for injury sustained	...	...	...	Under investigation
4.	Dissatisfied with the amount of gratuity received	...	...	...	Under investigation
5.	Delay in having drain widened and concreted	...	...	...	Under investigation
6.	Delay in having road cleared	...	...	...	Under investigation
7.	Allegation of victimization	...	...	...	Rectified
8.	Assistance in having garbage removed from in front premises	...	...	...	Under investigation
9.	Delay in repairing damage done to property	...	...	...	Under investigation
10.	Delay in receiving salary	...	...	...	Under investigation

Caroni County Council

<i>No.</i>	<i>Subject of Complaints</i>				<i>Result</i>
1.	Delay in receiving back-pay	...	...	...	Rectified
2.	Failure to visit premises to assess damages done to property	...	...	...	Under investigation

Caroni County Council--Continued

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
3.	Erosion of land poses threat to property	Under investigation
4.	Failure to clean drain poses health hazard	Under investigation
5.	Health hazard caused by blocked drain	Under investigation
6.	Delay in payment of compensation for damaged crops ...	Under investigation

NARIVA/MAYARO COUNTY COUNCIL

Within Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
1.	Delay in payment of compensation	Under investigation
2.	Allegation of unjust dismissal from duty	Under investigation
3.	Delay in attending to depression in the area	Under investigation
4.	Denied promotional opportunity	Under investigation
5.	Assistance in securing death benefits	Under investigation
6.	Dissatisfied with amount of severance pay received ...	Under investigation

Without Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
1.	Assistance in gaining regular employment	Informed

POINT FORTIN BOROUGH COUNCIL

Without Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
1.	Allegation of corrupt practices	Informed

PORT-OF-SPAIN CITY COUNCIL

Within Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
1.	Delay in granting approval to change premises to commercial building ...	Under investigation
2.	Harassment from senior officer	Discontinued
3.	Dissatisfied with amount of gratuity received	Rectified
4.	Failure to implement order for construction	Under investigation
5.	Assistance in having demolition of house stayed	Advised
6.	Discrimination in selection of business to cease operations ...	Under investigation

SAN FERNANDO BOROUGH COUNCIL

Within Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
1.	Delay in receiving severance pay	Not sustained

ST. DAVID-ST. ANDREW COUNTY COUNCIL

Within Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
1.	Delay in receiving arrears of salary	Under investigation
2.	Delay in repairing deplorable condition of road	Rectified

ST. GEORGE EAST COUNTY COUNCIL

Within Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
1.	Discrimination in appointing junior officer... ..	Discontinued
2.	Discrimination in appointing junior officers	Discontinued
3.	Assistance in having waste water from adjoining lands from entering premises	Under investigation

Without Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
1.	Delay in construction of wall	Premature

ST. GEORGE WEST COUNTY COUNCIL

Within Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
1.	Discrimination in appointing junior officers	Discontinued
2.	Unable to retire in spite of medical report	Under investigation
3.	Failure to demolish unauthorised shed	Rectified
4.	Entering property with heavy equipment without permission	Advised
5.	Delay in issuing replacement cheque representing undrawn wages	Under investigation
6.	Assistance in obtaining remainder of severance pay	Under investigation
7.	Delay in receiving salary	Under investigation
8.	Delay in providing proper drainage	Under investigation
9.	Discrimination in selection of junior officers for regular appointment	Rectified

ST. PATRICK COUNTY COUNCIL

Within Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
1.	Victimization—Overlooked for promotion ... ..	... Under investigation
2.	Unauthorised construction on land reserved for recreation ground	... Under investigation
3.	Allegation of unfair treatment ... ..	... Under investigation
4.	Discrimination in preferring junior officer to act ... ..	... Not sustained

VICTORIA COUNTY COUNCIL

Within Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
1.	Discrimination in selection of junior officer for regular appointment	... Under investigation
2.	Failure to maintain road ... ..	... Under investigation
3.	Delay in submitting information to Comptroller of Accounts ...	... Under investigation

MINISTRY OF EDUCATION

Number of complaints	...	...	27
Within jurisdiction	...	...	19
Without jurisdiction	...	...	8
Sustained/Rectified	...	...	5
Not sustained	...	...	5
Advised/Discontinued	...	...	3
Under investigation	...	...	6

Within Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
1.	Discriminated against by not being allowed to sell on school compound	... Under investigation
2.	Discriminated against by promoting junior officers ... ..	... Under investigation
3.	Dissatisfied with transfer ... ..	... Advised
4.	Dissatisfied with transfer without being consulted ..	... Under investigation
5.	Victimization ... ..	... Not sustained
6.	Failure in complying with instructions ... ..	... Rectified
7.	Non-payment of salary ... ..	... Under investigation
8.	Delay in improving overcrowded situation in school ...	... Discontinued
9.	Allegation of corruption by teachers ... ..	... Discontinued
10.	Overlooked for promotion ... ..	... Not sustained
11.	Delay in receiving back-pay ... ..	... Under investigation
12.	Assistance in obtaining pension ... ..	... Rectified
13.	Delay in receiving arrears of salary ... ..	... Rectified
14.	Delay in receiving letter of appointment ... ..	... Rectified

Ministry of Education—Continued

<i>No.</i>	<i>Subject of Complaints</i>				<i>Result</i>
15.	Assistance in obtaining transfer for student	...	...	...	Rectified
16.	Failure to obtain conditional pass	...	...	...	Not sustained
17.	Discrimination in the selection of teachers for training	...	...	...	Not sustained
18.	Delay in obtaining pension	...	...	...	Under investigation
19.	Money deducted was not paid to Insurance Company	...	...	...	Not sustained

Without Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>				<i>Result</i>
1.	Assistance in obtaining employment	...	...	...	Informed
2.	Discrimination in selection of officers	...	...	...	Informed
3.	Refused entrance to Secondary School	...	...	...	Informed
4.	Unfair dismissal	...	...	...	Informed
5.	Allegation of irregularities existing	...	...	...	Advised
6.	Unable to get letter of appointment	...	...	...	Informed
7.	Assistance in being reinstated	...	...	...	Withdrawn
8.	Assistance in obtaining half salary	...	...	...	Informed

MINISTRY OF ENERGY AND NATURAL RESOURCES

Number of complaints	...	...	7
Within jurisdiction	...	...	7
Without jurisdiction	...	...	0
Sustained/Rectified	...	...	1
Not sustained	...	...	1
Advised/Discontinued	...	...	3
Under investigation	...	...	2

Within Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>				<i>Result</i>
1.	Wrongful dismissal	...	...	...	Not sustained
2.	Not satisfied with amount paid on lease	...	...	...	Advised
3.	Assistance in purchasing property	...	...	...	Discontinued
4.	Dissatisfied with supervision of quarrying operation	...	...	...	Under investigation
5.	Dissatisfied with supervision of quarrying operation	...	...	...	Under investigation
6.	Denied regular supply	...	...	...	Rectified
7.	Dissatisfied with amount of salary received after being injured	...	...	...	Advised

MINISTRY OF FINANCE AND PLANNING

Number of complaints	...	...	68
Within jurisdiction	...	...	63
Without jurisdiction	...	...	5
Sustained/Rectified	...	...	9
Not sustained...	...	...	2
Advised/Discontinued	...	...	17
Under investigation	...	...	35

Within Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
1.	Failure to refund duty paid	Advised
2.	Unfair dismissal	Under investigation
3.	Unfair dismissal	Under investigation
4.	Refusal to accept land taxes without last receipt	Rectified
5.	Assistance in obtaining certificate of assessment	Rectified
6.	Allegation of unfair dismissal	Under investigation
7.	Allegation of unfair dismissal	Under investigation
8.	Refusal to accept land taxes	Under investigation
9.	Delay in responding to correspondence	Discontinued
10.	Delay in processing application for student loan	Advised
11.	Assistance in obtaining possession of property	Rectified
12.	Wrongful dismissal because of improper record of age	Under investigation
13.	Failure to grant vacation leave earned	Under investigation
14.	Discrimination in awarding Student's Loan	Under investigation
15.	Dissatisfied with squatting on property	Rectified
16.	Delay in obtaining proper appraisal of damage done to property	Under investigation
17.	Application refused to erect another building on 5,000 sq. ft. of land	Discontinued
18.	Delay in taking action to report on illegal extension to building	Discontinued
19.	Refusal of application for subdivision of land	Advised
20.	Refusal of application for subdivision of land	Under investigation
21.	Delay in granting approval for development of land	Under investigation
22.	Unauthorised construction of fence preventing access to property	Under investigation
23.	Refusal of outline approval for building construction... ..	Under investigation
24.	Delay in attending to holes and trenches on boundary	Under investigation
25.	Refusal of application to construct another storey to existing building	Under investigation

Ministry of Finance and Planning--Continued

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
26.	Delay in taking action on report of unauthorised business premises ...	Under investigation
27.	Delay in approving house plan ...	Under investigation
28.	Assistance in obtaining outline approval of building plan ...	Advised
29.	Refusal to pass building plan ...	Advised
30.	Dissatisfied with the approval given for the subdivision of land ...	Rectified
31.	Failure to approve plan for development ...	Under investigation
32.	Delay in obtaining retirement benefits ...	Advised
33.	Delay in obtaining gratuity and pension ...	Rectified
34.	Delay in obtaining retirement benefits ...	Under investigation
35.	Delay in obtaining retirement benefits ...	Under investigation
36.	Assistance in obtaining information about contribution to Widows' and Orphans' Fund ...	Advised
37.	Delay in granting remuneration and vacation leave ...	Under investigation
38.	Dissatisfied with tax deductions ...	Under investigation
39.	Delay in obtaining gratuity ...	Not sustained
40.	Delay in obtaining death benefits ...	Under investigation
41.	Dissatisfied with rebate received ...	Not sustained
42.	Dissatisfied with the amount of tax deducted ...	Under investigation
43.	Dissatisfied with the amount of tax deducted ...	Under investigation
44.	Dissatisfied with the amount of tax deducted ...	Discontinued
45.	Delay in receiving Income Tax Refund for 1983 ...	Rectified
46.	Delay in receiving Income Tax Refund for 1983 ...	Under investigation
47.	Delay in receiving Income Tax Refund for 1982 and 1983 ...	Under investigation
48.	Delay in receiving Income Tax Refund for 1982 ...	Under investigation
49.	Incorrect information submitted on TD 4 Slip ...	Discontinued
50.	Excessive amount of tax deducted from pension ...	Under investigation
51.	Delay in giving approval for refund of pension contributions ...	Under investigation
52.	Delay in obtaining refund ...	Rectified
53.	Delay in receiving Income Tax Refund for 1981 ...	Discontinued

Without Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
1.	Delay in receiving necessary information in respect of scholarship ...	Informed
2.	Failure to inform about status of loan ...	Informed

CENTRAL BANK

Within Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
1.	Unnecessary actions taken in controlling Foreign Exchange ...	Discontinued
2.	Unable to get approval for exchange control ...	Advised
3.	Difficulties experienced because of non-approval of form ...	Under investigation
4.	Unfair termination of contract ...	Rectified
5.	Delay in issuing documents ...	Discontinued
6.	Delay in approving application ...	Under investigation
7.	Unfair termination of contract ...	Discontinued

Without Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
1.	Delay in granting interest accrued ...	Rectified
2.	Refusal in releasing a sum of money ...	Premature

