



ANNUAL REPORT

Empowering Dignity!
Ensuring Equality
Upholding Justice for All!

2023

22-24 Duke Street. Kingston, Jamaica

www.opd.gov.jm

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ANNUAL REPORT YEAR 2023

Public Defender's Message

When I assumed office in September 2022, I did so with great optimism and a determination to serve the people of Jamaica through the mandate entrusted to the Public Defender... my Trello Board could paint the picture of my enthusiasm much better than these words ever could! The past year, however, reminded us that this work must be carried out not only with zeal, but also with resilience and balance.

The year 2023 was marked by profound challenges. Members of the Commission endured the loss of loved ones, including one of our very own colleagues. These losses deeply affected our small team of 28, of which, each member plays an indispensable role in the functioning of this Office. Staff morale was tested, and it became necessary to provide grief counselling, wellness initiatives, and opportunities for physical and mental renewal.

Recognizing the importance of institutional strength, we convened retreats for both the Management Team and the wider staff. These sessions brought us together, fostered cohesion, and created a renewed sense of clarity about our responsibilities. From these efforts emerged a stronger, more focused team, equipped to carry forward the mission of protecting constitutional rights and addressing maladministration.

Despite the difficulties, the Office recorded important progress throughout the year. We continued our investigations, engaged with communities, and upheld the rights of citizens who turned to us for protection and redress. These achievements are a testament to the dedication of the staff and the support of our stakeholders, whose partnership has been vital in sustaining our work.

On behalf of the Office of the Public Defender, I extend sincere gratitude to my colleagues for their commitment, and to Parliament, civil society, and the Jamaican people for their confidence and support. Together, we will continue to safeguard the rights and dignity of every citizen, no matter the challenges ahead.

MISSION STATEMENT

The Office of the Public Defender will, in accordance with the principles of Natural Justice and the Jamaican Constitution, investigate complaints brought by any member of the public against the State, seek redress for Constitutional and Administrative injustice and provide, where necessary and possible, the attorney's fees needed to pursue Constitutional remedies in Court.

THE MOTTO

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"A voice of the voiceless ... to loose the chains of injustice"

NOTICE

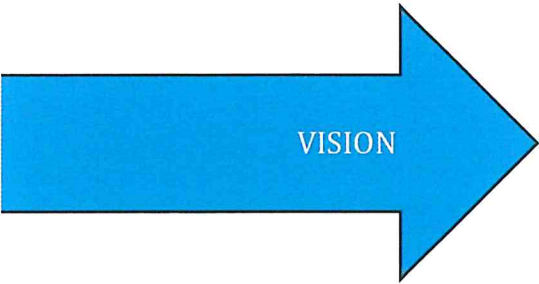
To: All complainants and visitors to the Office of the
Public Defender

*"You have a RIGHT to prompt, courteous and
efficient attention and service.*

INSIST on it, POLITELY.

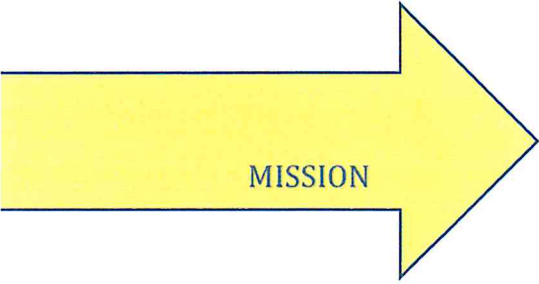
- The Public Defender

VISION, MISSION & CORE VALUES



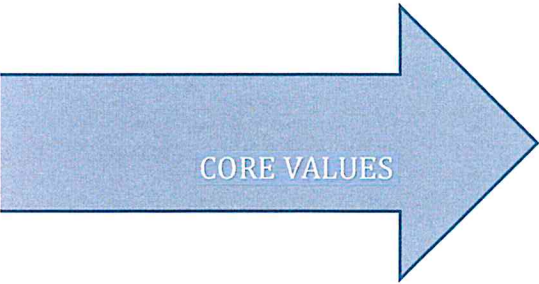
VISION

To be the premier investigating institution, seeking redress for all, where appropriate, for acts of maladministration and violations of constitutional rights, whilst striving to build social justice, social cohesion and equity for all.



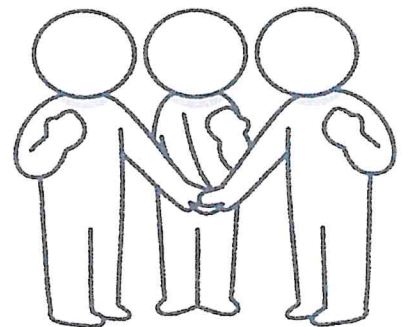
MISSION

To investigate allegations of constitutional rights violations, and complaints of maladministration and to seek redress where appropriate.



CORE VALUES

R Respect and Responsibility
I Integrity
G Goal-Oriented
H Honesty
T Transparency
S Stewardship

