

3rd ANNUAL REPORT



TRINIDAD & TOBAGO
OFFICE OF THE OMBUDSMAN

2009

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PHOTO: "Sunrise from Tobago Ferry"



OFFICE OF THE OMBUDSMAN OF TRINIDAD AND TOBAGO

P.O. BOX 886, 132 HENRY STREET, PORT OF SPAIN.

TEL. NO: 1(868) 624-3121-4 FAX NO: 1(868) 625-0717 e-mail: feedback@ombudsman.gov.tt

20th December, 2010

Honourable Speaker
Parliament of Trinidad and Tobago
Red House
Abercromby Street,
PORT OF SPAIN.

Dear Mr. Speaker

I have the honour to present the THIRTY-SECOND ANNUAL REPORT of the OMBUDSMAN for the period January 01, 2009 to December 31, 2009.

The Report is submitted pursuant to Section 96 (5) of the Constitution of the Republic of Trinidad and Tobago.

Yours faithfully,

Lynette Stephenson, S.C.
OMBUDSMAN
Republic of Trinidad and Tobago



“The principal function of the Ombudsman is to protect the citizen against executive and administrative errors and abuses of power which affect the delivery of public services. However, an Ombudsman can only be successful if he has the confidence of Parliament, the public at large and the administration. An Ombudsman must act fairly, impartially and thoroughly in the investigation of every complaint.”

Lynette Stephenson, S.C.
OMBUDSMAN
Republic of Trinidad and Tobago



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OMBUDSMAN'S OVERVIEW

1.

OVERVIEW



This is the Thirty-second Annual Report and my fourth Report to Parliament on the performance of my functions as Ombudsman of Trinidad and Tobago. The Report spans the period January 1, 2009 to December 31, 2009 and in accordance with statutory provisions, includes statistics of the number of complaints received for the year, the number investigated and disposed of. I received 1468 written complaints in addition to oral complaints and telephone enquiries seeking advice on various matters. In those instances when further and better particulars were required, the complainant was requested to visit my office to be interviewed either by me or one of the Senior Investigators. If I did not have jurisdiction in the matter, the complainant was so advised.

The principal function of the Ombudsman is to protect the citizen against executive and administrative errors and abuses of power which affect the delivery of public services. The Ombudsman is expected to monitor inefficiency, dishonesty and corruption in the Public Service. However, an Ombudsman can only be successful if he has the confidence of Parliament, the public at large and the administration. An Ombudsman must act fairly, impartially and thoroughly in the investigation of every complaint.

I have the discretion to initiate or discontinue an investigation if I am of the opinion that the complaint is frivolous or not made in good faith. The Constitution of Trinidad and Tobago empowers me to compel the attendance of witnesses and to have them produce documents when such action will permit me to perform my functions thoroughly. I have the right to expect co-operation from Government departments and agencies under investigation and most importantly, the right to have access to Government records and files.

Section 94 of the Constitution places certain restrictions on matters that can be investigated. For example, I cannot investigate a Minister's decision but I can investigate a recommendation made by a public officer upon which the Minister acted.

At the conclusion of an investigation if my finding is that there is an injustice to the complainant through a fault in administration I make a recommendation as to what should be done to remedy the situation. While I have no power to reverse an administrative decision, statute law dictates what must be done if a Government department or authority does not accept my recommendation.

Section 96 of the Constitution provides that when the Ombudsman has made a recommendation and within the time specified by him sufficient action has not been taken to remedy the injustice, the Ombudsman shall lay a Special Report on the case before Parliament.

I believe the power to recommend and lay a Special Report to Parliament should be taken seriously.

However, it is also noteworthy that the Ombudsman does not have coercive authority to ensure that the agencies concerned act swiftly to correct or rectify an injustice sustained. Consequently, the Office's effectiveness in terms of the discharge of its constitutional mandate is dependent on the co-operation of public sector agencies. Therefore, the respect and co-operation of officials at Government Ministries and Departments are critical in order to ensure that the institution's response time in terms of complaint resolution meets the expectation of the public. What is clearly needed is the positive commitment of public officers at all levels to deal expeditiously with complaint cases in a comprehensive, objective and compassionate manner which will ensure that complaints are dealt with in a timely fashion.



It must be stressed that the work of this Office contributes immeasurably to achieving a high calibre Public Service in Trinidad and Tobago. A Public Service thus empowered can effectively administer the multitude of laws, policy decisions, rules and regulations that routinely affect the daily lives of persons.

The level of awareness among members of the public about the role and function of my Office is a matter of continuing importance to me. In this regard, it is my intention to engage the services of a market research consultant as soon as possible to conduct a nationwide survey of public awareness and client satisfaction with respect to the delivery of services provided by my office.

In 2009 a range of public education initiatives aimed at making the office more accessible to people were implemented. These included advertising on local radio and television, as well as the distribution of newly-designed and informative brochures to residential households throughout Trinidad and Tobago. These brochures can also be downloaded from the Publications section of the Office of the Ombudsman internet website. Other general information with respect to the work of the office (the investigation of complaints, details of planned out-reach programmes, etc.,) is also published on the Office's website.

MANAGEMENT

During the course of 2009, my staff and I prepared a Corporate Plan for the period 2010 to 2013. This Plan defines a pathway for the strengthening of the Office to improve the delivery of its services and to position the organisation as a key oversight institution for achieving good governance and the protection of persons who have legitimate complaints. The Corporate Plan sets out the principal strategic challenges facing the organisation in the next three years and the key objectives designed to strengthen and assist the organisation in meeting those challenges. The key objectives relate to the credibility and independence of the office; public awareness, access to and the effectiveness of the Office's complaint investigation service.

The strategic initiatives aim to:

- Strengthen the independence of the Office
- Achieve a high level of public awareness of the existence and functions of the office
- Continue to earn the respect and cooperation of public sector agencies on matters within the remit of the Ombudsman
- Contribute to the improvement of the standard of public administration in Trinidad and Tobago by providing high quality investigations and feedback to state agencies.

NEW HOME FOR OUR TOBAGO BRANCH OFFICE

The Scarborough, Tobago branch of the Office of the Ombudsman moved into a new home with effect from June 1, 2009. The new location, in the **Caribana Building, Bacolet Street, Scarborough**, provides clients with more spacious surroundings and a superior ambience. Our contact information remained the same: telephone – 639-1302; fax – 639-1303 and e-mail – tgoregion@ombudsman.gov.tt



SOUTH REGIONAL OFFICE OPENS

The Office of the Ombudsman now has a permanent presence in the City of San Fernando, with the recent opening of its South Regional Office at the corner of Kelshall and Hobson Streets. The opening of the new facility means that the Office's south Trinidad-based clients no longer need to visit the Head Office in Port of Spain nor do they have to await the previously-established monthly half-day visits to San Fernando by me and/or members of my investigative staff.

The new office is conveniently located along a popular commuter route and serves members of the public Monday to Friday from 8 a.m. to 4 p.m. The South Regional Office may be reached by telephone at 652-6786, by fax at 652-0404 and by e-mail at sandoregion@ombudsman.gov.tt

SAYING THANKS

During 2009, I took the opportunity to express appreciation for the support given to my Office by public officers in the course of our investigating complaints. This took the form of an **Appreciation Function** on Friday October 9th at the Royal Hotel, San Fernando. The occasion also provided us with the opportunity to introduce ourselves, in person, to the southern community, having opened our South Regional Office at the corner of Hobson & Kelshall Streets in San Fernando (just prior to the event). My thanks, by the same token, to the San Fernando City Corporation, which – prior to the July 1st opening of our San Fernando office – provided physical facilities for the monthly extension services we offered for the benefit of our south-Trinidad based clientele

OCCUPATIONAL HEALTH AND SAFETY ACT (“OSHA”)

An Occupational Health and Safety Committee comprising five members of staff was established in 2009 in accordance with OSHA. Members of the Committee were afforded specialized training in order to equip them with the necessary skills to effectively discharge their responsibilities. All employees were made aware of the responsibilities of both management and staff to maintain and observe health and safety standards at the workplace. During 2009, the management ensured that workplace risk assessments of the office's physical facilities were conducted.