CUSTOMS AND EXCISE DIVISION

Within Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
1.	Unjustly dismissed due to misplaced medical certificate ...	Under investigation
2.	Items seized cannot be found ...	Under investigation
3.	Assistance in obtaining licence ...	Under investigation

Without Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
1.	Assistance in having articles returned on departure ...	Premature

MINISTRY OF HEALTH AND ENVIRONMENT

Number of complaints	...	53
Within jurisdiction	...	45
Without jurisdiction	...	8
Sustained/Rectified	...	10
Not sustained	...	5
Advised/Discontinued	...	6
Under investigation	...	24

Ministry of Health and Environment—Continued

Within Jurisdiction					
No.	Subject of Complaints				Result
1.	Failure in obtaining back-pay	...	...	...	Under investigation
2.	Delay in obtaining written explanation for "stillbirth"	...	...	...	Rectified
3.	Assistance in having pollution problem in the area abated	...	...	...	Under investigation
4.	Assistance in removing bullet	...	...	...	Discontinued
5.	Dissatisfied with medical care	...	...	...	Withdrawn
6.	Assistance in obtaining specialized treatment	...	...	...	Under investigation
7.	Nuisance and health hazard caused by Mechanic Shop operations	...	...	...	Under investigation
8.	Dissatisfied in having to leave housing accommodation	...	...	...	Rectified
9.	Delay in obtaining medical report	...	...	...	Under investigation
10.	Did not receive required assistance to which entitled	...	...	...	Not sustained
11.	Assistance in obtaining compensation for amputation of hand	...	...	...	Under investigation
12.	Delay in taking action in prohibiting erection of unauthorised building	...	...	...	Under investigation
13.	Delay in payment of longevity increment	...	...	...	Rectified
14.	Assistance in obtaining severance pay	...	...	...	Under investigation
15.	Ration allowance stopped without reason	...	...	...	Not sustained
16.	Delay in obtaining retirement benefits	...	...	...	Rectified
17.	Difficulties being experienced in obtaining reinstatement	...	...	...	Under investigation
18.	Improper drainage affecting property	...	...	...	Under investigation
19.	Difficulties experienced in securing benefits	...	...	...	Discontinued
20.	Delay in receiving arrears of retirement benefits	...	...	...	Under investigation
21.	Lack of proper medical care causing amputation of foot	...	...	...	Not sustained
22.	Notice to quit served although reports of nuisance were made	...	...	...	Rectified
23.	Allegation of victimization	...	...	...	Not sustained
24.	Delay in settling travelling claim	...	...	...	Under investigation
25.	Delay in payment of compensation for injury sustained through negligence	...	...	...	Under investigation
26.	Dissatisfied at given contractual basis	...	...	...	Advised
27.	Discrimination in the selection of trainees	...	...	...	Under investigation
28.	Allegation of abuse by employee	...	...	...	Under investigation
29.	Unable to obtain compensation for damaged vehicle	...	...	...	Under investigation
30.	Delay in attending to report of sewer stench near apartment	...	...	...	Under investigation
31.	Delay in taking action to alleviate insanitary conditions in the area	...	...	...	Rectified
32.	Delay in payment of claims submitted	...	...	...	Under investigation

Ministry of Health and Environment—Continued

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
33.	Delay in payment of compensation for damaged car	Rectified
34.	Delay in attending to report of health hazard due to overgrown bush ...	Rectified
35.	Suffering from after-effects after medical treatment at hospital ...	Advised
36.	Health hazard cause by waste water flowing into property ...	Under investigation
37.	Delay in obtaining arrears of salary	Under investigation
38.	Delay in receiving increments	Withdrawn
39.	Assistance in obtaining X-ray results	Under investigation
40.	Discrimination in selection of junior officers for promotion ...	Not sustained
41.	Delay in attending to health hazard	Rectified
42.	Allegation of mismanagement	Under investigation
43.	Assistance in having health hazard removed	Under investigation
44.	Delay in taking action to prevent water flowing into property ...	Rectified
45.	Delay in paying death benefits	Under investigation

Without Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
1.	Discrimination in selection for course	Informed
2.	Assistance in obtaining employment	Informed
3.	Wrongful dismissal	Informed
4.	Junior workers given preference for promotion	Informed
5.	Overlooked for promotion	Informed
6.	Overlooked for promotion	Informed
7.	Unsatisfactory treatment of patient	Informed
8.	Unable to get area cleared	Informed

MINISTRY OF INDUSTRY, COMMERCE AND CONSUMER AFFAIRS

Number of complaints	2
Within jurisdiction	2
Without jurisdiction	0
Sustained/Rectified	0
Not sustained	0
Advised/Discontinued	1
Under investigation	1

Ministry of Industry, Commerce and Consumer Affairs—Continued

Within Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
1.	Permission refused to import goods not obtainable in the country ...	Advised
2.	Allegation of victimization	Under investigation

MINISTRY OF LABOUR, SOCIAL SECURITY AND CO-OPERATIVES

Number of complaints	...	...	31
Within jurisdiction	...	...	28
Without jurisdiction	...	...	3
Sustained/Rectified	...	...	11
Not sustained	...	...	3
Advised/Discontinued	...	...	5
Under investigation	...	...	9

Within Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
1.	Delay in receiving back-pay of Old Age Pension	Rectified
2.	Assistance in having public assistance for children resumed ...	Rectified
3.	Delay in receiving Old Age Pension	Discontinued
4.	Delay in receiving back-pay of Old Age Pension	Rectified
5.	Delay in receiving Old Age Pension	Rectified
6.	Refusal of application for Old Age Pension	Not sustained
7.	Delay in receiving arrears of Old Age Pension	Rectified
8.	Delay in approving application for Old Age Pension	Rectified
9.	Refusal of application for Old Age Pension	Under investigation
10.	Delay in obtaining new pension cheque book	Under investigation
11.	Delay in receiving arrears of old Age Pension	Rectified
12.	Delay in receiving arrears of Old Age Pension	Rectified
13.	Delay in receiving arrears of Old Age Pension	Rectified
14.	Delay in receiving retirement benefits	Under investigation
15.	Dissatisfied at being asked to repay money	Advised
16.	Assistance in obtaining Old Age Pension	Not sustained
17.	Delay in handling Union matter	Under investigation
18.	Dissatisfied at having payments of Old Age Pension stopped ...	Not sustained

Ministry of Labour, Social Security and Co-operatives--Continued

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
19.	Unable to obtain Old Age Pension	Advised
20.	Dissatisfied at having payments of Old Age Pension stopped ...	Under investigation
21.	Unable to obtain Old Age Pension	Advised
22.	Refusal of application for Old Age Pension	Under investigation
23.	Assistance in obtaining Old Age Pension	Under investigation
24.	Social Assistance Book taken without any reason given ...	Under investigation
25.	Refusal of application for Old Age Pension	Advised
26.	Delay in processing application for public assistance ...	Under investigation
27.	Refusal of application for Old Age Pension	Rectified
28.	Delay in receiving arrears of Old Age Pension	Rectified

Without Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
1.	Delay in taking matter to Civil Court	Informed
2.	Dissatisfied at having application refused	Informed
3.	Dissatisfied at having application refused	Informed

MINISTRY OF LEGAL AFFAIRS

Number of complaints	...	...	25
Within Jurisdiction	...	...	23
Without Jurisdiction	...	...	2
Sustained/Rectified	...	...	3
Not sustained	...	...	4
Advised/Discontinued	...	...	8
Under investigation	...	...	8

ADMINISTRATOR GENERAL'S DEPARTMENT

Within Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
1.	Assistance in obtaining Letters of Administration of father's estate ...	Discontinued
2.	Assistance in obtaining Letters of Administration ...	Under investigation
3.	Delay in granting Letters of Administration	Under investigation
4.	Delay in granting Letters of Administration	Advised

Administrator General's Department— *Continued*

<i>No.</i>	<i>Subject of Complaints</i>				<i>Result</i>
5.	Delay in granting Letters of Administration	...	...	...	Under investigation
6.	Delay in granting Letters of Administration	...	...	...	Advised
7.	Unable to obtain fees for representation	...	...	...	Under investigation
8.	Dissatisfied that part of lease was deleted	...	...	...	Under investigation

OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS

Within Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>				<i>Result</i>
1.	Assistance in obtaining trial date	...	...	...	Rectified
2.	Assistance in obtaining trial date	...	...	...	Rectified
3.	Assistance in obtaining early trial date	...	...	...	Rectified

Without Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>				<i>Result</i>
1.	Assistance in reviewing Notes of Evidence	...	...	...	Informed
2.	Assistance in obtaining early date of hearing	...	...	...	Informed

REGISTRAR GENERAL'S DEPARTMENT

Within Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>				<i>Result</i>
1.	Delay in bringing lands under Real Property Ordinance	...	...	...	Not sustained
2.	Delay in probating Will	...	...	...	Not sustained
3.	Unable to obtain Title Deed	...	...	...	Not sustained
4.	Delay in granting Probate of a Will	...	...	...	Advised
5.	Assistance in having deed for properties processed	...	...	...	Under investigation
6.	Failure to execute Deed of Conveyance	...	...	...	Not sustained
7.	Assistance in obtaining copy of Deed of Conveyance	...	...	...	Advised
8.	Assistance in obtaining transfer	...	...	...	Advised
9.	Delay in processing registration	...	...	...	Discontinued

Registrar General's Department—Continued

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
10.	Assistance in obtaining Marriage Certificate ... ..	... Discontinued
11.	Unable to obtain fees for representation ... ..	... Under investigation
12.	Assistance in securing Certificate of Title . . . . .	... Under investigation

MINISTRY OF NATIONAL SECURITY

Number of Complaints	... 144
Within Jurisdiction	... 126
Without Jurisdiction	... 18
Sustained/Rectified	... 24
Not Sustained	... 23
Advised/Discontinued	... 26
Under investigation	... 53

Within Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
1.	Assistance in being reinstated ... ..	... Not sustained
2.	Assistance in obtaining certificate of service ... ..	... Under investigation
3.	Denied entry because of incorrect information on record ...	... Rectified
4.	Assistance in obtaining information about validity of passport	... Under investigation
5.	Delay in attending to case of deportation ... ..	... Rectified
6.	Delay in attending to case of deportation ... ..	... Discontinued
7.	Delay in attending to case of deportation ... ..	... Not sustained
8.	Delay in processing application for citizenship ... ..	... Under investigation
9.	Delay in attending to case of deportation ... ..	... Discontinued
10.	Assistance in obtaining extension of stay in the country ...	... Advised
11.	Delay in attending to case of deportation ... ..	... Rectified
12.	Difficulties being experienced in retrieving birth certificate ...	... Rectified
13.	Delay in attending to case of deportation ... ..	... Rectified

Without Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
1.	Denied opportunity to defend allegations ... ..	... Informed
2.	Denied opportunity to defend allegation ... ..	... Informed
3.	Assistance in obtaining extension of Work Permit ... ..	... Informed
4.	Assistance in preventing fire on adjacent lands ... ..	... Informed