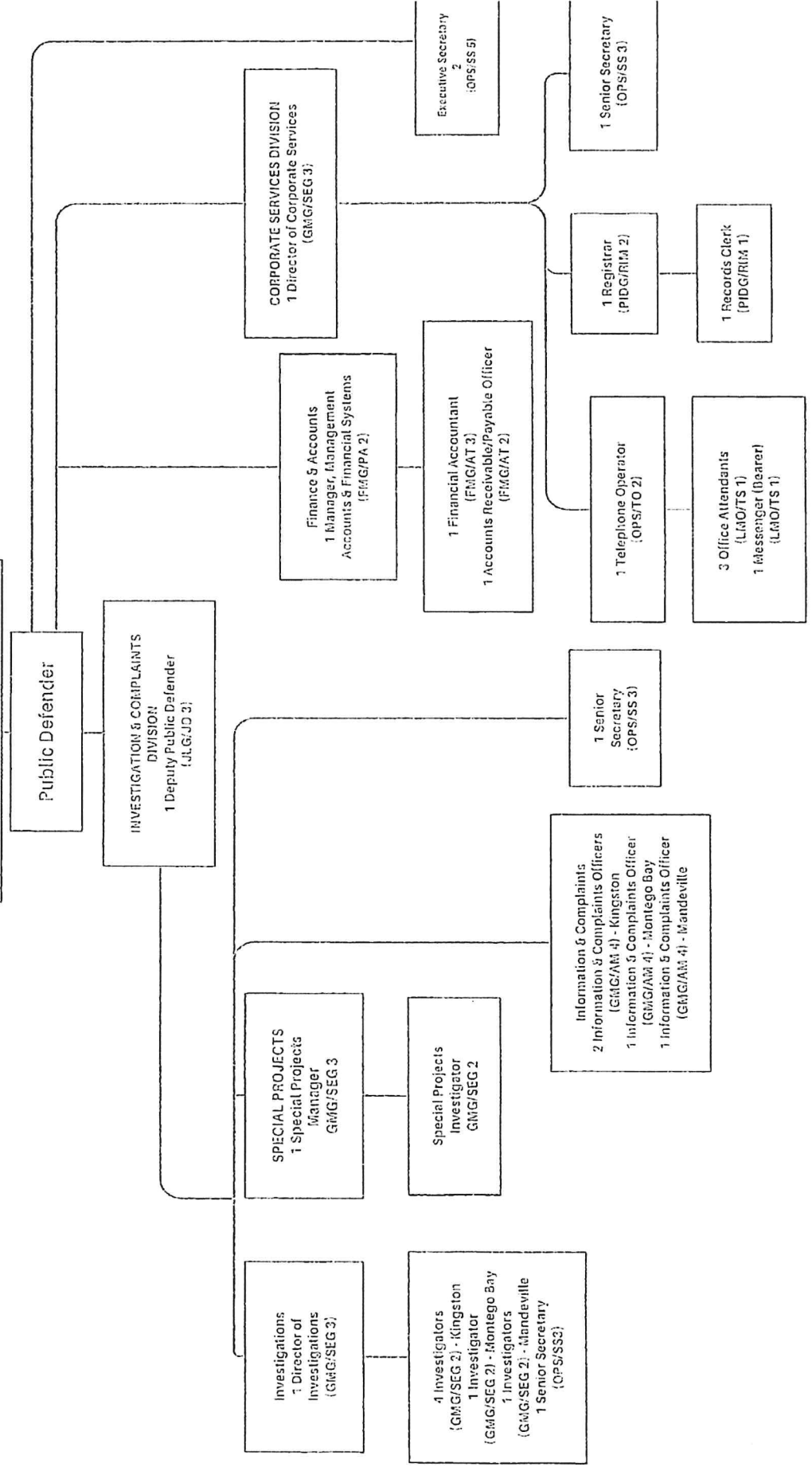


OFFICE OF THE PUBLIC DEFENDER

Organizational Structure

June 2022 - December 2023

Public Defender Commission



Office of the Public Defender

We are:

An independent Commission of Parliament that investigates public complaints about services provided by public bodies and breaches of Constitutional rights.

These public bodies include government ministries, departments or agencies of government; parish councils (Municipal Corporations) or the KSAMC; statutory bodies or authorities; companies registered under the companies Act in which the Government holds not less than 51% of the ordinary shares.

ABOUT OUR OFFICE

Who is the Public Defender?



The current Public Defender is **Carolyn Reid Cameron, KC, NP**, appointed in September 2022.

The Institution of the Public Defender

The Office traces its roots to the Ombudsman Act of 1978, which created Jamaica's first Parliamentary Ombudsman to investigate complaints of maladministration by ministries, departments, and statutory authorities.

In 1999, Parliament enacted the Public Defender (Interim) Act, which came into force on April 16, 2000, repealing the Ombudsman Act and formally establishing the Office of the Public Defender.

The Public Defender is appointed to investigate complaints from citizens who believe they have suffered maladministration, unfair treatment, or breaches of their constitutional rights by public authorities. As a Commission of Parliament, the Office is independent of government and political parties, and is accountable only to Parliament.

Our mandate is to promote fairness, accountability, and transparency in the public sector by investigating complaints and, where possible, resolving matters within

our jurisdiction. Importantly, the Act requires that all complaints to the Office are treated with strict confidentiality, and investigations are conducted in private.

Role

The Public Defender serves as an independent and impartial investigator of complaints brought by individuals who believe they have been unfairly treated by public authorities or providers of public services.

For the purposes of the Act, a public authority includes:

- Ministries, departments, or agencies of Government
- Parish Councils and the Kingston & St. Andrew Municipal Corporation (KSAMC)
- Statutory bodies or authorities
- Companies incorporated under the Companies Act in which the Government holds at least 51% of the ordinary shares

The Office exists to safeguard citizens against potential abuse, negligence, or unfairness arising from the workings of public administration. Its services are free of charge and available to any member of the public who cannot otherwise secure redress for grievances with government or public sector bodies.

After conducting investigations, the Public Defender may issue recommendations, seek corrective action, or where appropriate, help facilitate resolution of the matter. In certain circumstances, the Office may also provide financial support, in whole or in part, for constitutional matters pursued through the courts.

Guided by the principles of natural justice, the Constitution of Jamaica, and other laws, the Public Defender's mandate is to ensure that citizens are protected from administrative injustice and constitutional breaches, and that government authorities remain accountable in the exercise of their powers.

OUR ACTIVITIES

Staff Training

For the first time since its establishment, the Office of the Public Defender hosted both a Management Retreat and a Staff Retreat. The management team was introduced to modern approaches in leadership and organizational practices, while staff members participated in a series of seminars focused on human resource development and workplace relations, guided by external consultants. These sessions fostered greater cohesion across the Office and strengthened the team's shared understanding of the goals to be achieved.

In addition, staff training was undertaken throughout the year in several key areas, including:

- Corruption prevention
- Human resource development
- Financial management
- Records and Information Management (RIM)
- Grief counselling
- Occupational safety and health

An Impactful Year

Despite the challenges, we remained steadfast in delivering compassionate and impactful service throughout the year, as reflected in the stories and statistics presented in this report. Between January 1 and December 31, 2023, the Office received 419 complaints. Of this amount 265 were treated as advisories i.e. matters not escalated to full fledged investigations, but were nonetheless addressed. While a significant portion of these were enquiries, the vast majority were resolved within a week and without the need for formal investigation. At every stage, our

priority has been, and continues to be, assisting vulnerable individuals as they navigate difficult or unfair systems.

