



**TENTH  
ANNUAL REPORT  
OF THE  
OFFICE OF THE  
PUBLIC DEFENDER  
OF JAMAICA  
CALENDAR YEAR  
2010**



## OFFICE OF THE PUBLIC DEFENDER

*"A Voice of the Voiceless... To Loose the Chains of Injustice"*

---

May 29, 2014

The Honourable Michael Peart, M.P.  
Speaker of the House of Representatives and  
Chairman of the Public Defender's Commission  
Gordon House  
81 Duke Street  
KINGSTON

Dear Speaker:

I have the honour to submit the **Tenth Annual Report** for the Office of the Public Defender for the period **January 2010 to December 2010**.

The Report is submitted pursuant to Section 23 (2) of The Public Defender's (Interim) Act 2000 of Jamaica. On behalf of the current staff and/or agents, I apologize to the Jamaican people and the House, for the inordinate delay in making this report available.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'M. K. Mukulu', written over a horizontal line.

**M. K. Mukulu**  
**ACTING PUBLIC DEFENDER**



## OFFICE OF THE PUBLIC DEFENDER

*"A Voice of the Voiceless... To Loose the Chains of Injustice"*

---

May 29, 2014

Senator the Honourable Floyd Morris  
President of the Senate  
Houses of Parliament  
Gordon House  
81 Duke Street  
KINGSTON

Dear President:

I have the honour to submit the **Tenth Annual Report** for the Office of the Public Defender for the period **January 2010 to December 2010**.

The Report is submitted pursuant to Section 23 (2) of The Public Defender's (Interim) Act 2000 of Jamaica. On behalf of the current staff and/or agents, I apologize to the Jamaican people and the House, for the inordinate delay in making this report available.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'M. K. Mukulu'.

---

**M. K. Mukulu**  
**ACTING PUBLIC DEFENDER**

## **TABLE OF CONTENTS**

	Page
Letters of Submission	
Mission Statement, Motto and Notice to Complainants	1
Organizational Chart	2
Introduction	3
<b><u>2010 Report</u></b>	
Report from the Investigations Department	4 - 8
Auditor General's Report 2010/2011	9 - 14
<b>Statistics</b>	
• Complaints handled by the Office of the Public Defender 1979 – 2010	15
• Cases received for the period January 1, 2006 – April 15, 2010	16
• Breakdown of complaints received in 2010 Categorized by Parishes, and External complaints	17
• Complaints received for the period January 1, 2010 - December 31, 2010	18 - 20
Randomly selected Case Studies	21 - 24