POLICE

Within Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>					<i>Result</i>
1.	Delay in issuing warrant	...	...	...	...	Rectified
2.	Delay in taking action on a report of assault	...	...	...	...	Under investigation
3.	Delay in taking action on report of police harassment	...	...	...	...	Under investigation
4.	Delay in returning seized articles	...	...	...	...	Not sustained
5.	Delay in returning items used as exhibits in court	...	...	...	...	Under investigation
6.	Delay in taking action in respect of a vehicular accident	...	...	...	...	Advised
7.	Delay in serving summons	...	...	...	...	Rectified
8.	Assistance in retrieving documents	...	...	...	...	Discontinued
9.	Delay in taking action on report of harassment	...	...	...	...	Under investigation
10.	Assistance in retrieving books	...	...	...	...	Not sustained
11.	Allegation of police brutality	...	...	...	...	Not sustained
12.	Allegation of police brutality and harassment	...	...	...	...	Rectified
13.	Allegation of police harassment	...	...	...	...	Discontinued
14.	Assistance in retrieving video	...	...	...	...	Discontinued
15.	Delay in receiving payment for work done	...	...	...	...	Rectified
16.	Unfair dismissal	...	...	...	...	Not sustained
17.	Delay in serving summons	...	...	...	...	Rectified
18.	Delay in returning items seized	...	...	...	...	Rectified
19.	Delay in taking action on a report of driving under the influence of alcohol	...	...	...	...	Under investigation
20.	Allegation of police harassment	...	...	...	...	Discontinued
21.	Delay in taking action in respect of a vehicular accident	...	...	...	...	Advised
22.	Assistance in getting record of misconduct removed from file	...	...	...	...	Rectified
23.	Failure by the police in attending court	...	...	...	...	Advised
24.	Dissatisfied with the attitude of the police in executing search warrant	...	...	...	...	Discontinued
25.	Delay in taking action on a report of harassment	...	...	...	...	Not sustained
26.	Delay in receiving retirement benefit	...	...	...	...	Under investigation
27.	Allegation of police harassment	...	...	...	...	Under investigation
28.	Unlawfully arrested because of incorrect information	...	...	...	...	Advised
29.	Delay in taking action in respect of a vehicular accident	...	...	...	...	Under investigation
30.	Allegation of police brutality	...	...	...	...	Discontinued
31.	Delay in taking action on report of molestation	...	...	...	...	Rectified
32.	Failure to release vehicle	...	...	...	...	Rectified

Police—Continued

<i>No.</i>	<i>Subject of Complaints</i>				<i>Result</i>
33.	Assistance in being reinstated	...	...	...	... Discontinued
34.	Assistance in recovering firearm	...	...	...	... Rectified
35.	Unable to locate file	...	...	...	... Rectified
36.	Dissatisfied that witnesses were not summoned to hearing of inquest	...	...	...	... Discontinued
37.	Allegation of police harassment	...	...	...	... Under investigation
38.	Delay in taking action in respect of daughter's death	...	...	...	... Under investigation
39.	Unable to retrieve documents seized	...	...	...	... Discontinued
40.	Appointment cancelled without reason	...	...	...	... Under investigation
41.	Services terminated without reason	...	...	...	... Withdrawn
42.	Unsatisfactory conditions of cell	...	...	...	... Rectified
43.	Allegation of unfair dismissal	...	...	...	... Not sustained
44.	Unreasonable action by the police in detaining him without reason	...	...	...	... Under investigation
45.	Delay in obtaining refund of money seized	...	...	...	... Under investigation
46.	Allegation of misconduct and unruly attitude	...	...	...	... Rectified
47.	Delay in recovering motor car seized	...	...	...	... Under investigation
48.	Allegation of police harassment	...	...	...	... Under investigation
49.	Failure to take prisoners to court	...	...	...	... Not sustained
50.	Delay in taking action on report of assault	...	...	...	... Advised
51.	Unable to obtain reason for dismissal	...	...	...	... Not sustained
52.	Delay in being reinstated	...	...	...	... Under investigation
53.	Delay in serving summonses	...	...	...	... Under investigation
54.	Delay in being reinstated	...	...	...	... Under investigation
55.	Delay in taking action on report of assault	...	...	...	... Under investigation
56.	Discrimination in selection of trainees	...	...	...	... Under investigation
57.	Delay in serving summons	...	...	...	... Rectified
58.	Delay in taking action on report of a vehicular accident	...	...	...	... Under investigation
59.	Assistance in removing minor offence from record	...	...	...	... Rectified
60.	Discrimination in selection of trainees	...	...	...	... Under investigation
61.	Delay in taking action on a report of murder	...	...	...	... Under investigation
62.	Delay in serving summons	...	...	...	... Rectified
63.	Delay in taking action on report of vehicular accident	...	...	...	... Not sustained
64.	Delay in recovering vehicle	...	...	...	... Under investigation
65.	Delay in recovering shotgun	...	...	...	... Under investigation

Police--Continued

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
66.	Delay in attending to application for death benefits ...	Under investigation
67.	Delay in taking action on report of harassment ...	Not sustained
68.	Delay in retrieving articles ...	Under investigation
69.	Assistance in recovering car and parts seized ...	Not sustained
70.	Allegation of deplorable attitude in attending to the public ...	Discontinued
71.	Failure to provide transportation to attend court ...	Under investigation
72.	Failure to take action on reports of harassment ...	Not sustained
73.	Infringement of rights in wrecking vehicle ...	Not sustained
74.	Assistance in recovering money paid for wrong parking ticket given ...	Under investigation
75.	Failure to provide transportation to attend court ...	Under investigation
76.	Assistance in obtaining urgent police protection ...	Under investigation
77.	Failure to receive refund of fees paid to doctor ...	Not sustained
78.	Delay in obtaining Certificate of Good Character ...	Rectified
79.	Allegation of deplorable conduct in attending to the public ...	Under investigation
80.	Allegation of police harassment ...	Discontinued

Without Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
1.	Assistance in obtaining Presidential Pardon to join the Special Reserve Police ...	Informed
2.	Assistance in obtaining a review of his case ...	Informed
3.	Dissatisfied at being arrested ...	Informed
4.	Delay in taking action on a report of fraud ...	Informed
5.	Assistance in obtaining compensation for damaged vehicle ...	Informed
6.	Delay in attending to statement submitted ...	Referred
7.	Dissatisfied with how investigations were handled ...	Informed
8.	Delay in investigating complaint ...	Informed
9.	Allegation of police brutality ...	Premature
10.	Delay in investigating complaint ...	Informed
11.	Delay in obtaining death benefits of reputed husband ...	Informed
12.	Not allowed bail because of police instructions ...	Informed

Prisons—Continued

Within Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
1.	Ventilation inadequate and prison cell too small ...	Withdrawn
2.	Dissatisfied with treatment ...	Not sustained
3.	Assistance in obtaining release for wrongful detention ...	Not sustained
4.	Unable to get letters posted ...	Under investigation
5.	Delay in taking prisoners to court ...	Not sustained
6.	Delay in taking prisoners to court ...	Not sustained
7.	Failure to receive tools on release ...	Not sustained
8.	Not allowed to see Counsel ...	Under investigation
9.	Delay in receiving retirement benefits ...	Discontinued
10.	Dissatisfied with diet ...	Not sustained
11.	Insanitary condition under which food is served ...	Not sustained
12.	Delay in receiving compensation for damaged vehicle...	Rectified
13.	Assistance in having wire-mesh removed from visitor's room ...	Under investigation
14.	Allegation of victimization ...	Under investigation
15.	Delay in taking prisoners to court ...	Under investigation
16.	Failure to take prisoners to court ...	Discontinued
17.	Denied opportunity to visit doctor ...	Under investigation
18.	Denied opportunity to visit medical doctor ...	Discontinued
19.	Delay in taking prisoner to court ...	Discontinued
20.	Not allowed to see the Inspector of Prisons ...	Under investigation
21.	Assistance in pursuing course in Interior Decoration ...	Discontinued
22.	Unable to get interview with Immigration Officer ...	Rectified
23.	Unable to get sufficient time to relax before bath ...	Under investigation
24.	Assistance in obtaining information about duration of sentence...	Under investigation
25.	Deplorable condition of prison cells ...	Under investigation
26.	Deplorable condition of prison cells ...	Under investigation
27.	Assistance in obtaining transfer ...	Under investigation
28.	Assistance in obtaining radio for inmates ...	Under investigation
29.	Dissatisfied with existing conditions ...	Under investigation
30.	Not given enough time to exercise ...	Under investigation
31.	Not allowed to accept food prepared by family ...	Under investigation

Prisons—Continued

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
32.	Harassment from prison officers ...	Under investigation
33.	Failure to provide transportation to attend court ...	Under investigation

Without Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
1.	Allegation of victimization and harassment ...	Informed
2.	Not given painkiller for injury sustained ...	Informed

MINISTRY OF PUBLIC UTILITIES AND NATIONAL TRANSPORTATION

Number of Complaints ...	15
Within Jurisdiction ...	13
Without Jurisdiction ...	2
Sustained/Rectified ...	1
Not sustained... ...	2
Advised/Discontinued ...	1
Under investigation ...	9

Within Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
1.	Delay in settling claim for injuries sustained ...	Under investigation
2.	Error in the computation of service ...	Not sustained
3.	Allegation of victimization ...	Under investigation
4.	Assistance in getting Notice to Quit revoked ...	Under investigation
5.	Delay in handing over tenancy ...	Rectified
6.	Assistance in securing salary ...	Under investigation
7.	Failure in recovering back-pay because of missing records ...	Under investigation
8.	Assistance in having roadway cleared ...	Not sustained
9.	Assistance in obtaining driving permit ...	Under investigation
10.	Delay in receiving salary ...	Under investigation
11.	Assistance in obtaining postal delivery in the area ...	Advised
12.	Delay in receiving salary ...	Under investigation
13.	Assistance in obtaining compensation for lost baggage ...	Under investigation

Without Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
1.	Assistance in having the Taxi Service Operation investigated ...	Informed
2.	Unfair dismissal without reason ...	Premature

MINISTRY OF SPORT, CULTURE AND YOUTH AFFAIRS

Number of Complaints	...	...	2
Within Jurisdiction	...	...	0
Without Jurisdiction	...	...	2
Sustained/Rectified	...	...	0
Not sustained	...	...	0
Advised/Discontinued	...	...	0
Under investigation	...	...	0

Without Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
1.	Assistance in recovering salary withheld	Informed
2.	Services terminated without any reason given	Informed

MINISTRY OF WORKS, MAINTENANCE AND DRAINAGE

Number of Complaints	...	...	62
Within Jurisdiction	...	...	52
Without Jurisdiction	...	...	10
Sustained/Rectified	...	...	5
Not sustained	...	...	7
Advised/Discontinued	...	...	3
Under investigation	...	...	37

Within Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
1.	Delay in obtaining retirement benefits	Rectified
2.	Damages done to property because of land erosion	Under investigation
3.	Delay in receiving loss of earnings and travelling expenses	Under investigation
4.	Delay in repairing damaged road... ..	Under investigation
5.	Damage to property because of storm water (entering property)	Under investigation
6.	Unable to retire because of delay in payment of benefits	Under investigation
7.	Victimization	Under investigation
8.	Victimization	Under investigation
9.	Delay in receiving Upkeep Allowance	Under investigation
10.	Delay in having road repaired	Under investigation
11.	Delay in receiving arrears of salary	Under investigation
12.	Delay in constructing damaged fence	Under investigation
13.	Delay in erecting retaining wall	Under investigation
14.	Property flooded because of bad drainage	Under investigation