Special Investigations

Significant progress was also made on two complex environmental impact investigations. The first concerns a complaint from residents who lost land due to the effects of natural elements arising from a government project in the Kingston and St. Andrew area. The second involves an incomplete housing development in Clarendon, which has led to severe flooding and prevented residents from accessing their land. Both matters remain under active investigation, and we look forward to bringing them to completion in the coming months.

Data Protection

With the implementation of the Data Protection Act, it became necessary for the Office of the Public Defender to align its operations with the new legal framework to ensure we can continue serving the people of Jamaica effectively. We began this process by taking steps toward full compliance in 2024, marked by our registration with the Office of the Information Commissioner (OIC). To this end, a Consultant was engaged to review our operations and guide the registration process, which is currently underway.

Office Location

The Disabilities Act, which came into full effect on February 14, 2022, after its passage in 2014 and the affirmation of the accompanying Regulations in 2021, required the Office to make significant adjustments to our physical facilities. In particular, it necessitated changes to the locations of both our Western Regional Office and our Head Office in Kingston. These relocations are essential to ensuring that we can better serve all citizens of Jamaica, including persons with physical challenges, while upholding their human rights and preserving their dignity.

A new site for the Western Regional Office has been identified at Harbour City Mall, and for the Kingston office at the City Centre Building (UDC), Ocean Boulevard, Kingston Mall. We have begun the process of securing funding to retrofit these spaces to meet the needs of both the Office and our complainants. We remain

optimistic and look forward to 2024 with the hope of settling into our new, fully compliant offices.

Staff Expansion/Organizational Structural Change

There remains a pressing need for additional staff to enhance the efficiency and effectiveness of the Office. Increasingly, the matters brought before us carry a strong legal dimension and require dedicated legal expertise, underscoring the need for Legal Officers. In addition, compliance with the Financial Administration and Audit Act requires the presentation of audited Appropriation Accounts, creating a clear need for an Internal Auditor.

Beyond these, the evolving business environment has highlighted the necessity for posts such as:

- Information Technology Officer
- Procurement Officer
- Strategic Planning Director
- Data Protection Officer
- Public Relations Officer
- Driver

These positions represent only a portion of the roles needed to strengthen the organization, and their addition would inevitably reshape our organizational chart. We have already taken the first steps by applying for four new posts, and while the process is ongoing, we remain committed — and optimistic — about building the capacity required to better serve the people of Jamaica.

Submissions to Government

Each year, the Office seizes opportunities to provide commentary on proposed legislative changes and other issues that impact the lives of Jamaicans. This is a lesser-known but important aspect of the Public Defender's mandate. During the year, we made submissions to Government on three pieces of legislation, including proposals related to the enforcement of mandatory minimum sentences for both children and adults. Acts included the Criminal Justice (Administration) (Amendment) Act, the Child Care and Protection Act, and the Offences Act. We

remain committed to engaging in these processes and making ourselves available to contribute to the development of laws and policies that affect the rights of citizens.

Pensions

Our ongoing Memorandum of Understanding with the Accountant General's Department facilitated continued engagement with pensioners across the island. In 2023, we visited approximately 1,200 pensioners. In addition, there was a notable increase in pension-related matters brought to our attention through the usual channels. Of the 15 additional cases received, each was resolved within an average turnaround time of three months (90 days), reflecting our commitment to efficiency and timely redress.

Children and Youth

We continued our outreach to young people and adults, many of whom are still unaware of the role of the Office of the Public Defender. Our staff remain actively engaged in educating children about their rights and guiding service providers on best practices. In 2023, we conducted approximately 30 outreach sessions in schools across Jamaica.

As part of our commitment to training and capacity building, we accepted interns from the Norman Manley Law School and the Department of Government, University of the West Indies, to assist in reducing backlog while enriching their professional development. We also partnered with HEART/NSTA Trust, facilitating internships that help prepare young people to become responsible adults making meaningful contributions to society.

Language Services

The Office experienced an increase in visits from Spanish-speaking complainants, particularly Cuban nationals. To respond effectively, we relied on one of our team members fluent in Spanish and subsequently launched an initiative to strengthen bilingual capacity across the Office. Through collaboration with the Ministry of Foreign Affairs and Foreign Trade, staff members were enrolled in a Spanish

language programme. This initiative is ongoing, with some staff having already completed training, while others continue the process.

We also introduced Sign Language classes, with the goal of establishing a sustainable programme that ensures accessibility for the hearing-impaired community.

Unfit to Plead

Mental health and fitness to plead remained a priority area for the Office. These cases involve individuals accused of criminal offences who, due to mental disorders, were deemed unfit to plead and subsequently confined to correctional facilities or police lock-ups. Many of these individuals remained in custody for years without trial, pending “some change” in their condition.

Through the Commission’s interventions, investigations were conducted to locate relatives or loved ones willing to assist in facilitating court-ordered releases. One notable success occurred in Portland, where we identified the mother and brother of a 41-year-old man diagnosed with schizophrenia and charged with Assault Occasioning Bodily Harm. With further investigation, we secured placement for him at a local non-governmental rehabilitation centre, providing structured medical care and rehabilitation. This allowed the Court to order his release from custody, enabling him to transition to a supportive environment.

Other cases are ongoing. In partnership with the Legal Aid Council, investigations continue to locate relatives or suitable facilities for persons similarly deemed unfit to plead. Several such cases are currently before the courts awaiting final determination.

COMPLAINTS AND INVESTIGATIONS

Investigations

In 2023, the Office received a total of 154 complaints. A detailed breakdown of these matters by authority (against which complaints were made), geographical origin, gender, and other social factors is provided in Appendix 1. During the year, 46 files were closed.