CONFERENCES ATTENDED

The International Ombudsman Institute (IOI) established in 1978 as a worldwide organisation of Ombudsman offices, is incorporated as a non-governmental organisation. At its 9th World Conference held in Stockholm, Sweden in June, 2009, which I attended, IOI members unanimously agreed to relocate IOI headquarters from the University of Alberta in Edmonton, Canada to Vienna, Austria. The aim of the IOI is to promote the concepts of Ombudsman and human rights protection and to encourage the development of those ideals throughout the world. At the present time, more than 140 countries or regions have established Ombudsman institutions.



The IOI Board of Directors is comprised of three persons from each of six geographical regions. The three members elected to represent the Latin America and Caribbean Region are:

- ***Ms. Arlene Brock, Ombudsman of Bermuda (also Regional Vice President)***
- ***Ms. Lynette Stephenson, Ombudsman of Trinidad and Tobago***
- ***Dr. José Luis Soberanes Fernandez, President of the National Human Rights Commission of Mexico***

This Conference was held to coincide with the 200th anniversary of the institution of the Ombudsman in Sweden.

I also attended the Sixth International Conference of Information Commissioners which was held in Oslo, Norway from September 27 to September 30, 2009. The Conference sought to strengthen cooperation on enforcing access to information legislation. It provided an opportunity for information commissioners or their equivalent around the world to meet and share their experiences as well as to discuss new challenges surrounding those issues.

I journeyed to Vienna, Austria in November 2009 to attend a special meeting of the IOI Board of Directors.

I appreciate the support that this office has received from members of Parliament and the Public Service. In addition, I am grateful for the contribution made to the office by my dedicated and loyal members of staff.

TRAINING AND DEVELOPMENT



MEMBERS OF STAFF ATTENDED AND PARTICIPATED IN THE FOLLOWING WORKSHOPS AND PROGRAMMES DURING 2009:

- **Advanced Investigative Training:** In-House seminar conducted by the Ombudsman of Ontario, Canada - March, 2009.
- **Note-Taking & Menu Writing,** Arthur Lok-Jack Graduate School of Business.
- **Writing of Notes for Cabinet.**
- **Advanced Alternative Dispute Resolution Workshop,** Stitt Feld Hendy Group – May 2009.
- **Mastering Microsoft Word** – School of Business & Computer Studies
- **Leadership & the 7 Habits of Highly Effective People,** Franklin Covey – September, 2009
- **When Citizens Complain:** The role of the Ombudsman in improving public services. Public Administration International, U.K. – May 2009.
- **Defensive Driving**
- **The Preparation of Budgets**
- **Caribbean Association of Judicial Officers Conference** – June 2009
- **OSHA Health, Safety & Compliance Training**



FREEDOM OF INFORMATION

Under the Freedom of Information Act Chap. 22:02, members of the public are provided with a general right of access to the information held by government departments, statutory authorities and other public sector bodies with the exception in circumstances where access is likely to affect key interests of the state or personal privacy.

In instances where access to information is denied, delayed or curtailed, the provisions of the Freedom of Information Act (FOIA) provide for a review by the Ombudsman within the period of twenty-one days. Any complaint to the Ombudsman must be in writing and I am entitled under this review process to examine all relevant documents. My decisions or recommendations with respect to the relevant public authorities' compliance with the legislative requirement of the FOIA do not carry the binding force of law since the public authority is only required to consider same and exercise its discretion accordingly.

Therefore, the applicant is afforded a further opportunity to appeal to the High Court by way of judicial review if dissatisfied with the decision of the public authority. In 2009 a total of 40 matters were referred to me for review by members of the public who were denied access to official documents. The details with respect to the disposition of these matters are outlined on page 11 of this report.

AREAS OF CONCERN



HOUSING DEVELOPMENT CORPORATION (HDC)

During the period of this report 31 complaints were made against the HDC. These complaints may be categorised as follows:

- (a) Non- receipt of title documents for properties bought from HDC***
- (b) Problems with construction of houses***
- (c) Delay in securing a home after application was made***
- (d) Refusal by management to transfer families when problems occur***

It is clear that the HDC finds it extremely difficult to meet the demand for housing. Based on complaints received, it is evident that the Corporation needs to ensure that its supervisory staff monitors closely private contractors who are awarded contracts to carry out the construction of houses or other specific work assignments on behalf of the Corporation. Work must be done in accordance with approved specification for the said work assignments.

Too often, site visits to HDC developments have revealed shoddy workmanship and poor drainage systems in the relevant areas. It is necessary for me to continue to make site visits to see the conditions that give rise to these complaints. I have found that holding discussions on site with technical officers from the relevant Ministries and Borough Corporations tends to bring positive outcomes to solving problems which eventually lessen the frustration experienced by the complainant. Such an approach facilitates implementation of viable interim solutions to alleviate some of the problems encountered.



STATISTICAL OVERVIEW 2009

STATISTICAL OVERVIEW 2009



During this reporting period, I received a total number of **one thousand, four hundred and sixty-eight (1468)** new complaints. This figure represents **an increase of one hundred and fifty-nine (159) or 12 %** on the number of new complaints received last year and includes matters that are governed by the Freedom of Information Act. **Thirty-nine (39)** complaints were received under the Freedom of Information Act as compared with twenty-three (23) in the previous year, an increase of 69.5 %. The number of new complaints I received also included several matters with which I dealt by way of Advice or Referrals.

The Office commenced operations in San Fernando from July 2009. The country is now served by the main office in Port of Spain and sub-offices in Tobago and San Fernando. In this year one thousand and twenty (**1020**) complaints were made in the Port of Spain Office while one hundred and forty-nine (**149**) and two hundred and ninety-nine (**299**) were made in the San Fernando and Tobago sub-offices, respectively.

Of the new complaints three hundred and fifty-six (356) were against private institutions whose matters fall outside my jurisdiction. As customary, where fitting I advised complainants of the appropriate action to be followed in order to have their matters addressed or referred their complaints to the relevant agencies mandated to handle those concerns. All of the aforementioned complaints were dealt with in this manner.

I commenced investigations on one thousand, one hundred and twelve (1112) complaints which represent 75.7% of the new complaints received. At the end of the year investigations were concluded on five hundred and thirty-eight (538) or 48.4 % of the complaints. A total of five hundred and seventy-four (574) or 51.6 % remained under investigation.

Table I shows the number of new complaints received in 2009 and the manner of their disposal. **Table II** shows the number of complaints brought over from previous years, the number received for the year 2009 and the manner of their disposal.



STATISTICAL OVERVIEW 2009

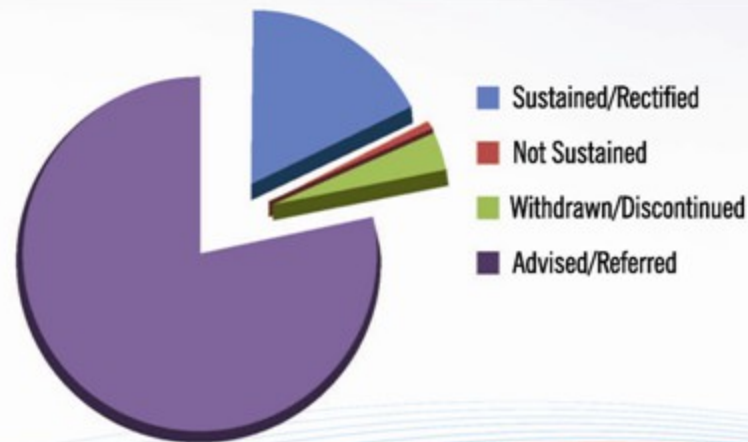
TABLE I

STATISTICS ON NEW COMPLAINTS RECEIVED DURING THE PERIOD JANUARY - DECEMBER 2009

	NUMBER	PERCENTAGE
Total number of complaints received in 2009	1468	100
Total number of complaints without jurisdiction	356	24.3
Total number of complaints proceeded with	1112	75.7
Total number of complaints concluded	538	48.4
▪ Sustained/Rectified	94	17.5
▪ Not Sustained	5	0.9
▪ Withdrawn/Discontinued	17	3.2
▪ Advised/Referred	422	78.4
Freedom of Information Act Referrals	39	2.7
TOTAL UNDER INVESTIGATION AS AT DECEMBER, 2009	574	51.6

These figures represent percentages of the number of complaints concluded.

