



OFFICE OF THE PUBLIC DEFENDER

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

2021

ANNUAL REPORT

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Ensuring Equality!
Upholding Justice for All!



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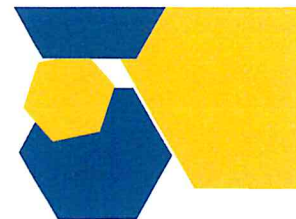
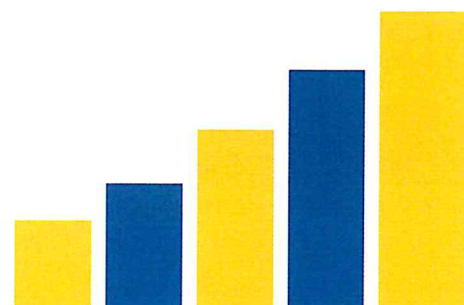


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ANNUAL REPORT – CALENDAR YEAR 2021

INTRODUCTION

1. This represents the twenty-first Annual Report in the history of the Office of the Public Defender (OPD), submitted for presentation to the Parliament of Jamaica. This Report outlines the organization's core functions, and the activities conducted during the period **January 1, 2021, to December 31, 2021.**
2. The OPD endeavored to be more efficient in the delivery of service to complainants and citizens and to be more accessible to all. The organization hosted the official opening of our Central Regional Office, which is situated at Shop G10 Annex Plaza, 7 Caledonia Road, Mandeville, Manchester, on International Human Rights Day, December 10, 2021.
3. Sincere thanks and commendations are extended to our valued and sincere stakeholders and the highly committed staff appointed by the Public Defender. The Office is therefore proud to say that it remains *"a voice of the voiceless...to loose the chains of injustice"*.
4. The OPD entered calendar year 2021 still in the throes of the pandemic, which was declared from early the previous year. As was the case with most organizations, the OPD had started to become acclimatized to the use of electronic conference software for its meetings and conferences. It was the year in which the country had States of Emergency (SoE) in seven Police Divisions simultaneously.
5. Allied to States of Emergency were the continued restrictions on movement created by the implementation of COVID-19 prevention measures under the Disaster Risk Management Act (DRMA). Prevention measures included lock-downs and curfews at various times. These measures intensified between August and September when infection rates, based upon the Ministry of Health's statistics, were increasing exponentially.
6. Despite the limitations and restrictions caused by the combined effect of SoEs and COVID-19 prevention measures imposed by Orders promulgated under the DRMA, the OPD continued its engagement in investigations, consistent with its statutory mandate. One of the most notable investigations undertaken in the period was that of the case of *Nzinga King*. This was a case in Clarendon in which a young Rastafarian woman was unlawfully shorn of her locks whilst in police custody. The case

had its genesis in the arresting of the young woman for alleged breaches of regulations under the DRMA. The case attracted national and international attention. The OPD's report ultimately came in 2022, and the conclusions contradicted that of the sister Commission of Parliament, INDECOM.

7. Despite all that was said and done, the single most poignant event for the OPD in year 2021, was the murder of staff member Mr. Philemon Wynter, at his home in St. Ann, in the early morning of Tuesday 23rd March. At the time of his death, Mr. Wynter was the Information & Complaints Officer at the Western Regional Office in Montego Bay.

8. Mr. Wynter was eventually buried on Thursday 4th November 2021. Up to the time of the compilation of this report, there has been no break-through in the police's investigation.

COMPLAINTS AND INVESTIGATIONS

Investigations

9. A total of **287** complaints requiring full investigations were received in calendar year 2021. Of this amount, **84** were completed and the respective files closed; thus leaving **203**, which were carried over into calendar year 2022. A detailed breakdown of complaints received, investigated and closed, along with those carried over from previous years, is attached at *Appendix 1*. Included in the breakdown is a disaggregation of cases for 2021, by: (a) the Authorities complained against; (b) geographical area of origin; and (b) by gender.