Consultations and Non-investigatory Interventions

Between January and December 2023, the Office handled 265 advisories — matters resolved without the need for full investigations or written reports. While some required several days to resolve, the majority were settled efficiently through consultation and guidance. Combined with formal investigations, the OPD addressed 311 matters in 2023.

COURT, TRIBUNALS, AND COMMITTEES ATTENDED

The OPD continued to engage with matters before the courts and tribunals, particularly those concerning the rights of citizens. Notable involvement included:

- a) **Unfit to Plead** – Continued participation in proceedings to secure the discharge of individuals remanded due to unfitness to plead.
- b) **Displaced Sugar Workers** – Ongoing support for former sugar workers in eastern St. Thomas pursuing claims of negligence and cattle trespass. These matters remain before the **St. Thomas Parish Court**.

(a) Court of Appeal

In 2023, there were no matters before the Court of Appeal falling within the OPD's statutory remit.

(b) Supreme Court

- i. The OPD supported two major constitutional matters involving the Charter of Fundamental Rights and Freedoms, specifically the right to a healthy and productive environment free from injury or ecological degradation. Both cases arose from licences granted for bauxite mining in the Cockpit Country and Dry Harbour Mountain, areas designated as "Protected Areas." Determinations in these matters will have far-reaching implications for constitutional and environmental law.
- ii. The OPD was pleased to celebrate the admission of Mr. Victor Hemmings, Special Projects Manager, to the Bar on 19 December

2023, following completion of his Certificate of Legal Education at the Norman Manley Law School.

(c) Parish Court

- i. The OPD continued its support for litigation filed by Bluefields residents challenging their exclusion from Bluefields Beach, before the Westmoreland Parish Court at Savanna-la-mar. The matter was resolved in the Courts - with evidence demonstrating that there was no bar to access.
- ii. The cattle trespass cases which were filed in the St. Thomas Parish Court on behalf of displaced former sugar estate workers from Eastern St. Thomas, continued to meander through the court.

Parliamentary Committees

- (a) The Public Defender appeared before the Internal & External Affairs Committee of Parliament to discuss, among other things, matters related to national security and the administration of justice.
- (b) Later in the year, the Public Defender appeared before the Joint Select Committee of Parliament to make submissions on three Bills. The Bills contained the proposed amendments to, the Criminal Justice (Administration) Act; the Offences Against the Person Act; and the Child Care and Protection Act.

Internal Hearings and Meetings

- (a) In the exercise of the powers vested in her by virtue of section 17 the Public Defender (Interim) Act, the Public Defender issued summonses for heads of, or other principal actors in State entities, for the purpose of holding hearings as part of her investigations into complaints against those State entities which failed to produce documents/materials requested, or which otherwise refused or fail to respond to the OPD.
- (b) Below are the principal actors and their entities, in respect of whom the Public Defender was constrained to issue summonses and conduct hearings during Calendar Year 2023:

- (i) the Registrar of the Pharmacy Council of Jamaica in the wake of a complaint by Dr. Dionne Harris-Saunders, an employee of the said Council.
- (ii) CEO of the Cannabis Licensing Authority in relation to a complaint by Ms. Faith Graham, an employee of the said Authority.
- (iii) the Director General of ODPEM, based on multiple complaints made by residents of Harbour View who continued to suffer serious property damage with each significant rainfall in the area.

OTHER ACTIVITIES

(a) *Outreach Programmes*

Below is a list of some of the events in which the OPD participated in 2023--

- (i) Norman Manley Law School Legal Aid Clinic Annual Fair in collaboration with the Legal Aid Council, at 18 Gibraltar Hall Road, at Mona Campus, UWI, on 12th January.
- (ii) Legal Aid Justice Fair on 27th February, at 4-6 Park Crescent, in Mandeville, Manchester.
- (iii) Careers Day at Sanbury Primary School in Clarendon on 9th February. (The Central Regional Office executed this assignment.)
- (iv) The Hanover 4-H Parish Achievement Expo at Hopewell High School on the 31st March. (This assignment was handled by the Western Regional office).
- (v) During the month of May, designated *Child's Month*, representatives of the OPD visited and participated in activities in schools all over the Island.
- (vi) The OPD accepted an invitation to participate in the Legal Fair staged by Jamaica Aids Support for Life (JASL) at the Transport Centre in Halfway Tree.

- (vii) The OPD, on invitation, took part in the Administrator General Department's Road Shows, themed *Securing Your Legacy*. This first fair was in June, and the second was held in November.
- (viii) Representatives from the OPD delivered a presentation in Westmoreland, to JPs and community leaders, on their roles with respect to children and parents. The presentation was done on Saturday 22nd July at the Methodist Church in Savannah-La-Mar.
- (ix) The SDC "Social Fair" at the Neville Antonio Park in Port Antonio, Portland on 28th July.
- (x) On Saturday 28th August the OPD delivered a presentation at the Church of the Nazarene 50th Anniversary Celebratory Health Fair. This event was at March Pen Road in Spanish Town.
- (xi) The 4-H Club Annual Stew Festival held at Lauriston, in Spanish town, St. Catherine on the 4th of November.
- (xii) As part of International Human Rights Day activities, the OPD on Sunday, December 10th attended a Church Service at the Webster Memorial Church in celebration of IHR Day. The OPD on the 11th December, hosted a Panel Discussion at the UWI Regional Headquarters in Mona.

(b) ***External Meetings***

- (i) Multiple meetings of the team from the OPD and the team from the Accountant General's Department, for discussion of matters in the ongoing collaborative Pension Verification Project.
- (ii) Meetings with representatives of the technical elements engaged by the OPD in activities preparatory to the inking of the contract for the acquisition by lease, and renovation of a section of the 5th Floor, Office Centre Building, Ocean Boulevard on several site visits (before and after the signing of the contract) were carried out during the year.
- (iii) Meeting with Mr. Norman Harris, Geologist/Engineer, in relation to the Harbour View matter.