## **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**

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

## **NOTICE**

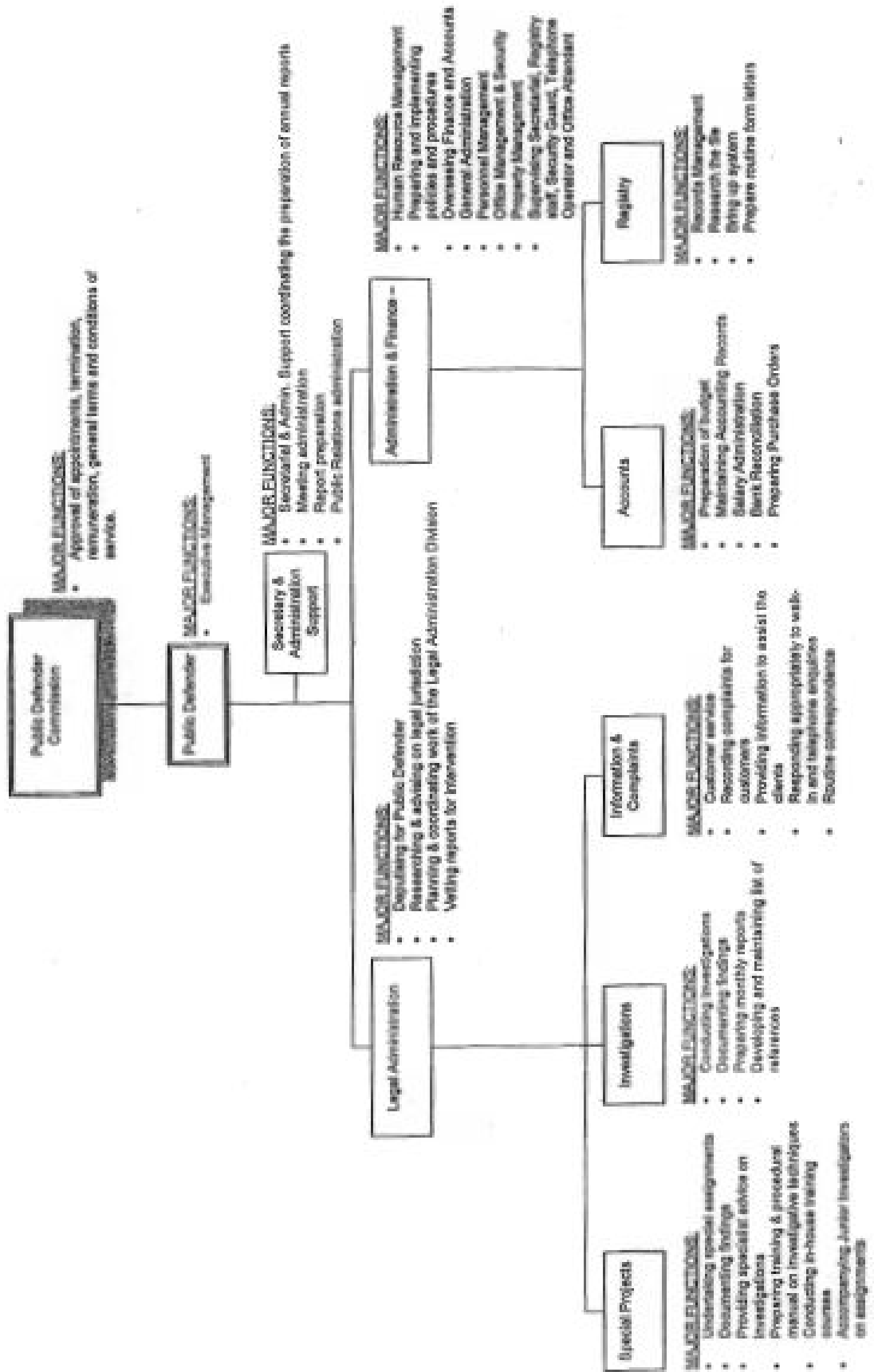
To: All complainants and visitors to the Office of the Public Defender

“You have a RIGHT to  
prompt, courteous and  
efficient attention and  
service. INSIST on it,  
POLITELY.

The Public Defender.”

# Office of the Public Defender

## Existing Functional Chart



# INTRODUCTION

This presentation marks the tenth (10<sup>th</sup>) submission of annual reports for the Office of the Public Defender.

Included in this report is the detailed statistics of the number of complaints received – those which were redressed, those pending and the breakdown of the complainants by gender. For the year 2010, a total of Eight Hundred and Forty-eight (848) complaints were received. From this amount, a total of One Hundred and Twenty-five (125) cases or fifteen percent (15 %) were closed while Seven Hundred and Twenty-three cases or Eighty-five (85 %) were pending. Complaints were also received from other Caribbean Islands, England and the United States of America.

This presentation reflects case summaries of some matters in which we intervened and there are also a few highlighted cases.

The Office says thank you to all our valued complainants, other stakeholders and to the staff, in our pursuit to continue to be “A Voice of the Voiceless . . . to loose the Chains of Injustice”.

## **Report from the Investigation Department**

In 2010 the Public Defender's Office had a most eventful year in terms of the rather unusual investigations we pursued along with our "regular" matter. We were also pleased to participate in a United Nations Programme.