10. For completeness, a sample of cases which were completed during the year have been selected and highlighted at *Appendix 2*.

Consultations and Non-investigatory Interventions (i.e. Advisories)

11. There were **331** non-investigatory interventions by the investigating and complaint staff. These included consultations; quick-resolved matters, and advice and guidance given to walk-in complainants with a myriad of issues.

COURT, TRIBUNALS, AND COMMITTEES ATTENDED

12. There were a number of cases in 2021 touching and concerning the infringement of rights, in which the Public Defender maintained an interest, or was otherwise directly or indirectly involved. Those cases included some which ended up before various courts and tribunals.

Supreme Court

13. The case in which bauxite mining in the Cockpit Country was challenged by the South Trelawny Environment Association, and that involving the Dry Harbour Mountain in Rio Bueno, were two such cases in the Supreme Court. Both commenced in the month of February. Up to the end of 2021, both were still actively meandering through the Supreme Court.

14. Up to 2021, residents of West Kingston, and Tivoli Gardens in particular, were still visiting the OPD about claims which arose out of the May 2010 joint-police military operations, launched to capture the then fugitive Christopher “Dudus” Coke, for the purpose of extradition to the USA.

15. By an Order from the Supreme Court served upon the OPD, the Office was requested to attend Court with a view to representing one Sean Cowell, who was being proceeded against by the Assets Recovery Agency. Mr. Cowell had previously been convicted in the Parish Court at Halfway Tree for offences under the Dangerous Drugs Act. He was held with a panel van loaded with a large quantity of ganja. The Assets Recovery Agency had invoked the provisions of the Proceeds of Crime Act against him.

16. After about two or three appearances by the Deputy Public Defender on behalf of the office, he applied to withdraw the OPD from the case, on the basis of the Defendant’s unwillingness to provide the Office with documents and instructions.

Parish Court

17. In early 2021, the OPD initiated proceedings in the St. Thomas Parish Court on behalf of farmers in Eastern St. Thomas, to receive compensation for damage caused to their farms by cattle which escaped from a nearby pasture. These cattle trespass cases started in the Parish Court at Morant Bay.

Like the cases in the Supreme Court, these Parish Court matters remain unresolved up to the end of the year.

18. Based upon a complaint from the Member of Parliament of the region in which Sligoville is located, the Public Defender and her team visited the Sligoville community for a meeting with the citizens. The vociferous complaint from the citizens was that during the preceding weekend, the police had come into the community, and unleashed fury of brutality. Law-abiding and innocent members of the community, according to the citizens, suffered injuries of varying severity, at the hands of the police. The MP said that the matter was reported to the Commissioner of Police and to INDECOM. The citizens were demanding redress. The Public Defender considered the matter and thereafter secured legal representation for the citizens to file claims in the Parish Court at Spanish Town. In due course the Government settled the claims.

19. Representatives of the OPD attended Parish Courts all over the Island, in a joint project with the Legal Aid Council, to have the Courts release from custody, persons who had spent years behind bars due to their unfitness to plead in criminal courts.

20. The OPD took the decision to represent a Complainant, Mr. John East, who reported what he regarded as unfairness in a case against him at the parish Court at Halfway Tree. It was a case of malicious destruction of property. The Deputy Public Defender did the appearances in court; and ultimately the matter was resolved after the court invited the parties to mediation.

21. The residents of Bluefields in Westmoreland complained to the Public Defender that the public beach at Bluefields was captured and fenced off by some private developer in the hospitality industry. After visits to the site by teams from the OPD, and meetings with the citizens, there were no signs of any likely amicable resolution. This triggered court proceedings in Westmoreland. In the result, a contingent from the office had had to attend Court at Savanna-la-mar. The matter continued throughout 2021, as it was being hotly contested by the entity which had seized sections of the beach.

22. In late 2021 the Public Defender was the named defendant in a case brought by the National Housing Trust (NHT) under the NHT Act, for failure to make returns on salary deductions. After some

months in the Parish Court at Sutton Street the OPD managed to update its filings and returns. Ultimately the summons was withdrawn.