FIGURE 1 - New Complaints Concluded In 2009



STATISTICAL OVERVIEW 2009



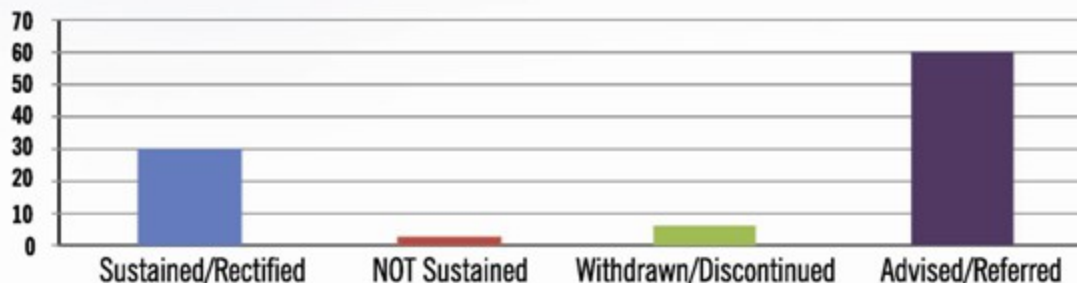
TABLE II

STATISTICS ON NEW COMPLAINTS RECEIVED DURING THIS REPORTING PERIOD AND THOSE BROUGHT FORWARD FROM PREVIOUS YEARS

	NUMBER	PERCENTAGE
Total number of complaints brought forward from previous years	3317	
Total number of complaints received in 2009	468	
TOTAL	4785	
*(Less total number of complaints without jurisdiction)	(356)	(7.4)
Total number of complaints proceeded with	4429	92.6
Total number of complaints concluded	869	19.6
■ Sustained/Rectified	266	30.6
■ Not Sustained	18	2.1
■ Withdrawn/Discontinued	55	6.3
■ Advised/Referred	530	60
Freedom of Information Act	39	0.8
Total Referrals	367	7.7
UNDER INVESTIGATION AS AT DECEMBER, 2009	3560	80.4

■ These figures represent percentages of the number of complaints concluded.

FIGURE II - New Complaints Received During 2009 & those brought forward





STATISTICAL OVERVIEW 2009

It is to be noted that the total workload of the Office this reporting period comprised the investigation of four thousand, seven hundred and eighty-five (4785) complaints. This figure represented the total of one thousand, four hundred and sixty-eight (1468) new complaints in addition to three thousand, three hundred and seventeen (3317) unresolved matters which were brought forward from previous years.

At the end of 2009 I had concluded investigations on eight hundred and sixty-nine (869) complaints. However, a total number of three thousand, five hundred and sixty (3560) complaints remained under investigation.

Table III shows in detail the number of complaints received in 2009 against Ministries and state agencies and the manner of their disposal during the same period.

TABLE III
DISTRIBUTION OF NEW COMPLAINTS IN RESPECT OF MINISTRIES/DEPARTMENTS

Ministry/Authority/Agency	Total No. of Complaints	Advised/ Referred	Not Sustained	Sustained/ Rectified	Under Investigation	Withdrawn/ Discontinued
Agriculture, Land And Marine Resources	40	1	0	2	36	1
Airport Authority	1	0	0	0	1	0
Attorney General	4	0	0	0	4	0
Chief Personnel Officer	1	0	0	0	1	0
Community Development Culture And Gender Affairs	5	0	0	0	5	0
Education	27	3	0	3	19	2
Elections And Boundaries Commission	4	1	0	1	0	2
Energy And Energy Industries	6	1	0	0	5	0
Environmental Management Authority	7	0	0	0	7	0
Finance	39	1	0	8	29	1
Foreign Affairs	2	0	0	1	1	0
Health	46	7	1	5	32	1
Judiciary	10	3	0	0	7	0
Labour And Small And Micro Enterprise Development	2	0	0	0	2	0
Legal Affairs	16	0	0	1	15	0
Legal Aid And Advisory Authority	1	0	0	0	1	0
Local Government	7	0	0	0	7	0
Borough Corporation	7	0	0	0	7	0
City Corporation	11	0	0	1	10	0
Regional Corporation	80	1	1	2	74	2
Magistracy	8	2	0	2	4	0
National Maintenance Training Security Ltd.(M.T.S.)	3	0	0	1	2	0
National Insurance Board	77	7	1	11	58	0

STATISTICAL OVERVIEW 2009



TABLE III Cont'd
DISTRIBUTION OF NEW COMPLAINTS IN RESPECT OF MINISTRIES/DEPARTMENTS

MINISTRY/AUTHORITY/AGENCY	Total No. of Complaints	Advised/ Referred	Not Sustained	Sustained/ Rectified	Under Investigation	Withdrawn/ Discontinued
National Security	5	0	0	0	5	0
• Defence Force	4	0	0	0	4	0
• Fire Services	6	0	1	0	5	0
• Immigration	4	0	0	2	2	0
• Police Service	13	3	0	2	8	0
• Prisons	11	3	0	2	5	1
OFFICE OF THE PRIME MINISTER	2	0	0	0	2	0
PLANNING, HOUSING AND THE ENVIRONMENT	15	7	0	3	35	0
Housing Development Corporation (HDC)	31	0	0	0	1	0
PORT AUTHORITY	2	0	0	0	2	0
PUBLIC ADMINISTRATION	2	0	0	0	2	0
Public Utilities	1	0	0	0	1	0
• T & TEC	11	2	0	2	7	0
• W. A. S. A	15	1	0	1	13	0
• POST OFFICE	3	0	0	0	2	1
Science, Technology And Tertiary Education	6	1	0	0	3	2
Service Commissions Department	4	2	0	0	2	0
Social Development	45	2	0	1	42	0
Sports And Youth Affairs	4	0	0	0	4	0
Works And Transport	31	1	0	1	29	0
Unemployment Relief Programme (URP)	9	0	0	0	9	0
Tobago House of Assembly						
• Agriculture, Marine and Environment	14	0	0	1	13	0
• Division of Community Development & Culture	1	0	0	0	1	0
• Division of Education, Youth Affairs & Sports	8	1	0	0	7	0
• Division of Health & Social Services	19	1	0	2	14	2
• Division of Health & Social Services – Social Welfare	9	2	1	0	6	0
• Division of Infrastructure & Public Utilities	22	1	0	0	19	2
• Division of Tourism, Transportation, Enterprise	3	0	0	1	2	0
• Development & Settlements						
• Finance & Planning- Inland Revenue	1	0	0	0	1	0
• Public Administration	1	0	0	0	1	0
Freedom of Information Act, 1999	39			38	1	
Referrals	367	367				
TOTAL	1112	422	5	94	574	17
Private	356					
GRAND TOTAL	1468	422	5	94	574	17



STATISTICAL OVERVIEW 2009

TABLE IV

THE MINISTRIES/AGENCIES WITH THE HIGHEST NUMBER OF COMPLAINTS ARE LISTED BELOW:

Ministry of Local Government-	-	105
Tobago House of Assembly	-	78
National Insurance Board	-	77
Ministry of Health	-	46
Ministry of Planning, Housing and the Environment	-	46
Ministry of Social Development	-	45
Ministry of National Security	-	43
Ministry of Agriculture, Land and Marine Resources	-	40
Ministry of Finance	-	39
Ministry of Works and Transport	-	31
Ministry of Public Utilities	-	30

Complaints against the Ministry of Local Government and its Corporations continue to be the highest number received by this Office. In 2009 a total number of one hundred and five (105) complaints were received as compared to one hundred and thirty-three (133) in 2008, a decrease of 21%. However, at the end of the year ninety-eight (98) matters were still pending due to the failure of the Ministry and its respective Corporations to take immediate and timely action.