Ministry of Works, Maintenance and Drainage—Continued

<i>No.</i>	<i>Subject of Complaints</i>					<i>Result</i>
15.	Delay in receiving salary	...	...	...	...	Not sustained
16.	Delay in receiving back-pay	...	...	...	...	Under investigation
17.	Delay in repairing damaged fence	...	...	...	...	Under investigation
18.	Delay in construction of retaining wall	...	...	...	...	Under investigation
19.	Improper drainage because of incompleted job	...	...	...	...	Under investigation
20.	Non-payment of back-pay	...	...	...	...	Rectified
21.	Delay in receiving pension	...	...	...	...	Under investigation
22.	Dissatisfied with amount received as Severance Pay	...	...	...	...	Not sustained
23.	Delay in demolition of wall	...	...	...	...	Under investigation
24.	Discrimination in retrenchment of workers	...	...	...	...	Not sustained
25.	Delay in submitting claim	...	...	...	...	Under investigation
26.	Delay in receiving sick leave bonus	...	...	...	...	Rectified
27.	Delay in obtaining gratuity	...	...	...	...	Rectified
28.	Incorrect computation of gratuity	...	...	...	...	Rectified
29.	Discrimination in selection for regular employment	...	...	...	...	Under investigation
30.	Delay in repairing damaged property	...	...	...	...	Under investigation
31.	Delay in repairing retaining wall	...	...	...	...	Under investigation
32.	Discrimination in retrenchment of workers	...	...	...	...	Not sustained
33.	Delay in taking action to update present service records	...	...	...	...	Not sustained
34.	Delay in payment of compensation for damaged crops	...	...	...	...	Under investigation
35.	Dissatisfied in being transferred	...	...	...	...	Under investigation
36.	Dissatisfied with amount of retirement benefits received	...	...	...	...	Advised
37.	Discrimination in selection of junior officers for regular employment	...	...	...	...	Not sustained
38.	Diversion of natural watercourse into property	...	...	...	...	Under investigation
39.	Delay in repairing road	...	...	...	...	Discontinued
40.	Delay in settling travelling claim	...	...	...	...	Under investigation
41.	Assistance in having pavement constructed	...	...	...	...	Under investigation
42.	Delay in receiving back-pay	...	...	...	...	Under investigation
43.	Delay in receiving retirement benefits	...	...	...	...	Under investigation
44.	Health hazard caused by constant flooding	...	...	...	...	Under investigation
45.	Excavation on land without permission	...	...	...	...	Under investigation
46.	Unable to receive salary for period stayed in hospital	...	...	...	...	Under investigation
47.	Delay in providing retaining wall	...	...	...	...	Under investigation

Ministry of Works, Maintenance and Drainage—Continued

<i>No.</i>	<i>Subject of Complaints</i>				<i>Result</i>
48.	Delay in repairing damage done to property	...	...	...	Under investigation
49.	Delay in providing retaining wall	...	...	...	Under investigation
50.	Delay in securing compensation for injury sustained	...	...	...	Discontinued
51.	Delay in repairing roads	...	...	...	Under investigation
52.	Discrimination in selection of junior officers for regular employment	...	...	...	Not sustained

Without Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>				<i>Result</i>
1.	Reverted to substantive post	...	...	...	Informed
2.	Property in danger as a result of the widening of the road	...	...	...	Premature
3.	Afraid of being retrenched	...	...	...	Premature
4.	Delay in payment of land acquired	...	...	...	Premature
5.	Discrimination in appointment of non-nationals	...	...	...	Informed
6.	Delay in receiving acting allowance	...	...	...	Informed
7.	Allegation of theft	...	...	...	Advised
8.	Assistance in obtaining employment	...	...	...	Informed
9.	Junior workers preferred for acting appointment	...	...	...	Informed
10.	Denied opportunity to reply	...	...	...	Informed

NATIONAL HOUSING AUTHORITY

Number of complaints	...	...	73
Within Jurisdiction	...	...	61
Without Jurisdiction	...	...	12
Sustained/Rectified	...	...	8
Not sustained	...	...	3
Advised/Discontinued	...	...	10
Under investigation	...	...	40

Within jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>				<i>Result</i>
1.	Delay in obtaining loan	...	...	...	Rectified
2.	Delay in recovering Deed for property	...	...	...	Under investigation
3.	Inordinate delay in obtaining statement of indebtedness	...	...	...	Under investigation
4.	Delay in having concrete "bleach" removed	...	...	...	Under investigation
5.	Delay in attending to leaking roof	...	...	...	Under investigation

National Housing Authority—Continued

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
6.	Difficulties being experienced in obtaining an adequate supply of water ...	Under investigation
7.	Failure in granting application for change of accommodation ...	Under investigation
8.	Failure to approve loan to repair damage ...	Under investigation
9.	Delay in obtaining housing accommodation ...	Under investigation
10.	Delay in obtaining housing accommodation ...	Under investigation
11.	Assistance in obtaining original five lots promised on acquisition of land ...	Advised
12.	Delay in having lot number changed ...	Under investigation
13.	Assistance in obtaining housing accommodation ...	Not sustained
14.	Delay in obtaining housing accommodation ...	Under investigation
15.	Delay in recovering Title Deed ...	Advised
16.	Delay in receiving Agreement Lease for land ...	Under investigation
17.	Delay in obtaining housing accommodation ...	Under investigation
18.	Delay in obtaining housing accommodation ...	Advised
19.	Delay in granting loan application ...	Under investigation
20.	Assistance in obtaining housing accommodation ...	Under investigation
21.	Delay in having unauthorised building demolished ...	Under investigation
22.	Delay in securing deed of conveyance ...	Under investigation
23.	Delay in obtaining housing accommodation ...	Rectified
24.	Delay in repairing vandalized house ...	Discontinued
25.	Delay in repairing damaged property ...	Under investigation
26.	Delay in obtaining housing accommodation ...	Under investigation
27.	Delay in obtaining housing accommodation ...	Under investigation
28.	Delay in obtaining mortgage statement ...	Advised
29.	Unable to secure loan because of faulty records ...	Under investigation
30.	Delay in payment of sum due to Estate ...	Rectified
31.	Allegation of unfair dismissal ...	Discontinued
32.	Delay in obtaining housing accommodation ...	Under investigation
33.	Delay in obtaining housing accommodation ...	Advised
34.	Delay in obtaining housing accommodation ...	Not sustained
35.	Delay in obtaining housing accommodation ...	Not sustained
36.	Delay in obtaining housing accommodation ...	Under investigation
37.	Delay in getting re-settled ...	Under investigation
38.	Delay in getting re-settled ...	Under investigation

National Housing Authority—Continued

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
39.	Delay in obtaining Statement of Indebtedness ...	Rectified
40.	Delay in obtaining Statement of Account ...	Rectified
41.	Delay in obtaining Statement of Account ...	Under investigation
42.	Delay in recovering money paid in error ...	Under investigation
43.	Unable to pay present rental ...	Under investigation
44.	Dissatisfied with materials used in construction ...	Under investigation
45.	Delay in obtaining additional items included on contract ...	Under investigation
46.	Assistance in retaining possession of rental accommodation ...	Under investigation
47.	Delay in securing partial release of mortgage ...	Under investigation
48.	Delay in obtaining housing accommodation ...	Under investigation
49.	Assistance in obtaining transfer ...	Withdrawn
50.	Delay in obtaining housing accommodation ...	Under investigation
51.	Assistance in having deed of conveyance prepared ...	Rectified
52.	Failure to issue receipts for payments made ...	Under investigation
53.	Delay in granting permission to sell property ...	Advised
54.	Delay in receiving rental accommodation ...	Under investigation
55.	Unable to pay mortgage ...	Advised
56.	Dissatisfied at having application disallowed ...	Under investigation
57.	Delay in obtaining rental accommodation ...	Rectified
58.	Unable to pay mortgage ...	Under investigation
59.	Delay in obtaining rental accommodation ...	Rectified
60.	Delay in obtaining housing accommodation ...	Under investigation
61.	Delay in obtaining housing accommodation ...	Under investigation

Without Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
1.	Assistance in obtaining one-floor apartment ...	Referred
2.	Assistance in obtaining housing accommodation ...	Informed
3.	Assistance in obtaining housing accommodation ...	Informed
4.	Assistance in obtaining housing accommodation ...	Informed
5.	Assistance in obtaining housing accommodation ...	Informed
6.	Assistance in obtaining rental accommodation ...	Informed

National Housing Authority—Continued

<i>No.</i>	<i>Subject of Complaints</i>				<i>Result</i>
7.	Assistance in obtaining rental accommodation	...	...	...	Informed
8.	Assistance in obtaining rental accommodation	...	...	...	Informed
9.	Assistance in obtaining housing accommodation	...	...	...	Informed
10.	Assistance in obtaining housing accommodation	...	...	...	Informed
11.	Assistance in obtaining rental accommodation	...	...	...	Informed
12.	Assistance in obtaining rental accommodation	...	...	...	Informed

NATIONAL INSURANCE BOARD

Number of complaints	...	...	16
Within jurisdiction	...	...	14
Without jurisdiction	...	...	2
Sustained/Rectified	...	...	4
Not sustained	...	...	2
Advised/Discontinued	...	...	1
Under investigation	...	...	7

Within Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>				<i>Result</i>
1.	Delay in obtaining pension benefits	...	...	...	Rectified
2.	Delay in obtaining retirement benefits	...	...	...	Under investigation
3.	Delay in receiving retirement benefits	...	...	...	Rectified
4.	Delay in receiving maternity benefits	...	...	...	Rectified
5.	Difficulties being experienced in securing monthly pension	...	...	...	Under investigation
6.	Delay in processing claim	...	...	...	Under investigation
7.	Delay in receiving retirement benefits	...	...	...	Rectified
8.	Delay in obtaining weekly pension	...	...	...	Under investigation
9.	Delay in receiving retirement benefits	...	...	...	Under investigation
10.	Delay in settling claims	...	...	...	Under investigation
11.	Delay in obtaining survivor's benefit	...	...	...	Under investigation
12.	Delay in settling claims	...	...	...	Discontinued
13.	Delay in processing claim	...	...	...	Not sustained
14.	Delay in receiving payments for claim	...	...	...	Not sustained

Without Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>				<i>Result</i>
1.	Failure to obtain loan	...	...	...	Informed
2.	Assistance in recovering rent	...	...	...	Informed

PORT AUTHORITY OF TRINIDAD AND TOBAGO

Number of Complaints ...	...	27
Within Jurisdiction ...	...	25
Without Jurisdiction ...	...	2
Sustained/Rectified ...	...	1
Not sustained ...	...	1
Advised/Discontinued ...	...	3
Under investigation ...	...	20

Within Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
1.	Delay in receiving gratuity and pension ...	Under investigation
2.	Delay in receiving compensation for injury sustained ...	Under investigation
3.	Delay in obtaining travelling allowance ...	Under investigation
4.	Dissatisfied with amount received as gratuity ...	Rectified
5.	Overlooked for promotion ...	Under investigation
6.	Assistance in obtaining severance pay ...	Discontinued
7.	Unable to obtain increased pension and lump sum ...	Under investigation
8.	Delay in receiving back-pay ...	Under investigation
9.	Allegation of victimization in recruitment ...	Not sustained
10.	Delay in obtaining refund ...	Under investigation
11.	Reverted to lower post without reason ...	Under investigation
12.	Unable to receive retirement benefit ...	Discontinued
13.	Delay in responding to correspondence ...	Discontinued
14.	Allegation of suspension without cause ...	Under investigation
15.	Delay in obtaining refund of pension contribution ...	Under investigation
16.	Delay in obtaining death benefits ...	Under investigation
17.	Assistance in obtaining additional retirement benefits ...	Under investigation
18.	Non-receipt of pension ...	Under investigation
19.	Assistance in obtaining balance of retirement benefits ...	Under investigation
20.	Assistance in obtaining additional retirement benefits ...	Under investigation
21.	Assistance in obtaining additional retirement benefits ...	Under investigation
22.	Assistance in obtaining additional retirement benefits ...	Under investigation
23.	Assistance in obtaining additional retirement benefits ...	Under investigation
24.	Assistance in obtaining additional retirement benefits ...	Under investigation
25.	Assistance in obtaining additional retirement benefits ...	Under investigation