Parliamentary Submissions

23. In February, the Public Defender was invited to make submissions to Parliament's Public Accounts and Appropriations Committee (PAAC) on the OPD's experience in the discharge of its functions in the atmosphere of the COVID-19 prevention measures imposed under the DRMA. This took place in February 2021.

24. In the following month, March 2021, the OPD appeared electronically, (via the ZOOM conference platform) before the Joint Select Committee of Parliament, following the OPD's written submissions on the then NIDS Bill. That Committee was chaired by the Minister of Justice, Mr. Delroy Chuck.

Internal Hearings

25. In the exercise of her statutory powers, the Public Defender conducted hearings into complaints under investigation. For some of the hearings, summonses were issued under section 17 of the Public Defender (Interim) Act, in order to secure the attendance of persons in authority, or persons whom the Public Defender deemed to be in possession of information and or documents crucial to the investigations.

26. These hearings were in respect of complaints lodged by the persons/entities listed hereunder, against the authorities indicated. In some of these investigations, site visits and on-site meetings were conducted by the Public Defender and her team of investigators.

27. The hearings were in complaints made by:-

(a) Citizens of Lances Bay, Cousins Cove in Hanover; against the National Works Agency (NWA).

(b) Ms. Ethlyn Douglas; against the St. Mary Municipal Council

- (c) Mr. Arnold Dennis; against the Administrative Manager of the HEART Trust/NTA.
- (d) Ms. Garwaine Johnson; against the NWC's Regional Customer Service Manager.
- (e) Eastwood Park Gardens Citizens Association; against the KSAMC.
- (f) Ms. Nzinga King against the JCF. Summonses were issued for officers of the Clarendon Police Division, from whom evidence on oath was taken.
- (g) Claremont Drive Citizens Association; against the NWA.
- (h) Residents of Frontier Housing Development; against the St. Mary Municipal Association.
- (i) Ms. Ruth Hendrick; against the Senior Medical Officer at Princess Margaret Hospital.
- (j) Hoteliers at Blue Lagoon, in San San, Portland; against the NWA.
- (k) Mr. Donovan Dawson; against the Creative Production & Training Centre (CPTC)
- (l) Major Derrick Ross; against the Jamaica Combined Cadet Force (JCCF). The summons was subsequently withdrawn when enquiries disclosed that Major Ross had made a material misrepresentation to the OPD.

28. In some of the above-mentioned cases, the hearing of the summonses were by electronic means, and in others, by face-to-face interaction.

OTHER ACTIVITIES

29. Other activities which called upon the OPD's time during the year, included outreach programmes, site visits, and media engagements.

(a) Outreach Programmes

- (i) Participation in Jamaica Aids Support for Life (JASL) anti-discrimination legislation discussions held at the Pegasus Hotel on the 29th January.
- (ii) The Public Defender herself took part in a joint National Family Planning Board (NFPB/OPD) interview with the Jamaica Information service (JIS) on the launch of a joint media campaign.
- (iii) The OPD accepted an invitation to participate in a symposium conducted electronically, commemorating the 134th birthday of the Right Honourable Marcus Mosiah Garvey, National Hero.

- (iv) Between September and October, the OPD participated in the series of Open Government Partnership Stakeholder Consultations on Justice and Human Rights. It was organized and conducted under the auspices of the Ministry of Justice.
- (vii) The Deputy Public Defender represented the Office at the Mona Law Public Lecture on International Administrative Law. The title of the presentation was *"The Role of International Law in the Governance of international Organizations"*. It was held electronically on the 21st October.