A significant number of complaints were still lodged against the National Insurance Board (NIB). In 2009 a total number of seventy-seven (77) complaints were received as compared to seventy-nine (79) in 2008, a decrease of 2.5%. At the end of 2009 fifty-eight (58) matters were still unresolved. Other departments against which complaints were substantial include the Tobago House of Assembly and its Divisions, the Ministry of Health, the Ministry of Planning, Housing and the Environment, the Ministry of Social Development, the Ministry of National Security, the Ministry of Agriculture, Land and Marine Resources, the Ministry of Finance, the Ministry of Works and Transport and the Ministry of Public Utilities.



Captured at a site visit to a Regional Corporation complaint

OUTREACH SERVICES



Outreach services continue to be provided to the communities of Point Fortin, Rio Claro, Chaguanas, Sangre Grande, Siparia and Couva on a monthly basis. However, similar services were discontinued to San Fernando when a sub-office was opened in that area from July 2009. An outreach service is also provided to Roxborough on a quarterly basis.

A total of six hundred and eighty-two (682) persons accessed our outreach services during the year 2009 as compared to eight hundred and fifty-three (853) in 2008, a decrease of one hundred and seventy-one (171) or 20 %. The decrease in the number of persons who accessed our outreach services may be attributed to the opening of the sub-office in San Fernando and subsequent termination of an outreach service in that area.

Table V below shows the number of persons who accessed the services of my Office at the Regional Offices for each month during the year 2009.

TABLE V
NUMBER OF PERSONS WHO VISITED THE REGIONAL OFFICES IN THE YEAR 2009

MONTHS	POINT FORTIN	RIO CLARO	SAN FERNANDO	CHAGUANAS	SANGRE GRANDE	SIPARIA	COUVA	ROXBOROUGH	TOTAL
January	8	13	14	10	12	14	9	2	82
February	11	11	14	3	11	11	9	0	70
March	7	16	14	4	5	14	7	0	67
April	10	16	20	8	16	11	11	3	95
May	11	10	17	8	9	9	9	0	73
June	8	6	19	8	9	13	3	0	66
July	6	11	Sub-office opened	7	5	8	5	0	42
August	4	8	-	7	5	11	10	0	45
September	4	5	-	0	13	5	5	0	32
October	7	13	-	1	11	6	2	2	42
November	5	10	-	9	2	3	8	0	37
December	5	9	-	6	0	0	11	0	31
TOTAL	86	128	98	71	98	105	89	7	682



TOBAGO OFFICE

In June 2009 the Tobago sub-office was relocated from TATECO Building, Wilson Road Scarborough to Caribana Building, Bacolet Street, Scarborough. In this year the number of new complaints lodged at the Tobago sub-office increased from one hundred and twenty-six (126) to two hundred and ninety-nine (299). Thirty-six (36) of these complaints were against private institutions while one hundred and forty-eight (148) were referrals. The increase in the number of new complaints received may be attributed to the relocation of the Tobago sub-office.

Additionally, two hundred and sixty-three (263) matters were brought forward from previous years. The Tobago Office's workload for 2009 therefore comprised the investigation of five hundred and twenty-six (526) complaints. Investigations were finalized on two hundred and twenty-seven (227) complaints while two hundred and ninety-nine (299) complaints remained under investigation at the close of the reporting year.

TABLE VI
TOBAGO REGIONAL OFFICE – STATISTICS ON COMPLAINTS RECEIVED DURING THIS REPORTING PERIOD AND THOSE BROUGHT FORWARD FROM PREVIOUS YEARS

	NUMBER	PERCENTAGE
Total number of complaints brought forward from previous years	263	
Total number of complaints received in 2009	299	
TOTAL	562	100
*(Less total number of complaints without jurisdiction)	(36)	(6.4)
Total number of complaints proceeded with	526	93.6
Total number of complaints concluded	227	43.2
▪ Sustained/Rectified	39	17.2
▪ Not Sustained	10	4.4
▪ Withdrawn/Discontinued	18	7.9
▪ Advised/Referred	160	70.5
Under Investigation as at December, 2009	299	56.8

▪ These figures represent percentages of the number of complaints concluded.

TOBAGO OFFICE CONT'D



TABLE VII
DISTRIBUTION OF COMPLAINTS FROM TOBAGO FOR THE PERIOD JANUARY TO DECEMBER 2009

MINISTRY/AUTHORITY/AGENCY	Total No. of Complaints	Advised/ Referred	Not Sustained	Sustained/ Rectified	Under Investigation	Withdrawn/ Discontinued
Agriculture, Land And Marine Resources	1	0	0	1	0	0
Airport Authority	1	0	0	0	1	0
Finance	3	0	0	1	2	0
Planning, Housing And The Environment	3	0	0	0	3	0
Judiciary	2	1	0	0	1	0
Labour And Small And Micro Enterprise Development	1	0	0	0	1	0
M.T.S	3	0	0	1	2	0
Magistracy	1	0	0	0	1	0
National Insurance Board	6	0	0	3	3	0
National Security	0					
▪ Defence Force	1	0	0	0	1	0
▪ Fire Services	2	0	1	0	1	0
▪ Police Service	4	2	0	0	2	0
Office Of The Prime Minister	2	0	0	0	2	0
Port Authority	2	0	0	0	2	0
Public Utilities	0					
▪ T & TEC	2	0	0	1	1	0
▪ W. A. S. A	2	0	0	0	2	0
▪ TT POST	1	0	0	0	0	1
Tobago House of Assembly						
▪ Agriculture, Marine and Environment	14	0	0	1	13	0
▪ Division of Community Development & Culture	1	0	0	0	1	0
▪ Division of Education, Youth Affairs & Sports	8	2	0	0	6	0
▪ Division of Health & Social Services - Social Welfare	24	1	1	3	18	1
▪ Division of Infrastructure & Public Utilities	24	0	1	0	22	1
▪ Division of Tourism, Transportation, Enterprise Development & Settlements	2	0	0	0	2	0
▪ Finance & Planning - Inland Revenue	4	0	0	0	4	0
▪ Public Administration	1	0	0	0	1	0
Referrals	148	148				
TOTAL	263	157	2	11	88	5
Private	36	36	0	0	0	0
GRAND TOTAL	299	157	2	11	88	



2009 SELECTED HIGHLIGHTS

2009 - SELECTED HIGHLIGHTS



REGIONAL OMBUDSMAN STAFF BENEFIT FROM ADVANCED INVESTIGATIVE TRAINING

As part of its on-going efforts to keep abreast of universal best practice, Trinidad & Tobago's Office of the Ombudsman hosted in March 2009 a 3-day international seminar on Advanced Investigative Methods. The seminar featured modules on Case Assessment, Issue Identification and Carrying Out Systemic Investigations. Participants benefitting from the exercise included Ombudsmen, investigative and technical staff from Ombudsman offices in Trinidad & Tobago, Barbados, St. Lucia, St. Kitts/Nevis, Curaçao and Belize. The programme was delivered by Mr. André Marin, Ombudsman of Ontario and Mr. Gareth Jones, Director of the Special Ombudsman Response Team (SORT) at the Office of the Ombudsman of Ontario

OFFICE OF THE OMBUDSMAN MOUNTS BOOTH AT CAREER DAY EXERCISE

The Office of the Ombudsman participated in a **Career Day** exercise held at the **Fiver Rivers Secondary School** on Thursday June 4, 2009. Students were briefed on the Ombudsman's role in improving public administration in Trinidad & Tobago and on possible career options for them in the field of ombudsmanship. They viewed a video presentation entitled **Informal, Impartial, Expeditious – The Ombudsman of Trinidad & Tobago**. The exercise was part of the Office's expanding outreach initiative.



2009 - SELECTED HIGHLIGHTS

COMMONWEALTH HUMAN RIGHTS FORUM HELD IN TRINIDAD & TOBAGO

One of the several pre-CHOGM events taking place in Trinidad and Tobago during the week of November 23-27 was the **2009 Commonwealth Forum of National Human Rights Institutions (CFNHRI)**. Held at the Crowne Plaza, Port of Spain on **November 23rd and 24th**, the Forum was co-chaired by Trinidad and Tobago's Ombudsman, *Lynette Stephenson, S.C.* The Forum, taking place as it did just before the Commonwealth Heads of Government Meeting (CHOGM), considered issues of strengthening the capacity of National Human Rights Institutions to advance human rights, in line with the 2009 CHOGM theme of *Partnering for a more Equitable and Sustainable Future*.