In February 2010 the Public Defender's Office launched an investigation into the "Riot" at the Horizon Remand Centre in Kingston. The Remandees at Horizon alleged that, for a period of two (2) weeks, they were not being afforded sufficient water for their personal use. They were not being allowed out of their cells often enough for the purpose of exercise and the meals served were inadequate and poorly cooked. Rice was the main staple and chicken was never served, but fish, when served, was spoilt.

The response by Remandees was to tear down metal piping from the ceiling; face-basins and toilets were removed and thrown at warders. Slop-buckets with contents were used as missiles and a fire was also lit in the cells. The Jamaica Defence Force (JDF) and the Fire Service responded, dry powder was used to extinguish the fire and water cannons were utilized to subdue inmates and force them back into their cells.

Another case of interest occurred on the 23<sup>rd</sup> May 2010 – Labour Day, Jamaicans awoke to the news that a joint police and military operation was underway in Tivoli Gardens, Western Kingston.

The Public Defender initiated an investigation into the conduct of this operation as news reached the airwaves of the seeming extra-judiciary killing of citizens in the community. There were also widespread reports of alleged looting and unwarranted vandalism being perpetrated by the very ones whose sworn duty is to protect, reassure and serve (citizens).



The Office of the Public Defender (OPD) was favoured with monetary assistance from a number of international organizations, notably the United Nations Development Programme (UNDP). We were thus able to secure the much-needed assistance of eighteen (18) temporary investigators and secretaries, so as to engage in this hitherto unprecedented and mammoth investigation.

In total over One Thousand Two Hundred and Ninety-five (1,295) complaints were received from over Six Hundred and Eighty-eight (688) complainants. The statements revealed that Seventy-six (76) civilian and one (1) soldier died – Forty-four (44) of the civilian deaths were reportedly extra-judiciary killings. The investigations into this matter continued into the next two (2) years culminating on the 1<sup>st</sup> May 2013 with the tabling in Parliament of the Interim Report by the Public Defender. A fulsome and comprehensive report and analysis is contained therein.

The Public Defender had been receiving reports of the deplorable conditions of some of the island's lock-up facilities at the various police stations. In an effort to ascertain the true picture, the Public Defender began an investigation of the police lock-ups and in order to be able to properly assess the overall picture, the Public Defender expanded this review to include the available facilities that were provided for the policemen and policewomen who have the duty to safeguard those under their custody.

Between August 31 and September 3, 2010, the Island-wide investigation was carried out. The assistance of some of our temporary investigators proved useful in this exercise. The combined report highlighted the severe overcrowding in most Police Station Lock-ups, some examples of these are:

- The May Pen Police Station Lock-ups had twelve (12) cells holding some One Hundred and Thirty-seven (137) individuals, yet it was built to accommodate Seventy-eight (78).
- The Portmore lock-up had one of the worst cases of over-crowding. The capacity is about Seventy-five (75) yet at the time of the report; it was holding One Hundred and Thirty-eight (138) inmates.
- The Mandeville Police Lock-up with a capacity of Twenty-seven (27) was holding Seventy-one (71) persons. The investigators were especially alarmed at the inhumane conditions at the Mandeville facility. It was reported that water was dripping from the roof due to the heat emanating from the inmates' bodies.
- Spanish Town Lock-up, in the volatile capital of St. Catherine, had One Hundred and Twenty-eight (128) in a facility built to house Sixty-eight (68).

These four (4) examples are by no means the exception and is cause for much disquiet as the Office of the Public Defender fears a repetition of the Constant Spring Police Station Lock-up tragedy of 24<sup>th</sup> October 1992 that resulted in the death of three (3) inmates (Agana Barrett, Ian Forbes, and Vassell Brown — (The Gleaner Online — Sunday, June 26, 2011) due to severe overcrowding.