(b) External Meetings

- (i) As part of its investigations, the OPD was involved in several meetings with citizens and other complainants. With the country still in the throes of the COVID-19 pandemic, and all the attendant restrictions imposed, most of these meetings were by electronic means. Some however, were on location during site visits, particularly in cases where property rights were allegedly infringed. The more notable site visits and on-site meetings included:
 - ✓ The February 16th visit to Innswood, St. Catherine, from where old sugar plantation houses occupied by residents were bulldozed, allegedly by the SCJ.
 - ✓ Meeting with aggrieved residents at Cousins Cove in Hanover
 - ✓ Follow-up meeting at Golden Grove, St. Thomas, as part of the OPD's handling of the displaced Eastern St. Thomas farmers.
 - ✓ The visit to Old Pera in St. Thomas, in the wake of a request by land owners who complained that they were being dispossessed of, and or threatened to be dispossessed of their lands.
 - ✓ Visit to St. Toolis in Manchester based on complaints by community members of unlawful acquisition of their properties for the construction of the eastern leg of the highway. There were two such visits during the period.
 - ✓ The meeting at Frontier, St. Mary, with the residents in that development, who complained that they had been without promised piped water since the construction of that housing development decades ago.
 - ✓ Meeting with NWC at Central Road (in Central Village) in Spanish Town, following complaint by a resident, alleging serious defects in NWC's sewage system, which resulted in effluent discharge in the community.
 - ✓ Visit to Four Paths Police Station in the furtherance of investigations in the *Nzinga King* case.

- ✓ Meeting at Yam Park in Manchester with vendors, Manchester Municipal Council, and representatives of NROCC to resolve the troubling issue of the re-location of vendors at the Yam Park, to facilitate construction works on the eastern highway.
- ✓ The visit in October to Seville Heights in St. Ann, to meet with a complainant and to view the house offered to her by the government, following the government's acquisition of the land she previously occupied. The land was acquired for national heritage purposes.
- ✓ Two visits and on-site meetings at Bluefields Beach in Westmoreland, with citizens who complained of their access to the public beach being restricted by some private developer who apparently acquired lands adjacent to the public beach. (The matter eventually ended up in court.)
- ✓ Visit to Glengoffe Police Station, to meet with the police in order to get information for a citizen, based upon a complaint that a relative of the citizen fell over the Cassava River bridge and died.
- ✓ Meeting at Goblin Hill in Portland, with complainants and other parties concerned, following complaints of incursion by government authorities, on private property at San San during road construction in the parish.
- ✓ Visit to Bridgeport to meet with complainants and representatives from the NWC, in the wake of a complaint against the NWC and the installation of water meter.

(c) Mass media Engagement

- (i) The 15-minute sponsored segment previously aired weekly on RJR, was moved to the radio station Bridge 99.1FM. The program retained its title "*Constitutionally Speaking*", and broadcast on Bridge commenced in September 2021.
- (ii) Throughout the year, the Public Defender on the invitation of various media outlets, appeared, or was interviewed for comments on subjects which dominated national discussions.

MAJOR DECISIONS/EVENTS IMPACTING OPD

30. On August 18, the government formally announced the presence of the *Delta Variant* of the corona virus in Jamaica.

31. Late in the year, on November 13, 2021 the government announced the declaration of States of Public Emergency in seven (7) Police Divisions in the Island. These Divisions were:

St. James
Westmoreland
Hanover
St. Andrew South
Kingston Western
Kingston Central
Kingston East

FINANCIAL MATTERS FOR FINANCIAL YEAR 2020/2021

32. The original total Recurrent and Statutory budgetary provision for the financial year April 2021 - March 2022 was \$157,771,000.00 and was revised to reflect a total of \$168,612,000.00.

STATUTORY

33. The original Statutory budgetary provision for the financial year was \$12,530,000.00. An increase of \$4,173,000.00 and \$8,267,000.00 were further approved in the first and second supplementary estimates of expenditure respectively; to cover the retroactive salary, salary for the remainder of the financial year and salary in lieu of vacation for the Public Defender.

Original Budget	First Supplementary	Second Supplementary	Revised Budget	Expenditure	Savings
(M\$)	(M\$)	(M\$)	(M\$)	(M\$)	(M\$)
12,530	4,173	8,267	24,970	20,190	4,780

34. Savings resulted from the non-approval from the Ministry of Finance & Planning for the payment of salary in lieu of Vacation Leave for the Public Defender.