L-R : Mr. Jarvis Maitiya, Human Rights Officer, Commonwealth Secretariat, Ombudsman Lynette Stephenson, Mr. David Langtry, Canadian Human Rights Commission

The Forum was attended by delegates from the countries of Australia, Bangladesh, Barbados, Canada, Cameroon, Ghana, India, Jamaica, Kenya, Malawi, Malaysia, Mauritius, the Maldives, New Zealand, Nigeria, Northern Ireland, South Africa, Scotland, Sierra Leone, the Seychelles, Sri Lanka, Tanzania, Zambia and Uganda. Addressing the closing ceremony was Mr. Kamalesh Sharma, Secretary General of the Commonwealth.



CASE NOTES

FROM THE OMBUDSMAN'S FILES



AGGRAVATED HEALTH RISK POSED BY DELAY IN DRAINAGE REPAIRS

The Complainant, of Edinburgh Gardens Phase III, Chaguanas, sought the assistance of the Ombudsman in **March 2008** after failing, despite all her efforts, to have the Couva/Tabaquite/Talparo Regional Corporation (CTTRC) undertake repairs to the drainage system in the vicinity of her home. The Complainant stated that the drainage system in the area was inadequate and that run-off and domestic waste water accumulated at the front of her property, facilitating the breeding of mosquitoes. The matter was brought to the attention of the then Chief Executive Officer of the Corporation by letter dated **April 18, 2008**. It was also referred to the County Medical Officer of Health, Caroni, who responded by letter dated **October 6, 2008**, in which he indicated that the complaint was justified.

He advised inter-alia:

"The department notice was prepared and sent to the Couva/Tabaquite/Talparo Regional Corporation to have the drain repaired to the satisfaction of the County Medical Officer of Health".

The County Medical Officer of Health (CMOH) further reiterated that the public drain in question was the responsibility of the CTTRC and that an urgent request for works to be undertaken be made to the Council. The Chief Executive Officer of the Corporation was requested to bring the matter to the attention of the Council so that appropriate action could be taken to alleviate the drainage problem and/any public health issues which were likely to arise if left un-attended. Upon the retirement of the Chief Executive Officer, the matter was brought to the attention of her successor.

The Corporation eventually responded by letter dated **October 22, 2009** in which it was stated as follows: *"the necessary action was taken to alleviate the problems experienced"*

The complainant was subsequently contacted and informed of the Corporation's response. She categorically disputed the claim by the Corporation that the problem was alleviated. In fact, she stated that nothing had been done to address the problem. In that regard, the Investigator assigned to this complaint conducted a site visit on **November 4, 2009** and confirmed that no action had been taken to solve the problem. It was observed that the problem had worsened (see photographs). This matter is still being pursued. This matter remains outstanding more than two (2) years after it was brought to the attention of the Couva/Tabaquite/Talparo Regional Corporation.



CASE NOTES



TOBAGO HOUSE OF ASSEMBLY, DIVISION OF INFRASTRUCTURE AND PUBLIC UTILITIES COMPENSATION FOR LOST EARNINGS

The Complainant was a Checker employed from 1974 with the **Division of Infrastructure and Public Utilities** (the Division). In 2001, she proceeded on vacation leave and during that period letters were sent to Checkers within the Division inviting them to attend interviews to fill the position of *Foreman, 'Other Services'*. The Complainant claimed that she however, had not received such a letter from the Division.

She brought the matter to the attention of the Administrator of the Division, but failed to receive any assistance in having the matter rectified. She then approached the Ombudsman for assistance. Upon the Ombudsman's intervention the Complainant was subsequently interviewed for the position and was successful. On May 9, 2005 she assumed duty as Foreman, 'Other Services'.

The Complainant was however concerned that she had suffered a loss of earnings during the period in which she was awaiting an interview and appointment in the position of Foreman, 'Other Services' As a result, she requested that she be compensated for the lost earnings with effect from 2001 to 2005.

In 2006, the Ombudsman pursued this additional aspect of the complaint with the Division. After several meetings and reminders regarding the concerns of the Complainant, eventually, by letter dated September 25th 2008, the Division advised the Ombudsman that the matter of loss of earnings had not yet been resolved. It was claimed that the decision on whether the Complainant should be paid hinged on another matter before the High Court between the Division and two (2) other employees. The Complainant's matter would be concluded once a decision from the High Court was received.

To date the matter remains outstanding.



CASE NOTES

MINISTRY OF HEALTH - SOUTH WEST REGIONAL HEALTH AUTHORITY DENIAL OF OUTSTANDING ARREARS OF SALARY

The Complainant, a Nursing Assistant, complained to the Ombudsman on behalf of Batch 3 Enrolled Nursing Assistants (ENAs) General Hospital, San Fernando, of their failure to obtain outstanding arrears of salary.

He claimed that Batch 3 ENAs, which comprised forty-three (43) persons including himself, were enrolled in 2003. In **October 2003**, they were informed that they had been appointed.

The Complainants stated that *although training had been completed in April 2003*, the ENAs continued to receive a *stipend*, even though they were then performing *all the duties of Nursing Assistants*. This situation continued from **April 2003 to October 2003**.

In **January 2008**, it was discovered that Batch 3 (Port of Spain) had received their arrears. When enquiries were made at the South West Regional Health Authority (SWRHA) Batch 3 (San Fernando) was told that they were not entitled to same.

The ENAs of Batch 3 San Fernando believed that they too were entitled to the arrears and subsequently approached the Ombudsman in **February 2008** for her assistance.

The Ombudsman addressed this matter with the Hospital Administrator and Chief Executive Officer (CEO), SWRHA as well as the Permanent Secretary, Ministry of Health. Despite the wealth of correspondence between the various offices, this complaint remains unresolved.

It must be noted that at the writing of this report, the Ombudsman had received positive feedback from the CEO, SWRHA who informed her that the matter was presently engaging his attention.

This Office will continue to actively pursue this matter.

CASE NOTES



MINISTRY OF LOCAL GOVERNMENT - San Juan/Laventille Regional Corporation INTOLERABLE DELAY IN COMPLETING PUBLIC DRAINAGE WORKS

A resident of Upper Bush St. Maitagual, San Juan sought my assistance to have the San Juan/Laventille Regional Corporation provide adequate drainage in the vicinity of his home.

The resident claimed that after he purchased a property at the above-mentioned address in 2005, he discovered that there was severe flooding in the area which affected his home. He realized that every time it rained, he experienced flooding and that the in-complete drain on the hill near his house also contributed to the problem.

He approached the Corporation for assistance but was unsuccessful. He subsequently lodged a complaint at this office in 2008 outlining the failure of the Corporation to take remedial action to prevent flooding in the area. By that time, he further stated that a concrete wall on his property had collapsed.

This Office referred the matter to the Chief Executive Officer, San Juan/Laventille Regional Corporation who informed the Ombudsman that the Corporation intended to carry out the necessary construction of the drain in question '*at some point in the near future*'.

The Ombudsman was of the opinion that '*at some point in the near future*' was too vague and suggested that the Chief Executive Officer should propose a time-frame for the project and state whether it would be included in the Development Programme for the fiscal year 2009-2010. Even after several reminders were sent to the Corporation since then, there has been no response or any meaningful progress in this matter, which is still being pursued.



TOWN AND COUNTRY PLANNING, HEALTH DIVISION (TOBAGO) AND TOBAGO HOUSE OF ASSEMBLY (DIVISION OF HEALTH AND SOCIAL SERVICES) DENIAL OF OUTSTANDING ARREARS OF SALARY

The Complainant sought the assistance of the Ombudsman because her appeals to the Town and Country Planning Division, Tobago, for assistance in preventing her neighbour from continuing with an unauthorized structure had gone unheeded. The Complainant's neighbour had begun renovating her house and had extended her roof over the boundary line. It was apparent that upon completion of construction, the roofs of the two houses would be extremely close. The neighbour had also failed to put up guttering or provide proper drainage and as such the runoff water had damaged the Complainant's property. Her land was continuously waterlogged, and this had caused the foundation of her house, as well as the concreted areas of her driveway and garage, to crack. She was fearful that her house would soon suffer from severe structural damage and the situation was further aggravated whenever there was heavy rainfall.