- (iv) A meeting with evaluation specialists Mr. Damion Grant and Ms. Janeen Marshall from the Ministry of National Security for the Ministry's assessment of the implementation of the Law Reform (Fraudulent Transaction) (Special Measures) Act; commonly called the *Lottery Scamming Act*.
- (v) The OPD met with the Eastern St. Thomas displaced farmers in Golden Grove to update them on their civil claims in the Parish Court.
- (vi) The OPD was represented (via ZOOM) the Human Rights Stakeholders Consultation for the National Action Plan under the Open Government Partnership (OGP).
- (vii) Meetings with representatives of entities which responded to OPD invitation for bids to provide services to the OPD for the Office to fulfill the obligations under the Data Protection Act.
- (viii) The Public Defender met with the Commissioner of Police in a courtesy call on the latter.
- (ix) A meeting was held with representatives from the JCF Protective Services Division to assess the threat level with respect to the Public Defender for the purpose of determining whether a Close Protection Officer is to be assigned to her.
- (x) At her request the Public Defender met with attorney-at-law, Ms. Melane Alleyne the founder of Freedom Imaginaries, an NGO Human Rights entity. The meeting was to discuss the approach to be taken in response to the treatment of Haitian Refugees arriving on the shores of Jamaica.

(c) Mass Media Outreach

- (i) The OPD-sponsored 15-minute weekly radio program titled "*Constitutionally Speaking*" continued throughout 2023. It was aired live on Thursdays at 9:15 am on Bridge 99.1 FM.
- (ii) Representatives for the OPD appeared as guests on various radio programmes during several of the outreach events in which the Office participated during the year.

DECISIONS/EVENTS IMPACTING RIGHTS

With the rising tide of crime, and in particular murder, the Government declared States of Emergency (SoEs) on seven different occasions in 2023. On most occasions, the State of Emergency was declared in respect of more than one geographical area. A list of the dates on which states of emergency were declared, and the areas covered, is set out hereunder

- (a) On 14th February, for-
Clarendon
St. Ann, and
West Kingston
- (b) On 14th March, for-
Clarendon, and
St. James
- (c) On 16th May, for -
St. James
Hanover, and
Clarendon
- (d) On 22nd June, for -
St. James, and
Westmoreland
- (e) On 8th November, for the entire parish of St. James
- (f) On 23 November, for-
St. James
St. Catherine
Clarendon, and
Hanover
- (g) On 8th December, for-
St. James
Hanover
Westmoreland
Clarendon
St. Catherine, and
St. Andrew South Division

Unlike States of Emergency in previous years, the OPD did not receive a deluge of complaints from persons detained by the security forces in these SoEs in 2023. Arguably, this may have been attributable to (a) the fact that the SoEs did not get

the support of the Parliamentary Opposition for extensions beyond the initial Two (2) weeks period, as required by law. Hence, they were short-lived; and (b) the amendment to the Emergency Powers Regulations, which gave the detainee the right to take his case to the Emergency Powers Regulations Tribunal (EPRT), as soon as he/she has been detained.

The seven (7) ZoSOs in force at the end of 2022 remained in place during 2023. In chronological order of their declaration, they were:

- (a) Mount Salem (in St. James)
- (b) Denham Town
- (c) Greenwich Town
- (d) August Town
- (e) Norwood (in St. James)
- (f) Parade gardens (in central Kingston) and
- (g) Savannah-La-Mar (Westmoreland)

May 2023 saw the commencement of litigation on the Constitutional platform as we caused to be initiated and lent our support to OS2, a citizen who was unlawfully detained under the State of Emergency (see Appendix V).

FINANCIAL MATTERS FOR FINANCIAL YEAR 2023/2024

The original total Recurrent and Statutory Budgetary Provision for the Financial Year April 2023 - March 2024 was \$397,925,000.00. This was revised to reflect a total of \$383,345,000.00.

STATUTORY

The original Statutory Budgetary Provision for the Financial Year was \$22,886,000.00. An increase of \$25,391,000.00 and \$4,759,000.00 were approved in the Second and Third Estimates of Expenditure to cover retroactive salaries, and salaries in lieu of vacation leave for the former Public Defender, as well as salary for the new Public Defender for the remaining financial year. The budgetary allocation was reduced by way of the Fourth Supplementary Estimates, a total of \$7,957,000.00. The Revised Budget was therefore \$45,079,000.00.

Original Budget	Second Supplementary	Third Supplementary	Fourth Supplementary	Revised Budget	Expenditure	Savings
(M\$)	(M\$)	(M\$)	(M\$)	(M\$)	(M\$)	(M\$)

22,886	25,391	4,759	(7,957)	45,079	33,080	11,999
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Savings resulted from expenditure being less than projected in relation to retroactive salary payments and salaries in lieu of vacation leave for the Former Public Defender.

RECURRENT

The original Recurrent Budgetary Provision for the Financial Year 2023/2024 was \$375,039,000.00. This was reduced by \$40,800,000.00 in the Third and \$40,608,000.00 in the Fourth Supplementary Estimates of Expenditure. The Revised Budget was \$338,266,000.00.

Original Budget	Second Supplementary	Third Supplementary	Fourth Supplementary	Revised Budget	Expenditure	Savings
(M\$)	(M\$)	(M\$)	(M\$)	(M\$)	(M\$)	(M\$)
375,039	44,635	(40,800)	(40,608)	338,266	277,323	60,943

Savings were mainly due to vacancies which existed during the year. Requests were also made for the establishment of new positions which were not yet approved, also there were amounts remaining in respect of retroactive salaries which was projected to be paid to the Deputy Public Defender as well as an over projection of gratuity amounts payable and salaries in lieu of vacation leave.

CONCLUSION

It is with cautious optimism that my colleagues and I say goodbye to 2023. Having come into office September 1, 2022, it was necessary to bring change. We managed to achieve some changes and are on the path to achieving others.