RECURRENT

35. The original Recurrent budgetary provision for the financial year 2021/2022 was \$145,241,000.00 however, there was a reduction in the budget, due to the COVID 19 pandemic, as restrictions were placed on travel. The revised budget was \$143,642,000.00.

Original Budget	Second Supplementary	Revised Budget	Expenditure	Savings
(M\$)	(M\$)	(M\$)	(M\$)	(M\$)
145,241	-1,599	143,642	142,573	1,069

36. Savings was as a result of less local travel being done due to the COVID 19 pandemic.

APPENDIX 1

STATISTICS

OFFICE OF THE PUBLIC DEFENDER CALANDER YEAR 2021

COMPLAINTS HANDLED BY THE OFFICE OF THE PUBLIC DEFENDER 2000 - 2020

Particulars	Figures	Total
Number of complaints received from 2000 – 2020	13,993	
Number of complaints received in 2021	287	
Total number of complaints received from 2000 – 2021		14,280
Number of complaints closed from 2000 – 2020	9,582	
Number of complaints closed in 2021	84	
Total number of complaints closed from 2000 -2021		9,666
Number of complaints pending as of 2020	2,354	

Number of complaints pending for 2021	203	
Total number of Complaints pending as of 2021		2,557
Total Non-Investigatory and Consultation Cases for 2021	331	
Total Number of Cases Closed for 2021 including Consultations.		415

BREAKDOWN OF CASES BY AGENCY AND ADVISORY

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Cases by Agency and Advisories

Agency	Count
Accountant General's Department	5
Administrator General	5
Center for the Investigation of Sexual Offences Child Abuse	2
Central Sorting Office	1
Child Protection and Family Services Agency	3
Court of Appeal	1
Department of Correctional Services	1
Institute of Jamaica	1
Jamaica Constabulary Force	2
Jamaica Customs Agency	1
Jamaica Public Service	3
Jamaica Racing Commission	1
Jamaica Urban Transit Company	2
Kingston Legal Aid	2
LAMP	1
Marksman	1
Ministry of Local Government	2
Ministry of Transport and Mining	1
Ministry of Education	1
Ministry of Culture	1
Ministry of Agriculture	2
Ministry of Economic Growth and Job Creation	3
Ministry of Education	11
Ministry of Finance	3
Ministry of Health	20
Ministry of Housing	1
Ministry of Industry, Commerce, Agricultural	1
Ministry of Justice	14
Ministry of Labour & Social Security	19
Ministry of Local Government	22
Ministry of National Security	62

Ministry of Transport and Works	1
Ministry of Works & National Work Agency	1
Ministry of Local Government	1
Ministry of Agriculture	1
National Environment and Planning Agency	8
National Housing Trust	2
National Insurance Scheme	6
National Land Agency	3
National Road Operation and Construction Company	24
National Solid Waste Management Agency	1
National Water Commission	4
National Work Agency	12
JA National Heritage Trust	1
Non-Authority	6
Office of the Prime Minister	3
Office of Utility Regulation	3
P.I.C. A	2
Registrar General Department	2
SCJ Holding	1
Shipping Association of Jamaica	1
Tax Administration of Jamaica	3
Transport Authority	1
Urban Development Corporation	1
Unknown	4
Grand Total	287

Advisory cases 331

CASES BY GEOGRAPHICAL LOCATION

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Parish	Amount
Canada	1
Cayman Island	1
Clarendon	11
Email	6
England	2
Hanover	3
Kingston	40
Kingston 2	1
Kingston 4	1
Kingston 5	2
Kingston 6	2
Kingston 8	3
Kingston 10	1
Kingston 11	5
Kingston 12	2
Kingston 13	2
Kingston 16	2
Kingston 19	1
Kingston 20	8
Manchester	53
Portland	5
St. Andrew	6
St. Ann	14
St. Catherine	54
St. Elizabeth	9
St. James	13
St. Mary	6
St. Thomas	12
Trelawny	8
Westmoreland	7
UK	1
USA	5
Grand Total	287