Port Authority of Trinidad and Tobago—*Continued***Without Jurisdiction**

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
1.	Deprived of promotional opportunities because of the introduction of the Port Contractors Limited	Informed
2.	Assistance in obtaining increased pension	Informed

SERVICE COMMISSIONS DEPARTMENT

Number of Complaints ...	23
Within Jurisdiction ...	12
Without Jurisdiction ..	11
Sustained/Rectified ...	1
Not sustained... ..	4
Advised/Discontinued ...	4
Under investigation ...	3

Within Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
1.	Wrongful dismissal of appeal because of incorrect information	Not sustained
2.	Delay in returning certificates submitted	Not sustained
3.	Assistance in obtaining information in respect of selection of officers ...	Advised
4.	Delay in obtaining gratuity	Under investigation
5.	Discrimination in making appointments	Advised
6.	Unable to obtain increments	Not sustained
7.	Failure to respond to correspondence	Discontinued
8.	Difficulties being experienced in obtaining employment	Not sustained
9.	Discrimination in making acting appointments	Under investigation
10.	Dissatisfied with the termination of services	Under investigation
11.	Delay in receiving allowances	Rectified
12.	Delay in getting permanent appointment	Advised

Without Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
1.	Delay in obtaining employment	Informed
2.	Assistance in obtaining employment	Informed
3.	Assistance in obtaining reinstatement	Informed
4.	Discrimination in being deemed mentally unfit	Informed
5.	Assistance in obtaining employment	Informed

Service Commissions Department—Continued

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
6.	Not entitled to vacation leave ...	... Informed
7.	Assistance in obtaining employment ...	... Informed
8.	Assistance in obtaining confirmation ...	... Informed
9.	Discrimination in appointment of officers ...	... Advised
10.	Discrimination in selection of officers ...	... Informed
11.	Disregard for regulations and established policies ...	... Informed

TOBAGO HOUSE OF ASSEMBLY

Number of complaints ...	38
Within Jurisdiction ...	37
Without Jurisdiction ...	1
Sustained/Rectified ...	10
Not sustained ...	6
Advised/Discontinued ...	3
Under investigation ...	18

Within Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
1.	Discrimination in making appointments ...	... Not sustained
2.	Delay in receiving increment ...	... Rectified
3.	Discrimination in the appointment of junior officers ...	... Not sustained
4.	Delay in payment of compensation for damages done to house ...	... Discontinued
5.	Erosion of land caused by large canal running through the land ...	... Under investigation
6.	Delay in receiving severance pay ...	... Rectified
7.	Threatened with retrenchment ...	... Under investigation
8.	Discrimination in the appointment of junior officers ...	... Not sustained
9.	Discrimination in the appointment of junior officers ...	... Not sustained
10.	Workers with less service preferred for employment ...	... Discontinued
11.	Deprived of employment ...	... Under investigation
12.	Delay in payment of wages ...	... Rectified
13.	Assistance in having matter expedited ...	... Rectified
14.	Assistance in obtaining relevant information in respect of salary ...	... Under investigation
15.	Worker with less service preferred for employment ...	... Not sustained
16.	Delay in receiving salary ...	... Rectified
17.	Delay in receipt of back-pay ...	... Under investigation

Tobago House of Assembly—Continued

<i>No.</i>	<i>Subject of Complaints</i>				<i>Result</i>
18.	Unable to obtain market for produce	...	...	...	... Advised
19.	Delay in payment of gratuity	...	...	...	... Rectified
20.	Delay in payment of severance pay	...	...	...	... Rectified
21.	Delay in receiving retirement benefits	...	...	...	... Under investigation
22.	Delay in payment of gratuity	...	...	...	... Under investigation
23.	Delay in receiving payment for extended sick leave	...	...	...	... Rectified
24.	Discrimination in selection of workers	...	...	...	... Under investigation
25.	Discrimination in selection of workers	...	...	...	... Under investigation
26.	Discrimination in selection of workers	...	...	...	... Under investigation
27.	Delay in payment of retirement benefits	...	...	...	... Under investigation
28.	Delay in payment of retirement benefits	...	...	...	... Under investigation
29.	Dissatisfied with price paid for produce	...	...	...	... Under investigation
30.	Delay in constructing retaining drain	...	...	...	... Under investigation
31.	Unable to receive salary although medical certificates were tendered	...	...	...	... Under investigation
32.	Delay in receiving retroactive payments	...	...	...	... Under investigation
33.	Failure to receive retirement benefits	...	...	...	... Not sustained
34.	Delay in obtaining retirement benefits	...	...	...	... Rectified
35.	Delay in obtaining pension and gratuity benefits	...	...	...	... Under investigation
36.	Dissatisfied with amount of severance pay received	...	...	...	... Under investigation
37.	Delay in obtaining retirement benefits	...	...	...	... Rectified

Without Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>				<i>Result</i>
1.	Assistance in obtaining employment	...	...	...	... Informed

TRINIDAD AND TOBAGO ELECTRICITY COMMISSION

Number of Complaints	...	...	18
Within Jurisdiction	...	...	15
Without Jurisdiction	...	...	3
Sustained/Rectified	...	...	4
Not sustained	...	...	3
Advised/Discontinued	...	...	4
Under investigation	...	...	4

Trinidad and Tobago Electricity Commission—*Continued***Within Jurisdiction**

<i>No.</i>	<i>Subject of Complaints</i>					<i>Result</i>
1.	Victimization	...	...	...	...	Not sustained
2.	Assistance in having electricity pole removed	...	...	...	...	Rectified
3.	Delay in repairing electricity line	...	...	...	...	Rectified
4.	Delay in payment of compensation for damaged trees	...	...	...	...	Under investigation
5.	Delay in receiving severance benefits	...	...	...	...	Withdrawn
6.	Unfair dismissal because the doctor ordered light duties	...	...	...	...	Not sustained
7.	Application for licence refused	...	...	...	...	Under investigation
8.	Non-payment of subsistence allowances	...	...	...	...	Rectified
9.	Refusal of application for disability benefit	...	...	...	...	Not sustained
10.	Unable to recover compensation for destruction of house	...	...	...	...	Discontinued
11.	Delay in obtaining electricity connection	...	...	...	...	Rectified
12.	Assistance in having electricity poles relocated	...	...	...	...	Advised
13.	Delay in replacing bulbs	...	...	...	...	Under investigation
14.	Delay in payment of compensation for crops damaged	...	...	...	...	Discontinued
15.	Assistance in obtaining compensation for damaged property	...	...	...	...	Under investigation

Without Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>					<i>Result</i>
1.	Non-payment of compensation	...	...	...	...	Advised
2.	Assistance in obtaining supply of electricity	...	...	...	...	Informed
3.	House destroyed by fire after electrical connection	...	...	...	...	Premature

TRINIDAD AND TOBAGO TELEPHONE CO. LTD.

Number of Complaints	...	...	16
Within Jurisdiction	...	...	16
Without Jurisdiction	...	...	0
Sustained/Rectified	...	...	6
Not sustained	...	...	2
Advised/Discontinued	...	...	2
Under investigation	...	...	6

Within Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>					<i>Result</i>
1.	Delay in having telephone repaired	...	...	...	...	Discontinued
2.	Land erosion caused by excavation done	...	...	...	...	Rectified

Trinidad and Tobago Telephone Co. Ltd.—Continued

<i>No.</i>	<i>Subject of Complaints</i>				<i>Result</i>
3.	Delay in having telephone installed	...	...	...	Rectified
4.	Delay in receiving telephone service in the area	...	...	...	Under investigation
5.	Telephone disconnected but continued to receive bills	...	...	...	Rectified
6.	Telephone not in proper working condition	...	...	...	Rectified
7.	Delay in having telephone installed	...	...	...	Under investigation
8.	Delay in having telephone transferred	...	...	...	Not sustained
9.	Delay in having telephone bills corrected	...	...	...	Under investigation
10.	Extra charge included on telephone bill	...	...	...	Under investigation
11.	Delay in having telephone installed	...	...	...	Discontinued
12.	Discrepancy in telephone bill	...	...	...	Rectified
13.	Delay in replacing telephone wires	...	...	...	Under investigation
14.	Delay in having telephone repaired	...	...	...	Rectified
15.	Delay in issuing credit notes	...	...	...	Under investigation
16.	Delay in having telephone installed	...	...	...	Not sustained

WATER AND SEWERAGE AUTHORITY

Number of Complaints	...	21
Within Jurisdiction	...	19
Without Jurisdiction	...	2
Sustained/Rectified	...	1
Not sustained	...	3
Advised/Discontinued	...	5
Under investigation	...	10

Within Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>				<i>Result</i>
1.	Loss suffered as a result of a burst water main	...	...	...	Under investigation
2.	Delay in obtaining a proper supply of water	...	...	...	Under investigation
3.	Assistance in obtaining regular supply of pipe-borne water	...	...	...	Under investigation
4.	Assistance in obtaining connection for pipe-borne water	...	...	...	Rectified
5.	Alleged wrongful dismissal	...	...	...	Not sustained
6.	Dissatisfied with amount deducted from Severance Pay	...	...	...	Under investigation
7.	Error in the computation of effective years service	...	...	...	Under investigation
8.	Unable to obtain a proper supply of water	...	...	...	Discontinued
9.	Dissatisfied with amount of retirement benefits received	...	...	...	Discontinued
10.	Inadequate water supply	...	...	...	Under investigation

Water and Sewerage Authority—Continued

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
11.	Broken line in sewerage treatment plant poses health hazard ...	Under investigation
12.	Delay in obtaining increment ...	Under investigation
13.	Delay in obtaining death benefits ...	Under investigation
14.	Delay in receiving payments for article sold ...	Not sustained
15.	Dissatisfied with inconsistent water supply ...	Not sustained
16.	Inadequate water supply ...	Under investigation
17.	Discrimination in the selection of casual labour ...	Discontinued
18.	Assistance in obtaining Cost of Living Allowance ...	Advised
19.	Delay in obtaining pension ...	Discontinued

Without Jurisdiction

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
1.	Denied employment ...	Informed
2.	Assistance in obtaining signed loan agreement ...	Informed

OTHER COMPLAINTS

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
1.	Difficulties experienced in obtaining Student Visa from U.S. Embassy ...	Assisted
2.	Assistance in obtaining a proper identification card ...	Informed
3.	Unable to enforce judgment obtained in Court ...	Informed
4.	Assistance in obtaining inheritance of Estate ...	Informed
5.	Unable to obtain further payments for work done ...	Informed
6.	Assistance in settling land dispute ...	Informed
7.	Assistance in dealing with eviction notice ...	Referred
8.	Unable to produce authentic copy of Will ...	Informed
9.	Assistance in obtaining employment ...	Referred
10.	Assistance in probating father's Will ...	Informed
11.	Assistance in obtaining a statement of money contributed ...	Informed
12.	Assistance in obtaining possession of a dwelling house ...	informed
13.	Assistance in obtaining appointment ...	Informed
14.	Assistance in obtaining possession of a parcel of land ...	Informed
15.	Assistance in recovering half of property ...	Advised
16.	Assistance in obtaining employment ...	Informed