In 2007, the Complainant brought the matter to the attention of the Ombudsman in the hope that the situation could be remedied before additional damage occurred to her property. This Office referred the matter to the Division of Health and Social Services, Tobago House of Assembly and the Town and Country Planning Division, Tobago House of Assembly.

Subsequently, in April 2008, a site visit was conducted with officers from this Office and the Town and Country Planning Division, Tobago. It was observed that the Complainant's neighbour had extended the original building leaving less than one (1) foot of space between the properties. There was also no allowance left for drainage. The representative from the Town and Country Planning Division assured this Office that a case file would be opened and forwarded to the Port of Spain Head Office of the Town and Country Planning Division for the necessary action. The officer further stated that she would provide subsequent feedback on the matter. The promised feedback was never forthcoming; but when this Office contacted the Town and Country Planning Division it was advised that a case file had indeed been opened between the Division and the Complainant's neighbour. At that point a further update regarding follow up action was again promised.

CASE NOTES



Thereafter, numerous efforts were made by this Office to obtain further information regarding the promised follow up action by the Town and Country Planning Division, Tobago. Eventually, in July 2009, the Ombudsman was informed that the Officer assigned to the case had proceeded on maternity leave and another officer, had been assigned by the Division to deal with this complaint. That Officer, when contacted, advised that she was not aware of the matter. In light of this development, this Office initiated a further site visit to which Officials of the Town and Country Planning Division along with Public Health Officers from the Public Health Services Department, Division of Health and Social Services, Tobago House of Assembly were invited. **The Officials from the Town and Country Planning Division, failed to attend.** At the site visit it was observed and confirmed that no action had been taken by the Town and Country Planning Division and the Complainant's situation had worsened. In addition to the large cracks that were visible, there were areas where the water had settled and these had become a breeding ground for mosquitoes.

The Public Health Officers who were in attendance indicated that based on their observations, a report would be prepared with urgency and submitted to the Ombudsman. To date, that report remains outstanding.

The Town and Country Planning Division has to date, failed to take any action in the matter.



MINISTRY OF WORKS - DRAINAGE DIVISION

A resident of Avocat, Fyzabad complained to the Ombudsman in April 2003 on a matter related to the erosion of her property.

The Complainant stated that a private owner in her neighbourhood backfilled his land and redirected the river that was flowing through his property towards hers. As a result, the river began to take its course through her land and the newly created water course was insufficient to accommodate the volume of water whenever it rained heavily. A sharp ninety degrees (90°) bend in the water course developed approximately five feet (5') away from her brickwall fence (see photos). She made several complaints to the various public departments but received no assistance.



The matter was referred to the Drainage Engineer (South), Ministry of Works and Transport, who, in June 2003, subsequently informed this office that as soon as the Division obtained the financial resources and permission to enter upon private lands, the works to remove the concrete crossings and improve the cross-sectional area of the waterway would begin.

With the passage of time, the land continued to erode and the concrete fence eventually collapsed. It was only on May 6, 2009 that the Complainant informed the Ombudsman that a contractor had commenced work on the site. A retaining wall was constructed and the complainant's fence was replaced to her satisfaction.

This complaint took six (6) years to resolve, an inordinately long time for matters of this nature.

CASE NOTES



MINISTRY OF SOCIAL DEVELOPMENT REQUEST FOR WRITE OFF OF OVERPAYMENT

In **2003** the Complainant, a former driver with one of the Children's Homes in Trinidad, noticed that, after receiving an *ex-gratia* payment for his services, the sum of \$5,709.60 had been deducted from the amount as an overpayment.

The Complainant approached the Office of the Ombudsman in 2005 seeking assistance to have the matter addressed. The matter was pursued with the **Social Services Delivery Department** of the **Office of the Prime Minister** and the **Financial Management Unit, Comptroller Accounts**, Ministry of Finance ("Comptroller of Accounts").

Upon investigation, I found as follows:

In October, 2005 the Comptroller of Accounts requested Social Service Delivery to furnish the relevant documents relating to the overpayment. The information was not forthcoming. By letter dated October 19, 2006, the Comptroller of Accounts requested that the Ministry of Social Development ("the Ministry") which now had responsibility for Social Services Delivery to submit the required documents no later than November 24.

In May 2007, the Ministry responded that the Complainant had been overpaid salary in the sum of five thousand, seven hundred and nine dollars and sixty cents (\$5,709.60 for the periods 1996 to 1997. It was further advised that the Complainant had been paid at the rate of one thousand, six hundred and forty seven dollars and fifteen cents (\$1,647.15) instead of one thousand, four hundred and nine dollars and twenty-five cents (\$1,409.25). The Ministry further indicated to the Comptroller of Accounts that **in contravention of Financial Instructions 1995 Part IX No. 164, no report of overpayment had been made nor was the complainant notified of the overpayment.**

In November 2007, the Comptroller of Accounts requested that the Ministry of Social Development submit to them the following:

- Report of Overpayment which had been prepared and submitted in accordance with the Financial Instructions 1965 IX No. 164, and
- An Audited Statement of the Overpayment duly signed and certified by Internal Audit.

By letter dated April 21, 2008, the Acting Manager of the Children's Home forwarded the above-mentioned documents to the Permanent Secretary, Ministry of Social Development. Despite repeated reminders, to date the above-mentioned document still have not been provided to the Comptroller of Accounts so that this outstanding matter can be addressed.

The matter is still being pursued.



MINISTRY OF PUBLIC UTILITIES NATIONAL SOCIAL DEVELOPMENT PROGRAMME (TOBAGO UNIT) SUCCESSFUL APPEAL FOR FINANCIAL ASSISTANCE GRANT

In February 2009 the Complainant informed the Ombudsman that she had applied for assistance under the National Social Development Programme (NSDP). This Programme had been established by the Government as a national social intervention strategy to bring relief to disadvantaged individuals and communities by providing and upgrading basic amenities such as the supply of water and electrification to communities, residences and community facilities.

The Complainant, a **beneficiary of the Programme**, claimed that when she met with the Project Officer at the Tobago Programme Unit of the NSDP, she was advised to proceed with her project (rewiring of her house) **before funds were released to her** and she would be refunded the cost of the materials **used for the purpose**. In accordance with the terms of the Programme, in July 2007 the Complainant submitted her bills which totalled seven-thousand and twenty six dollars and fifty cents (\$7,026.50). She thereafter visited the Tobago Programme Unit on several occasions but was unable to get the promised refund.

In an effort to have the problem resolved, the Complainant eventually brought the matter to the attention of the Ombudsman in 2009. The Ombudsman wrote to the **Permanent Secretary, Ministry of Public Utilities** (the Permanent Secretary) and received a reply in May 2009 in which she was advised that the NSDP assisted persons who were first time users of electricity, or, were unable to re-wire when the existing wiring was old and faulty and posed a fire risk. This also applied to persons whose economic circumstances did not allow for them to meet the cost of re-wiring and who met certain other criteria. The Permanent Secretary further detailed the criteria for accessing the benefits of the programme as follows:-

- *Applicant's total household income is less than six hundred dollars (\$600) a month.*
- *Applicant is a pensioner or a recipient of public assistance.*
- *Applicant suffers a disability.*
- *Applicant can show proof of ownership of the house to be wired/ rewired or can supply an affidavit indemnifying T&TEC from litigation wherever ownership of the property is challenged.*

CASE NOTES



In these circumstances, the Permanent Secretary advised that the Programme did not cater for refunds. She informed the Ombudsman that she was however prepared to give the Complainant's claim special consideration if the Complainant could provide documentary or other evidence that she had been advised to proceed with her project and later be refunded.

The Ombudsman requested that the Permanent Secretary review her position since there were several mitigating circumstances that she thought should be taken into consideration. These included the fact that the Complainant was a pensioner who lived alone and who was in receipt of a monthly income of approximately two-thousand dollars (\$2,000.00). It was also unlikely that the Complainant could supply the documentary or other evidence that she had been advised to proceed with her project and be later refunded, since, it was highly unlikely that any employee of the NSDP would admit to and/or commit to writing such information.