CASES BY GENDER
Registry January to December 2021 Report

Gender

Female	127
Male	133
<u>Other</u>	<u>27</u>
Grand Total	287

Status	Amount
Open	287
Closed	84
Pending	203

APPENDIX 2

RANDOMLY SELECTED CASE STUDIES

CA107/19(K)

A complaint was brought to the Office of the Public Defender on May 17, 2019, by a citizen who was formerly a teacher at the Marcus Garvey Technical High School (MGTHS) for over seventeen (17) years.

He indicated that he had a degree in school librarianship, and was deployed to the school's library in September 2015, when no suitable candidate was identified to fill the vacant position that was advertised. He claimed that although his assessment was favorable, he was not appointed to the position that was advertised. He claimed that although his assessment was favorable, he was not appointed to the position up to the time of his complaint. The complainant also stated that efforts to obtain a resolution at the regional level of the Ministry of Education and through the Jamaica Teachers' Association had proven futile.

On February 5, 2019, he eventually received a letter from the Ministry of Education, stating that they were unable to approve the request for Senior Teacher 2, as a post was not available on the school's establishment to accommodate a new appointment. Hence, he explained his concern for not being remunerated for the years of additional work that he did in the position of teacher/librarian.

The complaint was brought to the attention of the MGTHS' Board Chairman, Principal, and the Ministry of Education (Regional Director and the Acting Deputy Chief Education Officer- Schools Operations & School Improvement Services). The OPD also spoke with the former principal, during whose tenure the complainant's re-deployment occurred.

The Ministry of Education by way of letter dated August 11, 2020, advised that the establishment of the MGTHS had one (1) position for a teacher/librarian, which was already assigned; and that if an additional post is required, a request for approval must be submitted to the Ministry's Regional Office. The Ministry also advised that a decision was taken to provide remuneration for the period worked as teacher/librarian.

On December 9, 2020, the complainant informed the OPD that he received the requisite remuneration covering the years 2015 to 2019, totaling One Million, Five Hundred and One Thousand, Six Hundred and Eighty-Four Dollars and Fifty-Nine Cents (\$1,501,684.59). The file was subsequently closed.

CI144/2020(K)

The Office of the Public Defender received a complaint dated November 20, 2020, from a citizen whose grouse was against the Criminal Records Office. This complainant said that he was arrested and charged for unlawful wounding. He was tried and found not guilty and discharged of the offence. A letter was sent from the Clarendon Parish Court to the Criminal Record Office to have his fingerprints removed from the Criminal Database. However, when he applied for a Police Record in 2011 his fingerprints surfaced in the Criminal Database for the same offence.

We wrote to the Assistant Superintendent of Police at the Criminal Records Office, and on April 20, 2021, the complainant was informed of the steps to be taken by him to have his fingerprints removed from the criminal database. A telephone conversation with him on August 17, 2021, confirmed that the matter had been satisfactorily resolved on the intervention of our Office. Consequently, the file was closed.

ST.M121/2021(K)

The Office of the Public Defender received a complaint dated July 13, 2021, against the Passport Immigration and Citizenship Agency (PICA). The complainant informed the OPD that in August of 2018 she attempted to renew her passport but because of an error she made on her application form, there was a delay. She met with a PICA representative who explained that as a result of the error, she needed to prove her identity. All the relevant documentation was provided but she was unsuccessful in obtaining her Passport.

We wrote to the Chief Executive Office of PICA explaining the situation and on August 10, 2021, PICA informed us that the passport was ready. By way of telephone conversation on August 12, 2021, the complainant indicated that she had received her passport and was satisfied. The file has subsequently been closed.