APPENDIX 1

**OFFICE OF THE PUBLIC DEFENDER
CALANDER YEAR 2023**

COMPLAINTS HANDLED BY THE OFFICE OF THE PUBLIC DEFENDER

2000 - 2023

Particulars	Figures	Total
Number of complaints received from 2000 – 2022 including prior years	14,510	
Number of complaints received in 2023	154	
Total number of complaints received from 2000 – 2023 including prior years		14,664
Number of complaints closed from 2000 – 2022	10,031	
Number of complaints closed in 2023	46	
Total number of complaints closed from 2000 - 2023 including prior years		10,077
Number of complaints pending as of 2022	4479	
Number of complaints pending for 2023 only	108	
Total number of Complaints pending as of 2023	4587	
Total Non-Investigatory and Consultation Cases for 2023	265	
Total Number of Cases Closed for 2023 including Consultations.		311

APPENDIX II

Complaints Summary Report – 2023

This report categorizes the number and nature of complaints received in the year 2023 based on documented submissions to various Ministries, Departments, and Agencies.

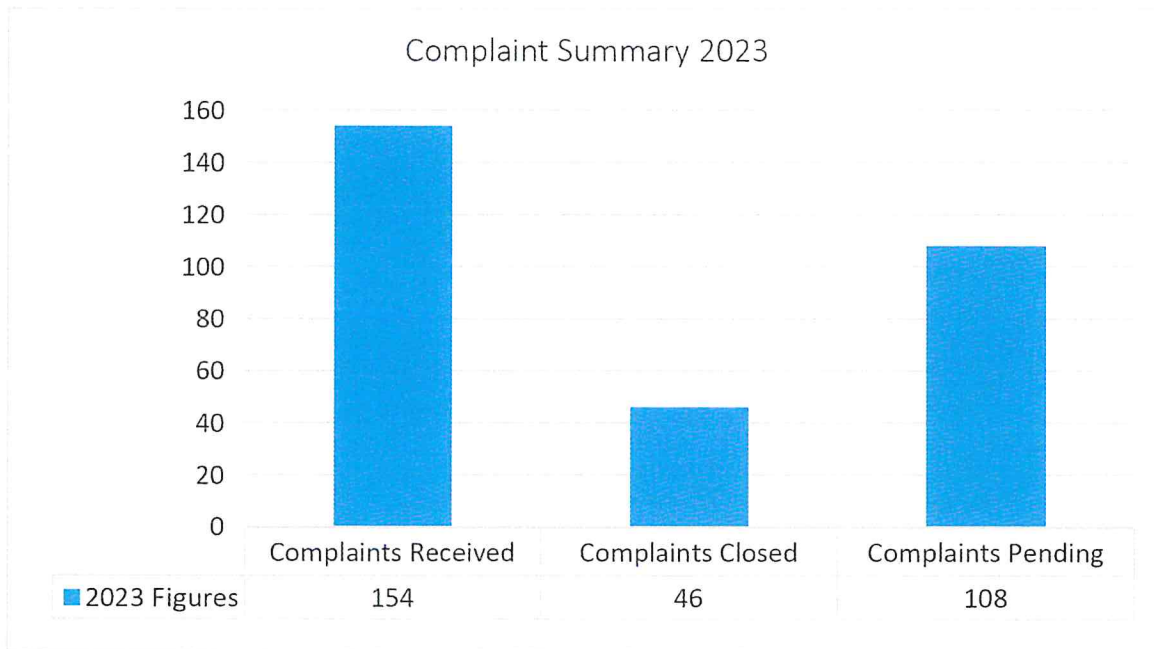
CATEGORY	NUMBER	DESCRIPTION
Pension & Retirement Benefits	37	Delays, denial, or confusion around pensions, NIS, widow/orphan benefits.
Police Misconduct / Abuse (JCF)	30	Excessive force, harassment, unlawful detention, loss of property.
Employment Grievances / Work Conditions	21	Harassment, unfair dismissal, unpaid salaries, unsafe conditions, contractual disputes.
Utility Complaints (mainly NWC)	11	High water bills, faulty meters, unresolved leaks, sewage issues.
Education-Related Issues	10	Disputes with school administrations, pension disputes, abuse claims.
Housing & Land Matters	8	Land title issues, evictions, building access disputes, sewer connectivity problems.

Municipal/Local Government Issues	12	Problems with market stalls, drainage/flooding, city property seizures, poor roadwork.
Health Sector Complaints	10	Medical negligence, pension problems, wrongful dismissal from hospitals or clinics.
Public Safety / Accidents / Compensation	6	Injuries, accidents involving public agencies or infrastructure, compensation delays.
Student Loan & Financial Disputes	2	Disputes with SLB or financial mismanagement.
Citizenship / Immigration Issues	2	Complaints involving PICA, passport, or denied application.
Other / Miscellaneous	5	Issues like defamation, broadcasting complaints, community access denial.
TOTAL COMPLAINTS	154	

ADVISORIES

TOTAL	265
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N.B. An "Advisory or Advisories " is guidance, advice or a recommendation offered to help someone make a decision, as such it does not warrant the creation of a file, like a formal complaint, as the time spent on these matters is usually less than 30 minutes.