The Permanent Secretary in a letter dated November 24th 2009 informed the Ombudsman that favourable consideration had been given to her request and the refund in the amount of seven thousand and twenty six dollars and fifty cents (\$7,026.50) would be paid to the Complainant in the near future.



TOBAGO HOUSE OF ASSEMBLY (DIVISION OF EDUCATION YOUTH AFFAIRS AND SPORT) UNFAIR DENIAL OF RETIREMENT BENEFITS

The Complainant, a former Trade Instructor with the **Division of Education, Youth Affairs and Sport** (the Division) sought the assistance of the Ombudsman in determining whether he was entitled to receive retirement benefits after his services were terminated in 2003.

In November 2008, the Complainant informed the Ombudsman that *he had been* employed as a Plumber with the then Division of Works with effect from January 24th 1972. After nineteen (19) years continuous service, *he was appointed to the Division of Education, Youth Affairs and Sport, Tobago House of Assembly, as a Temporary Trade Instructor with effect from April 8th 1991*. As a result of an incident that occurred on May 20th 2002, the Complainant was placed on a disciplinary charge, and, after facing a disciplinary tribunal, his services were terminated by the Public Service Commission with effect from January 31st 2003.

The Ombudsman referred the complaint to the Administrator, Division of Education, Youth Affairs and Sports (the Administrator) and received a response on November 24th 2008 informing her that the matter was receiving attention. In January 2009, she received another letter from the Administrator advising her that the matter had been referred to the **Comptroller of Accounts** so that a determination could be made on whether the Complainant was in fact entitled to retirement benefits.

The Comptroller of Accounts responded to the queries of the Administrator in a letter dated May 19th 2009, addressed to the Chief Administrator, Tobago House of Assembly, in which it was stated that in accordance with **Section 9 (1) and (2) of the Law Reform Pensions Act, Chapter 23:59**, although the Complainant had served in a pensionable office for ten (10) years, his dismissal from the Public Service preceded his having attained the age of fifty-five (55) years, which is the required qualifying age for temporary officers' entitlement to superannuation benefits.

CASE NOTES



Section 9 (1) and (2) of the Law Reform Pensions Act, Chap 23:59 states as follows:-

9 (1) This section applies to persons who, on or after 2nd June 1989, serve in a pensionable office

- (a) without being confirmed therein; or
- (b) in a temporary capacity in accordance with any pension law

(2) Notwithstanding the provisions of any pension law, where a person to whom this section applies-

- (a) completes at least ten (10) years of unbroken service at any time in a Service and retires “upon or after attaining the age of fifty-five years, he is entitled to a pension, gratuity or other allowance computed in accordance with the relevant pension law as though he were an officer.”

It was therefore the opinion of the Comptroller of Accounts that the Complainant was not eligible for superannuation benefits. In the course of conducting this investigation, however, the Ombudsman discovered that there were what appeared to be several discrepancies in the information provided and the procedure followed during the Division’s initial investigation into the incident, as well as at the disciplinary tribunal, which later led to the Complainant being dismissed from the Service.

As a consequence, in an effort to ensure that the Complainant had been afforded the fairest possible treatment, the Ombudsman again referred the complaint to the Administrator. She requested by letter dated October 28th 2009, that there be a new focus to attempts at resolving the complaint, pertaining to the circumstances surrounding the incident, the Division’s investigation into that incident, the disciplinary proceedings and the subsequent termination of the Complainant’s services. To date, despite several reminders and meetings with officials of the Division of Education Youth Affairs and Sports, there has been no response and the matter remains unresolved.



MINISTRY OF FINANCE - NATIONAL INSURANCE PROPERTY DEVELOPMENT CO. LTD. (NIPDEC) VIOLETION OF LEGAL TRUST?

In **March 2006**, the Complainant began proceedings to purchase a single housing unit at River Woods Development, Cleaver Woods, Arima from NIPDEC at a cost of **six hundred and thirty-nine thousand, seven hundred and thirty-seven dollars and sixty-four cents (\$639,737.64)**. A downpayment of **sixty-three thousand, nine hundred and seventy-three dollars (\$63,973.00)** was made and he expected to receive the property by **December 31, 2006**. In **October 2007**, he brought a complaint to this office with regard to the delay in handing over of the unit and an increase on the final purchase price.

The Complainant claimed that in **February 2007**, NIPDEC informed him that the cost of the property had increased to **six hundred and ninety-five thousand, seven hundred and fourteen dollars and sixty-eight cents (\$695,714.68)** due to an increase in the construction cost by 8.75%. Subsequently, on **March 19, 2007** the company further informed him that an error had been made in the calculation and the new cost was **six hundred and ninety-four thousand, one hundred and twenty-six dollars and sixty-four cents (\$694,126.64)**. The Complainant felt that there was no justification for the increase in cost from **March 2006** when the down-payment was made and felt that there was a violation of legal trust between buyer and seller.

The Complainant informed the office that he continued to receive a series of letters from NIPDEC and its lawyers advising of postponements of the delivery of the unit and the last letter had 'suggested' a date in **September 2007** as the date of delivery. He noted however, that 'reliable sources' seemed to suggest that his unit would not be ready until 2008.

The Complainant stated that on several occasions, he tried to contact the Manager, Real Estate and Commercial Services by telephone but without success. He was informed by an officer at NIPDEC that she could not say when he would receive his unit but that he could request a refund of his down-payment. Based on the last handover date that he had received, September 2007 he had made arrangements for the delivery of a container of household items from the United States of America, which was expected to arrive in November 2007.

The Investigation into the delay in delivery of the units resulted in a proliferation of correspondence between NIPDEC and this office. At the end of **2009**, the unit still had not been delivered.

This matter is still being actively pursued by this office.

CASE NOTES



MINISTRY OF WORKS AND TRANSPORT - DRAINAGE DIVISION WASTE-WATER HAZARD PLAGUES RETIREE

A seventy-three (73) year old retired Labourer of St. Mary's Village, Moruga Road, sought the Ombudsman's assistance to have the relevant authority take remedial action to prevent waste-water from the nearby school compound from flowing onto his property.

The Complainant is the owner of a three (3) acre parcel of cultivated land located at the back of the newly constructed St. Mary's Government Primary School. During the construction of the school, a main drain was created through which waste-water, including effluent was deposited over time on the Complainant's property. That resulted in severe degradation of his land which severely inhibited him from continuing to earn an income from his agricultural initiative. The Contractor had indicated to the Complainant that the main drain would be developed to take the waste water out to the main water course which was located approximately four hundred and ten (410) metres to the back of the boundary of the school. At the time of the receipt of this complaint, construction on the school compound had concluded.

Investigation into this matter revealed that the Education Facilities Company Limited was responsible for the construction of the school and its compound. The Senior Project Manager indicated that she was aware of the problem and that efforts were being made to have the Drainage Division, Ministry of Works and Transport construct another drain in the area. That should have eliminated the problem but the Complainant was still not satisfied with the completed works. He pointed out that the area between the fence and the wall had to be filled in and that the concrete blocks used to prevent the water from flowing onto his property were not properly sealed. (see attached photos)

The Senior Project Manager of the Education Facilities Company Limited has been requested to inform this office of the steps that will be taken by the Drainage Division of the Ministry of Works and Transport to complete the project.

This matter is still under investigation.



FORESTRY DIVISION - MINISTRY OF AGRICULTURE, LAND AND MARINE RESOURCES WORKMAN'S COMPENSATION PAYMENT DENIED

A Woodsman II, employed with the Forestry Division since **September 1984**, was injured during the performance of his duties on **June 2, 2005**. At the time of the injury, he was attached to the Quarry Plantation, Siparia. He proceeded on Injury Leave for the period **June 3 to July 13, 2005**. He submitted all the necessary documents to the Forestry Division for the payment of Workman's Compensation.

The Assistant Conservator of Forests - South West Conservancy, forwarded the documents to the Senior Human Resource Officer, Ministry of Public Utilities, under whose portfolio the Forestry Division fell at that time. A request was made by the Assistant Conservator of Forests on behalf of the Woodsman II that the injured man be paid compensation in accordance with the Workman's Compensation Act. The Permanent Secretary, Ministry of Public Utilities, subsequently sought the advice of the Solicitor General on Government's liability in the matter.