Water and Sewerage Authority—Continued

<i>No.</i>	<i>Subject of Complaints</i>				<i>Result</i>
17.	Assistance in establishing right-of-way	...	...	...	Informed
18.	Assistance in obtaining printing card	...	...	...	Informed
19.	Request for legal advice	...	...	...	Informed
20.	Assistance in obtaining original certificate of title	...	...	...	Assisted
21.	Assistance in obtaining possession of property	...	...	...	Informed
22.	Unable to enforce judgment obtained in court	...	...	...	Informed
23.	Assistance in obtaining identification card	...	...	...	Referred
24.	Assistance in obtaining possession of land	...	...	...	Informed
25.	Dissatisfied with Solicitor's representation	...	...	...	Referred
26.	Delay in receiving Workmen's Compensation	...	...	...	Informed
27.	Unable to get title to property from previous owner	...	...	...	Informed
28.	Afraid of being victimized	...	...	...	Informed
29.	Unethical behaviour of solicitor and barrister	...	...	...	Informed
30.	Lack of proper maintenance of building by landlord	...	...	...	Informed
31.	Assistance in obtaining certain information	...	...	...	Informed
32.	Assistance in having tenants evicted	...	...	...	Informed
33.	Assistance in obtaining arrears of rent	...	...	...	Informed
34.	Dissatisfied with attitude of officers of Insurance Company	...	...	...	Informed
35.	Assistance in obtaining possession of property	...	...	...	Informed
36.	Harassment from in-laws	...	...	...	Informed
37.	Assistance in obtaining maintenance from husband	...	...	...	Informed
38.	Assistance in obtaining possession of a parcel of land and house	...	...	...	Informed
39.	Assistance in obtaining information in respect of Letters of Administration	...	...	...	Advised
40.	Assistance in obtaining employment	...	...	...	Informed
41.	Too many employed in the Sugar Industry	...	...	...	Informed
42.	Assistance in recovering money paid to legal representative	...	...	...	Informed
43.	Assistance in obtaining early trial date	...	...	...	Informed
44.	Assistance in having suggestion forwarded to the Prime Minister	...	...	...	Advised
45.	Assistance in obtaining possession of property	...	...	...	Informed
46.	Assistance in obtaining information with respect to estate	...	...	...	Informed
47.	Dissatisfied with lawyer's representation	...	...	...	Informed
48.	Assistance in obtaining permission to occupy a piece of land	...	...	...	Informed
49.	Assistance in obtaining information in respect of estate	...	...	...	Informed

Water and Sewerage Authority—Continued

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
50.	Assistance in obtaining information in respect of matrimonial matter ...	Referred
51.	Assistance in obtaining release from prison ...	Informed
52.	Dissatisfied with amount deducted from salary ...	Informed
53.	Dissatisfied with decision of the court ...	Informed
54.	Unjustly dismissed ...	Discontinued
55.	Refusal to repay loan ...	Advised
56.	Assistance in obtaining rental accommodation ...	Informed
57.	Dissatisfied with work done ...	Informed
58.	Assistance in obtaining arrears of salary ...	Informed
59.	Assistance in obtaining compensation for injury sustained ...	Informed
60.	Assistance in recovering down-payment for parcel of land ...	Informed
61.	Assistance in obtaining compensation in lieu of vacation leave ...	Informed
62.	Assistance in having name changed ...	Informed
63.	Assistance in obtaining employment ...	Informed
64.	Request for legal assistance ...	Informed
65.	Request for legal assistance ...	Informed
66.	Assistance in finding housing accommodation ...	Informed
67.	Dissatisfied with benefits received as severance benefits ...	Informed
68.	Assistance in obtaining Letters of Administration ...	Informed
69.	Inordinate delay in settling claims ...	Referred
70.	Assistance in obtaining possession of land ...	Referred
71.	Request to carry out certain projects considered necessary ...	Informed
72.	Assistance in obtaining employment ...	Informed
73.	Assistance in obtaining early trial date ...	Informed
74.	Assistance in recovering money owed ...	Informed
75.	Request for legal aid ...	Referred
76.	Request for legal aid ...	Referred
77.	Request for legal aid ...	Referred
78.	Request for legal aid ...	Premature
79.	Assistance in obtaining employment ...	Informed
80.	Assistance in obtaining share of estate ...	Informed
81.	Assistance in securing share of property ...	Informed
82.	Assistance in obtaining possession of property ...	Informed

Water and Sewerage Authority—Continued

<i>No.</i>	<i>Subject of Complaints</i>					<i>Result</i>
83.	Assistance in obtaining employment	...	...	...	...	Informed
84.	Assistance in securing contribution card	...	...	...	...	Informed
85.	Dissatisfied with amount received for settling claim	...	...	...	...	Informed
86.	Failure in receiving compensation	...	...	...	...	Informed
87.	Assistance in recovering fees paid	...	...	...	...	Informed
88.	Assistance in recovering fees paid	...	...	...	...	Informed
89.	Assistance in obtaining deed of conveyance	...	...	...	...	Informed
90.	Deposit disclosed as a precautionary measure	...	...	...	...	Premature
91.	Assistance in obtaining possession of property	...	...	...	...	Informed
92.	Request for legal assistance	...	...	...	...	Informed
93.	Assistance in obtaining possession of a parcel of land	...	...	...	...	Informed
94.	Assistance in obtaining employment	...	...	...	...	Informed
95.	Assistance in obtaining possession of a parcel of land	...	...	...	...	Advised
96.	Request for legal aid	...	...	...	...	Referred
97.	Request for legal aid	...	...	...	...	Referred
98.	Assistance in obtaining possession of a parcel of land	...	...	...	...	Informed
99.	Assistance in obtaining possession of a parcel of land	...	...	...	...	Informed
100.	Dissatisfied with Union's representation	...	...	...	...	Advised
101.	Request for legal assistance	...	...	...	...	Informed
102.	Assistance in obtaining possession of property	...	...	...	...	Informed
103.	Constant harassment by tenants	...	...	...	...	Informed
104.	Disturbed by loud music	...	...	...	...	Informed
105.	Request for legal aid	...	...	...	...	Referred
106.	Request for legal aid	...	...	...	...	Referred
107.	Allegation of harassment by everyone	...	...	...	...	Informed
108.	Construction of high structure next to property	...	...	...	...	Advised
109.	Assistance in obtaining Visa	...	...	...	...	Advised
110.	Waste water from nearby eroding property	...	...	...	...	Advised
111.	Assistance in obtaining refund of money owed	...	...	...	...	Rectified
112.	Allegation of harassment by everyone	...	...	...	...	Informed
113.	Difficulties being experienced in renewing Visa	...	...	...	...	Informed
114.	Request for legal aid	...	...	...	...	Referred
115.	Assistance in purchasing property	...	...	...	...	Informed
116.	Request for legal aid	...	...	...	...	informed

Water and Sewerage Authority—Continued

<i>No.</i>	<i>Subject of Complaints</i>	<i>Result</i>
117.	Assistance in obtaining possession of land ...	Informed
118.	Assistance in obtaining arrears of rent ...	Rectified
119.	Assistance in obtaining retirement benefits...	Informed
120.	Request for legal aid ...	Informed
121.	Failure to provide water and pathway ...	Informed
122.	Demolition of house ...	Informed
123.	Request for legal aid ...	Referred
124.	Unable to receive Severance pay ...	Advised
125.	Discontinuance of Insurance Policy ...	Informed
126.	Assistance in recovering money owed ...	Informed
127.	Assistance in obtaining possession of property ...	Informed
128.	Property sold without consent ...	Informed
129.	Unable to recover Insurance Policy ...	Informed
130.	Delay in payment for work done ...	Informed
131.	Refusal to pay Insurance claim ...	Rectified
132.	Assistance in recovering family estate ...	Informed
133.	Dismissed without any benefits ...	Informed
134.	Assistance in having tenant evicted ...	Informed
135.	Refusal to pay interest on deposits ...	Informed
136.	Assistance in having derelict vehicle removed from property ...	Informed
137.	Assistance in being reinstated ...	Informed
138.	Assistance in obtaining transfer of property ...	Informed
139.	Unable to give evidence in court ...	Referred
140.	Delay in paying commission ...	Advised
141.	Allegation of improper behavior ...	Informed
142.	Assistance in obtaining possession of property ...	Referred
143.	Assistance in recovering money paid out to another ...	Informed
144.	Assistance in obtaining possession of property ...	Informed
145.	Request for legal aid ...	Informed
146.	Request for legal aid ...	Informed
147.	Request for legal aid ...	Advised
148.	Assistance in obtaining employment ...	Informed

Water and Sewerage Authority--Continued

<i>No.</i>	<i>Subject of Complaints</i>					<i>Result</i>
149.	Request for legal aid	...	...	...	...	Referred
150.	Dissatisfied with efforts of legal representative	...	...	...	...	Informed
151.	Assistance in obtaining employment	...	...	...	...	Informed
152.	Assistance in obtaining sewer connection	...	...	...	...	Discontinued
153.	Not allowed permission to attend meetings	...	...	...	...	Discontinued
154.	Assistance in recovering money withdrawn by another person	...	...	...	...	Informed
155.	Delay in settling Insurance claim	...	...	...	...	Advised
156.	Assistance in finding out present status of employment	...	...	...	...	Informed
157.	Assistance in obtaining possession of land	...	...	...	...	Informed
158.	Assistance in securing accident benefits from Insurance	...	...	...	...	Informed
159.	Request for legal aid	...	...	...	...	Informed
160.	Delay in settling Insurance claim	...	...	...	...	Informed
161.	Request for legal aid	...	...	...	...	Informed
16.	Assistance in securing death benefits	...	...	...	...	Advised
16.	Assistance in obtaining Title for land	...	...	...	...	Informed
164.	Assistance in securing employment	...	...	...	...	Informed
165.	Delay in processing application for vesting order	...	...	...	...	Informed
166.	Assistance in recovering money from solicitor	...	...	...	...	Informed
167.	Assistance in stopping continuous fabrication on public roadway	...	...	...	...	Informed
168.	Request for legal aid	...	...	...	...	Referred
169.	Request for legal aid	...	...	...	...	Advised
170.	Assistance in obtaining ownership of land	...	...	...	...	Informed
171.	Assistance in obtaining employment	...	...	...	...	Informed
172.	Assistance in obtaining employment	...	...	...	...	Informed
173.	Assistance in finding out about retirement benefits	...	...	...	...	Informed
174.	Request for legal aid	...	...	...	...	Informed
175.	Delay in settling claim	...	...	...	...	Rectified
176.	Failure to settle claim	...	...	...	...	Informed
177.	Failure to give Deed to client	...	...	...	...	Informed
178.	Delay in having Will probated	...	...	...	...	Informed
179.	Assistance in obtaining refund of money paid	...	...	...	...	Informed
180.	Request for legal aid	...	...	...	...	Advised
181.	Request for legal aid	...	...	...	...	Informed

Water and Sewerage Authority—*Continued*

<i>No.</i>	<i>Subject of Complaints</i>				<i>Result</i>
182.	Delay in settling claim	...	...	...	... Advised
183.	Assistance in obtaining employment	...	...	...	... Informed
184.	Assistance in obtaining ownership of land		...	...	... Informed
185.	Dismissed without any benefits	...	...	...	... Informed

PART VI

APPENDICES



EXTRACT FROM THE CONSTITUTION OF TRINIDAD AND
TOBAGO ACT NO. 4 OF 1976

PART 2

OMBUDSMAN

Appoint-
ment and
conditions
of office

91. (1) There shall be an Ombudsman for Trinidad and Tobago who shall be an officer of Parliament and who shall not hold any other office of emolument whether in the public service or otherwise nor engage in any occupation for reward other than the duties of his office.