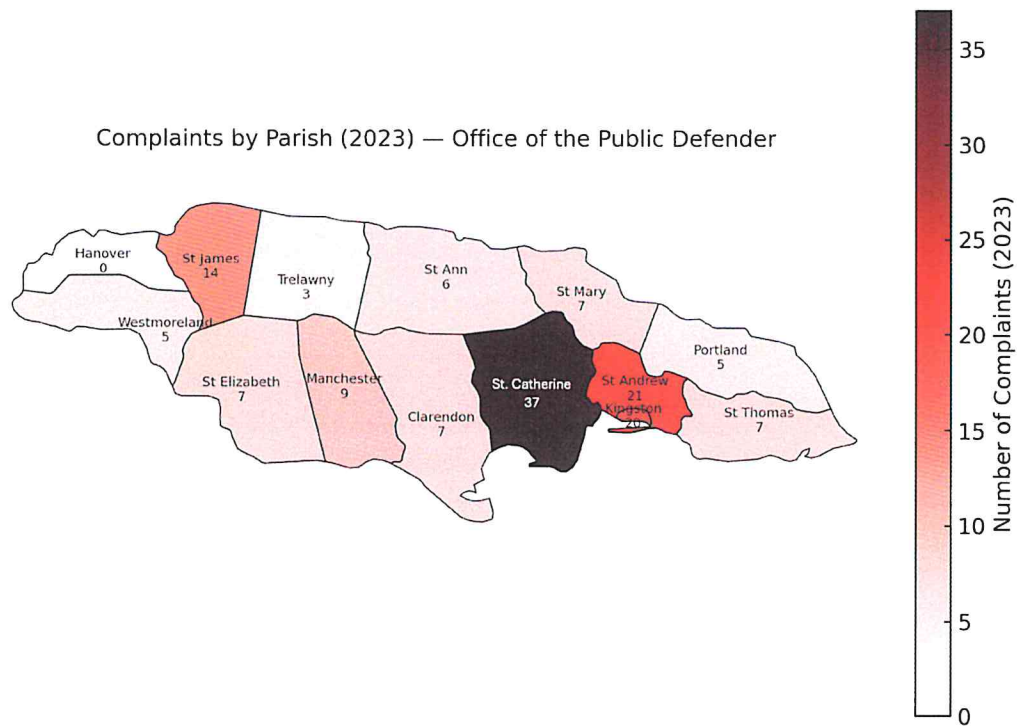


APPENDIX III

GEOGRAPHICAL ORIGINS OF COMPLAINTS

<i>PARISH/COUNTRIES</i>	
Hanover	0
Westmoreland	5
St. James	14
Trelawny	3
St. Elizabeth	7
St. Catherine	37
St. Mary	7
St. Ann	6
Manchester	9
Clarendon	7

Kingston & St. Andrew	41
Portland	5
St. Thomas	7
USA	5
Canada	1
<i>Grand Total</i>	<i>154</i>



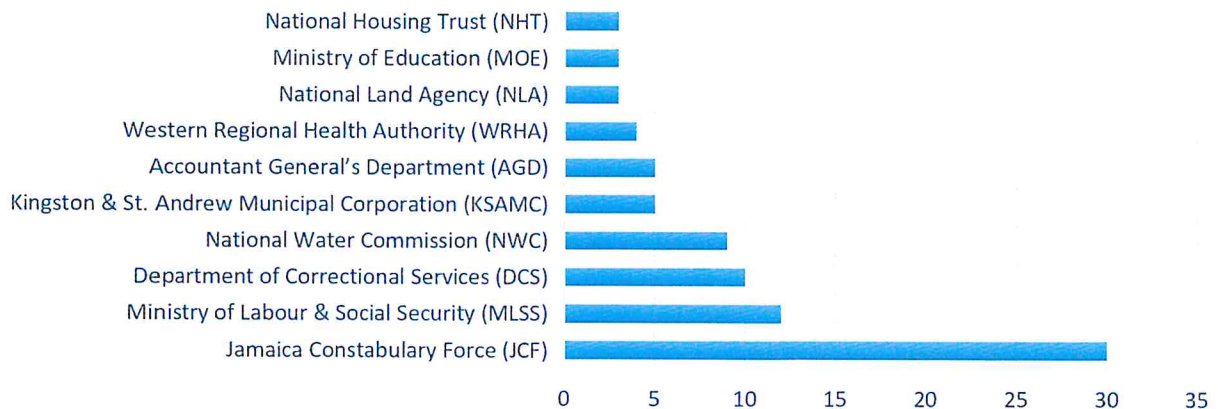
APPENDIX IV

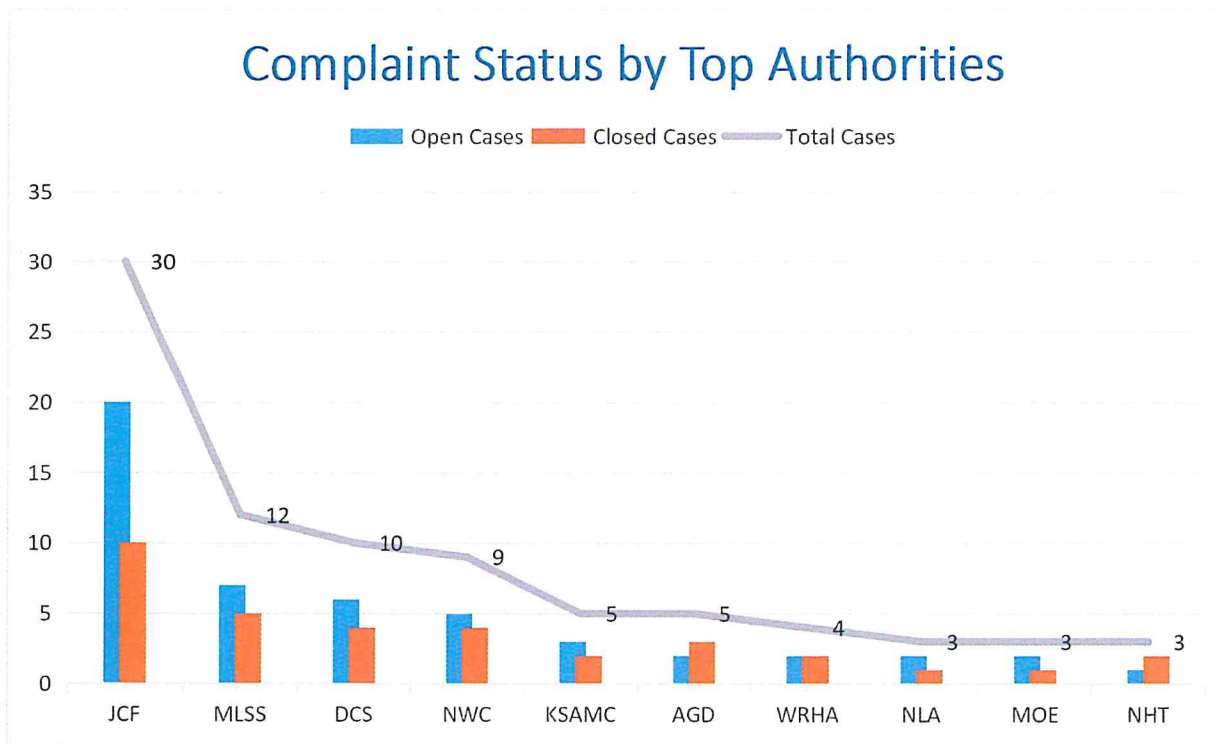
AGENCIES/MINISTRIES COMPLAINED **AGAINST**