ST.E 111/2019(K)

Representatives of the Office of the Public Defender (OPD) met with a citizen on May 28, 2019. The OPD was requested to assist the citizen in receiving a pension, as she had resigned from the Jamaica Constabulary Force (JCF), due to ill-health, after serving for over nineteen years,

An investigation was commenced and though challenging at times, the OPD contacted the JCF Finance and Human Resource Branch, which assisted in realizing successful results. The OPD assisted the complainant in opening an account at a commercial bank to receive her payments. On November 20, 2020, a Deferred Pension Letter was completed and submitted to her.

The process was continued and on May 31, 2021, the OPD was informed by the Accountant General's Department (AGD) that payment was uploaded to the complainant's account on May 24, 2021.

ST.C151/2021(K)

The Office of the Public Defender (OPD) received a complaint dated September 16, 2021, from a citizen who had a grouse against the National Insurance Scheme. The complainant had worked for the JCF for thirty-seven years and had been advised by the NIS that payment had been uploaded to her bank account. On checking with her bank, no payment had been received. She lodged a complaint with the Ministry of Labour & Social Security (MLSS) and was told that a request would have been made to the bank to have the money returned to the Ministry, but she would have had to wait. Five months after that, she had still not received the payment.

OPD initiated an investigation into the matter on September 24, 2021, and on October 5, 2021, the Office was informed that the arrears payment of some \$479,726.21 would be placed in the complainant's account by October 8, 2021. On October 11, 2021, OPD received a call from our complainant informing the Office that the funds had been uploaded into her bank account. Considering the foregoing, the file was closed.

WRC 23/18

The Office of the Public Defender received a complaint on July 10, 2018, from a citizen who had an issue with the Falmouth Regional Office. The complaint related to a claim filed at the Attorney General's Chambers on or about May 2013. The complainant was legally married, but his wife had died on May 17, 2010.

The complainant submitted all relevant documentation to the Western Regional Health Authority (WRHA) during the year of 2013. As at the date of writing to the OPD, he still had not received any disbursement. He again visited at the WRHA in March 2018 and was told that the amounts were disbursed, however, the complainant was not in receipt of any disbursement.

The Office of the Public Defender intervened in this matter by engaging the WRHA. After much dialogue and delays, the complainant received the outstanding payment that was due to him.

The Complainant received a cheque in the sum of Seventy-One Thousand Two Hundred Thirty-Five Dollars and Seventy-Six Cents (\$71,235.76). The file thereupon was subsequently closed.

Special Investigations

There were several special investigations initiated by the Office of The Public Defender in 2021, however, these have not yet been completed. Investigations are therefore ongoing up to the end of the period under review.

They are as follows:

- **MELROSE YAM PARK – REF M49/2021(K) (Authority-Administrative General's Department AGD)**

The tenants at the Melrose Yam Park in Manchester, are concerned about their businesses. The construction of the May Pen to Williamsfield leg of the Highway, will be passing close to the yam park. The tenants would like to know how they are going to manage when the road repair reaches their location.

The tenants would like to discuss their compensation and asked that the Public Defender investigate.

- **RETIREMENT LANDFILL- ST.J58/2021(K) (Authority- Ministry of local Government MOLG/National Solid Waste Management Authority NSWMA)**

Residents in and around the Retirement Landfill Community has complained of smoke nuisance and possible harmful gas emissions from the site, even though the Jamaica Fire Brigade (JFB) extinguished the blaze recently, there is still smoke coming from the area.

The residents are concerned about their health and has sought the intervention of the Public Defender.

- **GREEN ISLAND HANOVER - DISTRUCTION OF MANGROVES H77/2021(K) (National Environment and Planning Agency NEPA)**

A large number of mangroves at Green Island in Hanover was destroyed and dumped to facilitate the construction of the Princess Hotel.

The Public Defender visited the site on May 6, 2021, and the site manager gave a tour of the location.

The Public Defender is seeking answers to many a question.

- I. Copy of application
- II. Minutes of approval that were given to NRCA
- III. The technical report that was prepared.