After three and a half (3½) years and no response from either the Ministry of Public Utilities or the Solicitor General's Office, the Complainant sought the Ombudsman's assistance to obtain the outstanding compensation. By that time, the Forestry Division had been removed from the Ministry of Public Utilities to the Ministry of Agriculture, Land and Marine Resources. Enquiries from this office revealed that the matter was still being attended to by the Solicitor General's Office.

The matter is being pursued.



APPENDICES



OFFICE OF THE OMBUDSMAN VISION STATEMENT

We are a strong, respected, independent institution dedicated to eliminating bureaucratic injustice and the development of an accountable, transparent, and participatory Public Service, for the benefit of all persons in Trinidad and Tobago.

OFFICE OF THE OMBUDSMAN MISSION STATEMENT

To ensure the protection of citizens and non-citizens against bureaucratic injustice by efficiently and effectively investigating complaints in an impartial and expeditious manner, educating the public about their rights and advocating for improving the quality and standards of public administration in Trinidad and Tobago.

APPENDIX II - Act No. 4 of 76



EXTRACT FROM THE CONSTITUTION OF TRINIDAD & TOBAGO

PART II - OMBUDSMAN

Appointment 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 reappointment.

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

First Schedule.

(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.

Appointment of staff of Ombudsman.

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 Ombudsman.

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;



APPENDIX II - Act No. 4 of 76 CONT'D

EXTRACT FROM THE CONSTITUTION OF TRINIDAD & TOBAGO

- (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.

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
- (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).

Restrictions on matters for investigations.

Third Schedule.



EXTRACT FROM THE CONSTITUTION OF TRINIDAD & TOBAGO

Discretion of Ombudsman.

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—

- (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.

Report on investigation.

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.

(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.



APPENDIX II - Act No. 4 of 76 CONT'D

EXTRACT FROM THE CONSTITUTION OF TRINIDAD & TOBAGO

- 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.
- (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.

Power to obtain evidence.

- 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.

Prescribed matters concerning Ombudsman.



THIRD SCHEDULE - MATTERS NOT SUBJECT TO INVESTIGATION

[Section 94(4)(b)].

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.



APPENDIX II ~ Laws Of Trinidad & Tobago

CHAPTER 2:52 - OMBUDSMAN ACT

An Act to make provision for giving effect to Part 2 of Chapter 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.
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 or the time being in charge of the place where the writer is detained.
PROCEDURE IN RESPECT OF INVESTIGATION	3. (1) Where the Ombudsman proposes to conduct an investigation under Section 93 (1) of 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 of 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 sub-section, 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) 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 authorized 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 Chapter 6 of the Constitution shall be determined by the Ombudsman.



CHAPTER 2:52 - OMBUDSMAN ACT

CONT'D

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 to this Act and who in the Ombudsman's opinion is able to give any relevant information;
 - (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 Act 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 of the United Kingdom, or any written law other than this Act by reason of his compliance with any requirement of the Ombudsman under this section.
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
 - (b) including Trinidad and Tobago relations with the Government of any other country or with any international organizations;
 - (c) will involve the disclosure of the deliberations of Cabinet; or
 - (d) will involve the disclosure of proceedings of Cabinet or any Committee of Cabinet, relating to matters of a secret or confidential nature, and could 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.



APPENDIX II ~ Laws Of Trinidad & Tobago

CHAPTER 2:52 - OMBUDSMAN ACT

CONT'D

SECURITY OF INFORMATION	<p>6. A person who performs the functions appertaining to the Office of the Ombudsman or any office or employment there under –</p> <p>(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 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 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 of Section 3(4) or Section 9, shall be deemed inconsistent with any duty imposed by this paragraph; and</p> <p>(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 exception to paragraph(a)</p>
NOTICE OF ENTRY ON PREMISES	<p>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 which the premises are occupied.</p>
DELEGATION OF POWERS	<p>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.</p> <p>(2) No such delegation shall prevent the exercise of any power by the Ombudsman.</p> <p>(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.</p> <p>(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.</p>
REPORTS	<p>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.</p> <p>(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.</p> <p>10. A person is liable on summary conviction to a fine of one thousand dollars or to imprisonment for six months who –</p> <p>(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;</p> <p>(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;</p> <p>(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</p> <p>(d) in a manner inconsistent with his duty under Section 6 (a), deals with any documents, information or things mentioned in that paragraph.</p>
PRESCRIPTION OF AUTHORITIES SUBJECT TO THE OMBUDSMAN'S JURISDICTION	<p>11. (1) The authorities mentioned in the Schedule are authorities to which Section 93(3) (d) of the Constitution applies.</p> <p>(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 of other authorities.</p>
REGULATIONS	<p>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.</p>

APPENDIX III ~ Schedule Of Monthly Community Visits



Office of the
ombudsman
OF TRINIDAD & TOBAGO



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Schedule Of Monthly Community Visits

Schedule of Monthly Community Visits

The Office of the Ombudsman maintains a schedule of visits to communities to facilitate individuals with complaints against state agencies. Anyone wishing to lodge a complaint, or to seek follow-up consultation with regard to complaints they may have already filed, may visit the Ombudsman's representative at:

Area	Location	Date	Time
Roxborough (Tobago)	Office of the Justice of the Peace, at the Court House facility	Every three months on the second Tuesday of the month	9:30 a.m. to 12 noon
Point Fortin	The Engineering Services Building, Pt.Fortin Borough Corporation	2 nd Wednesday each month	9:30 a.m. to 12 noon
Chaguanas	District Revenue (Warden's) Office, Ramsaran Street, Chaguanas	2 nd Friday each month	9:30 a.m. to 12 noon
Siparia	Siparia Regional Corporation	3 rd Monday each month	9:30 a.m. to 12 noon
Sangre Grande	Sangre Grande Regional Corporation	Last Tuesday each month	9:30 a.m. to 12 noon
Rio Claro	Mayaro/Rio Claro Regional Corporation, cor. Doughdeen St. & de Verteuil Street, Rio Claro	Last Thursday each month	9:30 a.m. to 12 noon
Couva	Couva/Tabaquite/Taiparo Regional Corporation (main building)	3 rd Wednesday each month	9:30 a.m. to 12 noon

There is also a fulltime branch unit of the **Office of the Ombudsman in Scarborough, Tobago**, located in the **Caribana Building**, Bacolet Street, Scarborough. Contact info there is **639-1303** (phone) and **639-1302** (phone/fax). E-mail: tgoregion@ombudsman.gov.tt

Staff at another full time branch serve the public at the corner of Hobson & Kelshall Streets in San Fernando . Contact info: 652-6786 (phone) & 652-0404 (fax). E-mail: sandoregion@ombudsman.gov.tt

APPENDIX IV



USA

NASSAU

THE BAHAMAS

ATLANTIC OCEAN

CUBA

DOMINICAN REPUBLIC

CAYMAN ISLANDS

HAITI

JAMAICA

PUERTO RICO

ST. KITTS & NEVIS

ANTIGUA & BARBUDA

GUADELOUPE

DOMINICA

MARTINIQUE

ST. LUCIA

ST VINCENT & THE GRENADINES

BARBADOS

GRENADA



CARIBBEAN SEA

NICARAGUA

ARUBA

NETHERLANDS ANTILLES

COSTA RICA

PANAMA

TRINIDAD & TOBAGO

COLOMBIA

VENEZUELA

GUYANA

APPENDIX IV

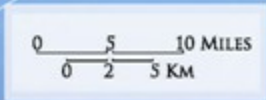
CARIBBEAN SEA

TOBAGO

TRINIDAD

Gulf of Paria

North Atlantic Ocean





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THE OFFICE OF THE OMBUDSMAN OF TRINIDAD & TOBAGO**

132 Henry Street, Port of Spain
Tel: 624-3121 Fax: 625-0717
Website: www.ombudsman.gov.tt
E-mail: feedback@ombudsman.gov.tt

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Peter A. Baptiste & Sylvester Stewart

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"Sunrise from Tobago Ferry"
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