Housing Agency of Jamaica	1
Port Maria Hospital	1
National Solid Waste Management Authority (NSWMA)	2
National Land Agency	4
Attorney-General's Department (AGD)	1
NON-Authority	2
The Accountant General's Department (AGD)	5
Jamaica Bauxite Institute	1
Government of Jamaica	1
Ministry of Local Government	2
Petroleum Corporation of Jamaica (Ministry of Science, Energy & Technology)	1
Rural Agricultural Development Authority	1
Ministry of Health	3
Ministry of Justice	2
Court Administration Division	1
Jamaica Constabulary Force	30
Department Of Correctional Services	10
Kingston and St.Andrew Municipal Corporation	6
National Housing Trust	3
Ministry of Education	4
St. Andrew High School for Girls	1
Ministry of Finance	5
Ministry of Labour and Social Security	18
Office of Disaster Preparedness and Emergency Management	1
National Water Commission	11
Ministry of Economic Growth and Job Creation	1
Nationwide News Network	1
Pharmacy Council of Jamaica	1
Passport, Immigration and Citizenship Agency	1
Portmore Community College	1

Children Services Division	2
St. Ann Municipal Corporation	1
Ministry of National Security	5
Trelawny Municipal Corporation	1
Ministry of Housing	1
Manchester Municipal Corporation	3
National Works Agency	1
Portmore Municipal Corporation	1
University Hospital of the West Indies	1
Negril Green Island Local Planning Authority	1
Milk River Hotel	1
Ascot Primary School	1
Jamaica Urban Transit Company	2
Students' Loan Bureau	1
The Cedar Grove Academy	1
Wolmer's Boys' School	1
St. James Municipal Corporation	1
Western Regional Health Authority	4
Administrator-General's Department	2
South East Regional Health Authority	1
<u>TOTAL</u>	<u>154</u>

Top 10 Authorities Complained Against Number





APPENDIX V

CASE SUMMARIES

LD – STA

The complainant reported that he had applied for his National Insurance Benefit more than a year prior but had not received any payments. Upon visiting the NIS Office in St. Ann’s Bay, he was informed that his file had been sent to Kingston over five months earlier. After receiving no further updates, he felt he was being given the run-around and sought the intervention of the OPD.

Following an investigation, the OPD located the file at the Head Office in Kingston and requested that the matter be expedited. Shortly thereafter, the Office was advised that processing had been completed and arrears of over \$400,000 had been prepared for deposit into the complainant’s account. Within a week, the

complainant confirmed receipt of the payment and expressed his gratitude for the OPD's assistance.

OS1

The complainant alleged that his pension calculation was incorrect, claiming that his tenure at the Trelawny Municipal Corporation exceeded 40 years, yet his pension had been calculated based on a much shorter period.

The OPD investigated and carefully reviewed his employment history in the public service. The findings confirmed that he had already been fully compensated for the years served prior to his final 17½ years, from which he retired. His pension entitlement was therefore accurate, reflecting his service in the final post.

JS

In May 2021, the complainant lodged a case against the Kingston and St. Andrew Municipal Corporation (KSAMC), stating that upon retirement, he/she had not been paid a gratuity.

The OPD's investigation revealed that the processing of the separation award had been submitted to the Ministry of Local Government & Rural Development and subsequently forwarded to the Ministry of Finance and the Public Service for approval. In June 2022, the OPD was advised that the payment had been approved. The complainant later confirmed by telephone that the gratuity was received.

Bluefields Beach Matter - Beach Access

In late 2021 some concerned residents of Bluefield, Westmoreland contacted the Public Defender to enlist the support of the office, in their quest for access to the Bluefields Public Beach. The beach was one to which the residents of Bluefields, and other members of the public have had access for many years.

The denial of access had come about, by a private entity which acquired property contiguous to the beach. The property was acquired from the UDC. The entity set

up barriers in the areas over which it claimed proprietor rights. These barriers effectively blocked the public access.

At the time the residents contacted the OPD, they were already in deep dialogue with the UDC, but apparently discussions had hit a snag. The resulting impasse was reportedly due to the proprietor's refusal to entertain any possibility of yielding any access through or near its property.

The citizens sought legal counsel, and asked the PD to assist in funding their intended litigation. The Public Defender obliged.

The matter was brought in the Parish Court at Savanna-la-mar in Westmoreland. Following attempts at mediation, and pursuant to a Court Order, the contending parties agreed to a Commissioned Land Surveyor for the purpose of determining boundaries. The OPD bore the cost of the Survey.

Ultimately, the Survey Report found that there was no evidence of any bar to access. That brought the matter to a conclusion with the mutual understanding of the parties concerned. In the circumstances, the court on 6th June 2023 entered judgement for the defendants with no order as to cost.

OS2

OS2's complaint to the Office of the Public Defender (OPD) arose out of his detention under the state of emergency in St. James in 2018. He was detained on two separate occasions under the State of Emergency in St. James in 2018, on April 23, and released April 24, 2018; and again, on September 29, 2018 and released November 7, 2018.

On both occasions he was detained in his community of Retrieve. He was never charged with any crime. OS2 suffered injury while in custody of the police during period of his 2nd detention

From the OPD's enquiry OS2's detention by security forces seemed to have been predicated on the belief that he knew the whereabouts of a wanted man called "*Preckae-boy*" and would not disclose it. Further, information received by the OPD, suggested that he may have also been detained because he shared the alis "*Soljie*" with another person, who was apparently on the police wanted list.

Additionally, at the time of his detention, he was employed as a Customer Care Representative at Cable & Wireless. His attorney at the time also provided information that he had been accepted as a student at Centennial College Progress Campus, in

Toronto Canada, to do Business Accounting course which was scheduled to commence January 7, 2019 (he was unable to take up his offer on his release)

Despite entreaties by the Public Defender the authorities were not prepared to make any compensation to OS2. The PD took the decision, pursuant to Section 15 (5) and (6), to facilitate the provision of legal representation for OS2, and fund the litigation in the Supreme Court.