(2) The Ombudsman shall be appointed by the President after consultation with the Prime Minister and the Leader of the Opposition.

(3) The Ombudsman shall hold office for a term not exceeding five years and is eligible for re-appointment.

(4) Subject to subsection (3) the Ombudsman shall hold office in accordance with section 136.

(5) Before entering upon the duties of his office, the Ombudsman shall take and subscribe the oath of office before the Speaker of the House of Representatives.

Appoint-
ment of
staff of
Ombuds-
man

92. (1) The Ombudsman shall be provided with a staff adequate for the efficient discharge of his functions.

(2) The Staff of the Ombudsman shall be public officers appointed in accordance with section 121(8).

Functions
of Ombuds-
man

93. (1) Subject to this section and to sections 94 and 95 the principal function of the Ombudsman shall be to investigate any decision or recommendation made, including any advice given or recommendation made to a Minister, or any act done or omitted by any department of Government or any other authority to which this section applies, or by officers or members of such a department or authority, being action taken in exercise of the administrative functions of that department or authority.

(2) The Ombudsman may investigate any such matter in any of the following circumstances—

- (a) where a complaint is duly made to the Ombudsman by any person alleging that the complainant has sustained an injustice as a result of a fault in administration;
- (b) where a member of the House of Representatives requests the Ombudsman to investigate the matter on the ground that a person or body of persons specified in the request has or may have sustained such injustice;
- (c) in any other circumstances in which the Ombudsman considers that he ought to investigate the matter on the ground that some person or body of persons has or may have sustained such injustice.

(3) The authorities other than departments of Government to which this section applies are—

- (a) local authorities or other bodies established for purposes of the public service or of local Government;
- (b) authorities or bodies the majority of whose members are appointed by the President or by a Minister or whose revenues consist wholly or mainly of moneys provided out of public funds;
- (c) any authority empowered to determine the person with whom any contract shall be entered into by or on behalf of Government;
- (d) such other authorities as may be prescribed.

Restric-
tions on
matters for
investiga-
tion

94. (1) In investigating any matter leading to, resulting from or connected with the decision of a Minister, the Ombudsman shall not inquire into or question the policy of the Minister in accordance with which the decision was made.

(2) The Ombudsman shall have power to investigate complaints of administrative injustice under section 93 notwithstanding that such complaints raise questions as to the integrity or corruption of the public service or any department or office of the public service, and may investigate any conditions resulting from, or calculated to facilitate or encourage corruption in the public service, but he shall not undertake any investigation into specific charges of corruption against individuals.

(3) Where in the course of an investigation it appears to the Ombudsman that there is evidence of any corrupt act by any public officer or by any person in connection with the public service, he shall report the matter to the appropriate authority with his recommendation as to any further investigation he may consider proper.

(4) The Ombudsman shall not investigate—

- (a) any action in respect of which the complainant has or had
 - (i) a remedy by way of proceedings in a court; or
 - (ii) a right of appeal, reference or review to or before an independent and impartial tribunal other than a court; or

Third
Schedule

- (b) any such action, or action taken with respect to any matter, as is described in the Third Schedule.

(5) Notwithstanding subsection (4) the Ombudsman—

- (a) may investigate a matter notwithstanding that the complainant has or had a remedy by way of proceedings in a court if satisfied that in the particular circumstances it is not reasonable to expect him to take or to have taken such proceedings;
- (b) is not in any case precluded from investigating any matter by reason only that it is open to the complainant to apply to the High Court for redress under section 14 (which relates to redress for contravention of the provisions for the protection of fundamental rights).

95. In determining whether to initiate, continue or discontinue an investigation, the Ombudsman shall, subject to sections 93 and 94 act in his discretion and, in particular and without prejudice to the generality of this discretion, the Ombudsman may refuse to initiate or may discontinue an investigation where it appears to him that—

Discretion of
Ombudsman

- (a) a complaint relates to action of which the complainant has knowledge for more than twelve months before the complaint was received by the Ombudsman;
- (b) the subject matter of the complaint is trivial;
- (c) the complaint is frivolous or vexatious or is not made in good faith; or
- (d) the complainant has not a sufficient interest in the subject matter of the complaint.

96. (1) Where a complaint or request for an investigation is duly made and the Ombudsman decides not to investigate the matter or where he decides to discontinue an investigation of the matter, he shall inform the person who made the complaint or request of the reasons for his decision.

Report on
Investigation

(2) Upon the completion of an investigation the Ombudsman shall inform the department of government or the authority concerned of the results of the investigation and if he is of the opinion that any person has sustained an injustice in consequence of a fault in administration, he shall inform the department of government or the authority of the reasons for his opinion and make such recommendations as he thinks fit. The Ombudsman may in his original recommendations, or at any later stage if he thinks fit, specify the time within which the injustice should be remedied.

(3) Where the investigation is undertaken as a result of a complaint or request, the Ombudsman shall inform the person who made the complaint or request of his findings.

(4) Where the matter is in the opinion of the Ombudsman of sufficient public importance or where the Ombudsman has made a recommendation under subsection (2) and within the time specified by him no sufficient action has been taken to remedy the injustice, then, subject to such provision as may be made by Parliament, the Ombudsman shall lay a special report on the case before Parliament.

(5) The Ombudsman shall make annual reports on the performance of his functions to Parliament which shall include statistics in such form and in such detail as may be prescribed of the complaints received by him and the results of his investigations.

97. (1) The Ombudsman shall have the powers of the High Court to summon witnesses to appear before him and to compel them to give evidence on oath and to produce documents relevant to the proceedings before him and all persons giving evidence at those proceedings shall have the same duties and liabilities and enjoy the same privileges as in the High Court.

Power to
obtain
evidence

(2) The Ombudsman shall have power to enter and inspect the premises of any department of government or any authority to which section 93 applies, to call for, examine and where necessary retain any document kept on such premises and there to carry out any investigation in pursuance of his functions.

**Prescribed
matters
concerning
Ombudsman**

98. (1) Subject to subsection (2) Parliament may make provision—
- (a) for regulating the procedure for the making of complaints and requests to the Ombudsman and for the exercise of the functions of the Ombudsman;
 - (b) for conferring such powers on the Ombudsman and imposing such duties on persons concerned as are necessary to facilitate the Ombudsman in the performance of his functions; and
 - (c) generally for giving effect to the provisions of this Part.

(2) The Ombudsman may not be empowered to summon a Minister or a Parliamentary Secretary to appear before him or to compel a Minister or a Parliamentary Secretary to answer any questions relating to any matter under investigation by the Ombudsman.

(3) The Ombudsman may not be empowered to summon any witness to produce any Cabinet papers or to give any confidential income tax information.

(4) No complainant may be required to pay any fee in respect of his complaint or request or for any investigation to be made by the Ombudsman.

(5) No proceedings, civil or criminal, may lie against the Ombudsman, or against any person holding an office or appointment under him for anything he may do or report or say in the course of the exercise or intended exercise of the functions of the Ombudsman under this Constitution, unless it is shown that he acted in bad faith.

(6) The Ombudsman, and any person holding office or appointment under him may not be called to give evidence in any Court, or in any proceedings of a judicial nature, in respect of anything coming to his knowledge in the exercise of his functions.

(7) Anything said or any information supplied or any document, paper, or thing produced by any person in the course of any enquiry by or proceedings before an Ombudsman under this Constitution is privileged in the same manner as if the enquiry or proceedings were proceedings in a Court.

(8) No proceeding of the Ombudsman may be held bad for want of form, and, except on the ground of lack of jurisdiction, no proceeding or decision of an Ombudsman is liable to be challenged, reviewed, quashed or called in question in any Court.

THIRD SCHEDULE

MATTERS NOT SUBJECT TO INVESTIGATION

1. Action taken in matters certified by the Attorney General to affect relations or dealings between the Government of Trinidad and Tobago and any other Government or any International Organisation.

2. Action taken in any country or territory outside Trinidad and Tobago by or on behalf of any officer representing or acting under the authority of the Government of Trinidad and Tobago.

3. Action taken under any law relating to extradition or fugitive offenders.

4. Action taken for the purposes of investigating crime or of protecting the security of the State.

5. The commencement or conduct of civil or criminal proceedings before any court in Trinidad and Tobago or before any international court or tribunal.

6. Any exercise of the power of pardon.

7. Action taken in matters relating to contractual or other commercial transactions, being transactions of a department of government or an authority to which section 93 applies not being transactions for or relating to—

- (a) the acquisition of land compulsorily or in circumstances in which it could be acquired compulsorily;
- (b) the disposal as surplus of land acquired compulsorily or in circumstances in which it could be acquired compulsorily.

8. Action taken in respect of appointments or removals, pay, discipline, superannuation or other personnel matters in relation to service in any office or employment in the public service or under any authority as may be prescribed.

9. Any matter relating to any person who is or was a member of the armed forces of Trinidad and Tobago in so far as the matter relates to—

- (a) the terms and conditions of service as such member; or
- (b) any order, command, penalty or punishment given to or affecting him in his capacity as such member.

10. Any action which by virtue of any provision of this Constitution may not be enquired into by any court.

REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 23 of 1977

AN ACT to make provision for giving effect to Part 2 of Chap. 6 of the Constitution

(Assented to 24th May, 1977)

Enactment	ENACTED by the Parliament of Trinidad and Tobago as follows:
Short title	1. This Act may be cited as the Ombudsman Act, 1977.
Mode of complaint	2. (1) All complaints to the Ombudsman and requests for investigation by him shall be made in writing. (2) Notwithstanding anything provided by or under any enactment, where any letter written by any person detained on a charge or after conviction of any offence is addressed to the Ombudsman, it shall be immediately forwarded, unopened to the Ombudsman by the person for the time being in charge of the place where the writer is detained.
Procedure in respect of investigation No. 4 of 1976	3. (1) Where the Ombudsman proposes to conduct an investigation under section 93(1) of the Constitution set out in the Schedule to the Constitution of Trinidad and Tobago Act, 1976 (in this Act referred to as "the Constitution") he shall afford to the principal officer of the department or authority concerned, an opportunity to make, orally or in writing as the Ombudsman thinks fit, representations which are relevant to the matter in question and the Ombudsman shall not, as a result of such an investigation, make any report or recommendation which may adversely affect any person without his having had an opportunity to make such representations. (2) Every such investigation shall be conducted in private. (3) It shall not be necessary for the Ombudsman to hold any hearing and, subject as hereinbefore provided, no person shall be entitled as of right to be heard by the Ombudsman. The Ombudsman may obtain information from such persons and in such manner, and make such inquiries as he thinks fit. (4) Where, during or after any investigation, the Ombudsman is of the opinion that there is evidence of any breach of duty, misconduct or criminal offence on the part of any officer or employee or any department or authority to which section 93 of the Constitution applies, the Ombudsman may refer the matter to the Authority competent to take such disciplinary or other proceedings against him as may be appropriate. (5) Subject to this Act, the Ombudsman may regulate his procedure in such manner as he considers appropriate in the circumstances of the case. (6) Where any person is required under this Act by the Ombudsman to attend before him for the purposes of an investigation, the Ombudsman shall cause to be paid to such person out of money provided by Parliament for the purpose, the fees, allowances and expenses, subject to qualifications and exceptions corresponding to those, that are for the time being prescribed for attendance in the High Court, so, however, that the like functions as are so prescribed and assigned to the Registrar of the Supreme Court of Judicature shall, for the purposes of this subsection, be exercisable by the Ombudsman and he may, if he thinks fit, disallow, in whole or in part, the payment of any amount under this subsection.

(7) For the purposes of section 93(2)(a) of the Constitution a complaint may be made by a person aggrieved himself or, if he is dead or for any reason unable to act for himself, by any person duly authorised to represent him.

(8) Any question whether a complaint or a request for an investigation is duly made under this Act or under Part 2 of Chap. 6 of the Constitution shall be determined by the Ombudsman.

Evidence

4. (1) The power of the Ombudsman under section 97 of the Constitution to summon witnesses and to compel them to give evidence on oath and to produce documents shall apply whether or not the person is an officer, employee, or member of any department or authority and whether or not such documents are in the custody or under the control of any department or authority.

(2) The Ombudsman may summon before him and examine on oath—

(a) any person who is an officer or employee or member of any department or authority to which section 93 of the Constitution applies or any authority referred to in the Schedule and who in the Ombudsman's opinion is able to give any relevant information; or

(b) any complainant; or

(c) any other person who in the Ombudsman's opinion is able to give any relevant information,

and for that purpose may administer an oath. Every such examination by the Ombudsman shall be deemed to be a judicial proceeding for the purposes of the Perjury Ordinance.

(3) Subject to subsection (4) no person who is bound by the provisions of any enactment, other than the Official Secrets Act, 1911 to 1939 of the United Kingdom in so far as it forms part of the law of Trinidad and Tobago, to maintain secrecy in relation to, or not to disclose, any matter shall be required to supply any information to or answer any questions put by the Ombudsman in relation to that matter, or to produce to the Ombudsman any document or paper or thing relating to it, where compliance with that requirement would be in breach of the obligation of secrecy or non-disclosure.

(4) With the previous consent in writing of any complainant, any person to whom subsection (3) applies may be required by the Ombudsman to supply any information or answer any question or produce any document or paper or thing relating only to the complainant, and it shall be the duty of the person to comply with that requirement.

(5) Except on the trial of any person for an offence under the Perjury Ordinance in respect of his sworn testimony, or for an offence under section 10, no statement made or answer given by that or any other person in the course of any inquiry or any proceedings before the Ombudsman under the Constitution or this Act shall be admissible in evidence against any person in any court or at any inquiry or in any other proceedings and no evidence in respect of proceedings before the Ombudsman shall be given against any person.

(6) No person shall be liable to prosecution for an offence against the Official Secrets Act, 1911 to 1939, or any enactment, other than this Act by reason of his compliance with any requirement of the Ombudsman under this section.

**Disclosure
of certain
matters not
to be
required**

5. (1) Where the Attorney General certifies that the giving of any information or the answering of any question or the production of any document or paper or thing—

- (a) might prejudice the security, defence or international relations of Trinidad and Tobago (including Trinidad and Tobago relations with the Government of any other country or with any international organisations);
- (b) will involve the disclosure of the deliberation of Cabinet; or
- (c) will involve the disclosure of proceedings of Cabinet or any Committee of Cabinet, relating to matters of a secret or confidential nature, and would be injurious to the public interest,

the Ombudsman shall not require the information or answer to be given or, as the case may be, the document or paper or thing to be produced.

(2) Subject to subsection (1), no rule of law which authorises or requires the withholding of any document or paper, or the refusal to answer any question, on the ground that the disclosure of the document or paper or the answering of the question would be injurious to the public interest shall apply in respect of any investigation by or proceedings before the Ombudsman.

**Secrecy of
information**

6. A person who performs the functions appertaining to the office of the Ombudsman or any office or employment thereunder—

- (a) shall regard as secret and confidential all documents, information and things which have been disclosed to any such person in the execution of any of the provisions of sections 93 and 96 of the Constitution, so, however, that no disclosure made by any such person in proceedings for an offence under section 10, or under the Perjury Ordinance and by virtue of section 4(2) or which the Ombudsman considers it requisite to make in the discharge of any of his functions and for the purpose of executing any of the said provisions or the provisions of section 3(4) or section 9, shall be deemed inconsistent with any duty imposed by this paragraph; and
- (b) shall not be called upon to give evidence in respect of, or produce, any such documents, information or things in any proceedings, other than proceedings mentioned in the proviso to paragraph (a).

**Notice of
entry on
premises**

7. Before entering upon any premises pursuant to section 97(2) of the Constitution the Ombudsman shall notify the principal officer of the department or the authority by which the premises are occupied.

**Delegation
of powers**

8. (1) With the prior approval in each case of the Prime Minister, functions hereinbefore assigned to the Ombudsman may from time to time, by direction under his hand, be delegated to any person who is appointed to any office or to perform any function referred to in section 6.

(2) No such delegation shall prevent the exercise of any power by the Ombudsman.

(3) Any such delegation may be made subject to such restrictions and conditions as the Ombudsman may direct, and may be made either generally or in relation to any particular case or class of cases.

(4) Any person purporting to perform any function of the Ombudsman by virtue of a delegation under this section shall, when required to do so, produce evidence of his authority to exercise the power.

Reports

9. (1) The Ombudsman may from time to time in the public interest publish reports relating generally to the exercise of his functions or to a particular case or cases investigated by him, whether or not the matters to be dealt with in such reports may have been the subject of a report to Parliament.

(2) The form of statistics of complaints received by the Ombudsman and the results of his investigation required by section 96(5) of the Constitution to be included in the annual report to Parliament by the Ombudsman on the performance of his functions shall be prescribed by regulations made under section 12.

Offences

10. A person is liable on summary conviction to a fine of one thousand dollars or to imprisonment for six months who—

- (a) without lawful justification or excuse, wilfully obstructs, hinders or resists the Ombudsman or any other person in the exercise of his powers under this Act;
- (b) without lawful justification or excuse refuses or wilfully fails to comply with any lawful requirement of the Ombudsman or any other person under this Act;
- (c) wilfully makes any false statement to or misleads or attempts to mislead the Ombudsman or any other person in the exercise of his powers under this Act; or
- (d) in a manner inconsistent with his duty under section 6(a), deals with any documents, information or things mentioned in that paragraph.

Prescription of authorities subject to the Ombudsman's jurisdiction

11. (1) The authorities mentioned in the Schedule are authorities to which section 93(3)(d) of the Constitution shall apply.

(2) The President may, by Order, amend the Schedule by the addition thereto or deletion therefrom of any authorities or the substitution therein, for any authorities or other authorities.

Regulations

12. The President may make regulations for the proper carrying into effect of this Act, including, in particular, for prescribing anything required or authorised to be prescribed.

SCHEDULE

[Section 11(1)]

Additional Authorities subject to the Ombudsman's jurisdiction

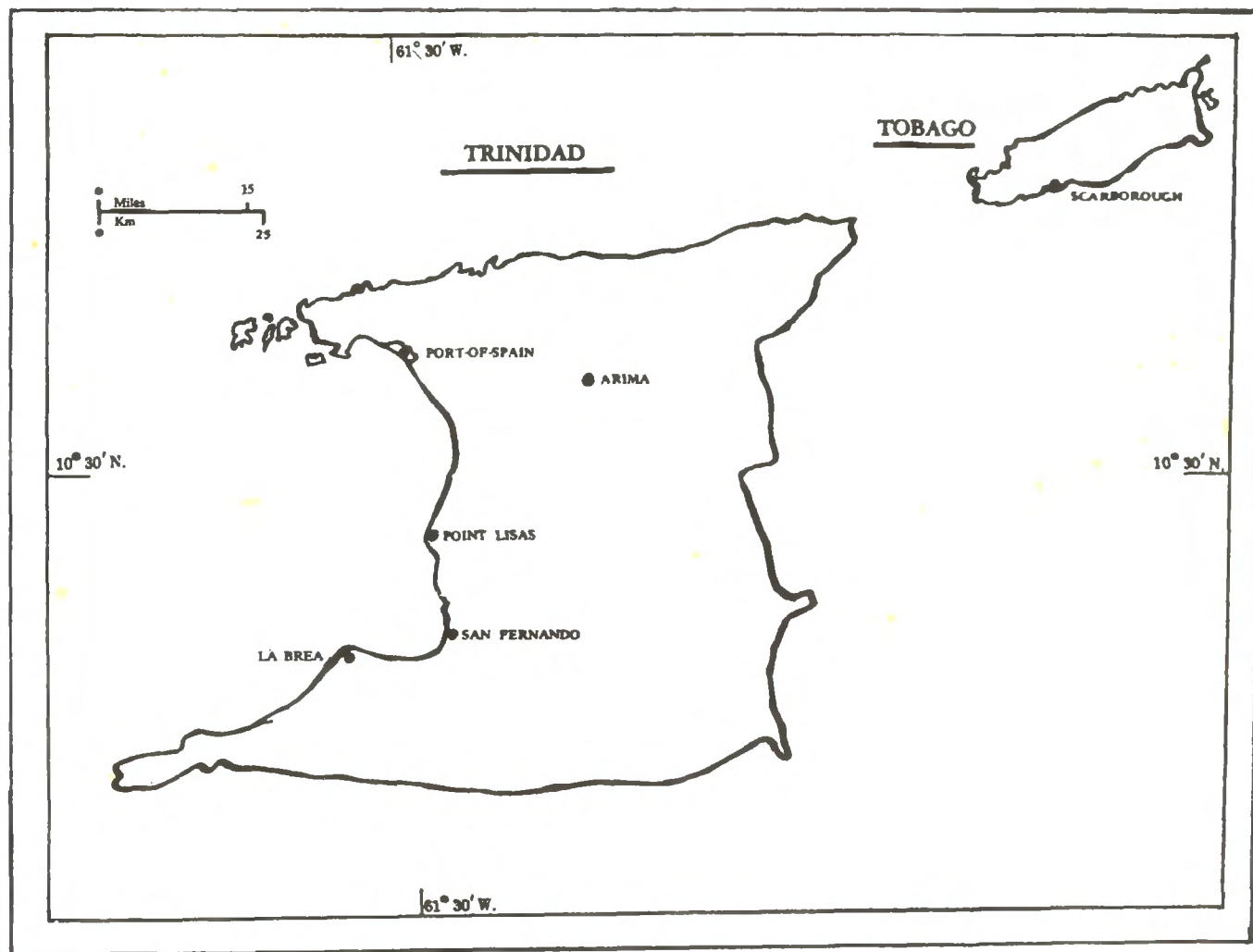
Trinidad and Tobago Telephone Company Limited

Passed in the House of Representatives this 13th day of May, 1977.

J. E. CARTER
Clerk of the House

Passed in the Senate this 10th day of May, 1977.

R. L. GRIFFITH
Clerk of the Senate



GOVERNMENT PRINTERY, TRINIDAD,
TRINIDAD AND TOBAGO
1987