Other insanitary conditions that were reported included cockroaches crawling in droves on the walls at Mandeville. In fact, our investigators saw the marching of these insects for themselves. At the Portmore cells, inmates complained that they were forced to urinate and pass faecal matters in bottles and plastic bags due to uncooperative officers, who were unwilling to allow them access to bathroom facilities. The response from the police was that they were hampered by severe understaffing. It must be borne in mind

that Portmore is popularly called “Hundred Man Police Station” as it was once heralded as being built to accommodate One Hundred (100) police personnel.

As it regards to police personnel and the conditions under which they were forced to work, it was garnered that morale among many of these peace officers was very low. Police at Lionel Town suggested that a water tank be installed to ease their water problem. At Malvern Police Station in St. Elizabeth, the police personnel had no beds and were forced to sleep on tables. There was no running water in the bathroom for the policewomen. At the New Market Police Station, there were no telephone facilities and so police personnel were forced to use their personal cell phones. At Lacovia, seventeen (17) police had to share a barrack measuring 16ft x 10ft with one (1) working toilet and shower.

After the disrepute which the Constant Spring Lock-up ‘gained’ in October 1992, one would have never fathomed that that station would still be in such a deplorable condition. The bathroom facility for the inmates was reported to have maggots, morass and was naturally untidy. Inmates complained of not being allowed to shower for some two (2) weeks due to lack of water in the bathroom. Inmates who were not assigned to cells were forced to sleep in the concrete passage which was visibly wet and extremely slippery.

The full report will need to be painstakingly analyzed and put before the relevant government departments so that appropriate steps can be taken to tackle the needed remedy as the situation at the lock-ups and police stations is pregnant for disaster and is simply in its gestation period, waiting the birth of a catastrophe.

At the request of the Commonwealth Secretariat, London, England, the Public Defender participated in the Commonwealth-wide launch of “A Guide to the United Nations

Convention on the Rights of Persons with Disabilities on Thursday, September 2, 2010. The launch was held at the Montego Suite of the Jamaica Pegasus Hotel, New Kingston at 11:00 a.m.

Prominent among the attendees were the Honourable Parnell Charles, then the Minister of Labour and Social Security who had portfolio responsibility for the disabled. The Minister of Health, the Honourable Rudyard Spencer, was represented by the Permanent Secretary in the Ministry of Health.

Representatives of the Combined Disabilities Association, the Council for Persons with Disabilities (An agency of the Ministry of Labour) and a representative gathering of other members of the disabled communities in Jamaica were also present. The eminent, Mrs. Heather Little-White (now deceased) and Mrs. Sara Newland-Martin were singled out by the Public Defender for the impact and value of their individual contribution to nation building as a whole, and to the disable community in particular.

The honour to conduct the launch was highly esteemed by the Public Defender, especially as Jamaica was the first country in the World to have subscribed to and ratified the Convention, as well as, being the only Western Hemisphere Commonwealth country to have done so up to August 2010. Additionally, the Public Defender was pleased to be associated with the launch because the disable community is a minority class of citizens in relation to which his mandate requires special treatment.

The Public Defender also commented on the historical marginalization, general insensitivity to the condition of the disabled and low acknowledgement of their right to equal treatment under the Law, as well as, the value of their service to the country.

*Seen  
2/11/11  
Cu* *DF & A*  
*Pl. note*



*File*

AUDITOR GENERAL'S DEPARTMENT  
8 WATERLOO ROAD  
P.O. BOX 455  
KINGSTON 10  
JAMAICA

ANY REPLY OR SUBSEQUENT REFERENCE  
TO THIS COMMUNICATION SHOULD BE  
ADDRESSED TO THE AUDITOR GENERAL  
AND **NOT TO ANY OFFICER BY NAME**  
AND THE FOLLOWING REFERENCE  
QUOTED: *56 - 682/3*

Tel. No.: 926-8309/926-5963/926-5846  
Fax Number: 968-4690  
Email: [audgen5@cwjamaica.com](mailto:audgen5@cwjamaica.com)

October 26, 2011

Mr. Earl Witter  
The Public Defender  
Office of the Public Defender  
78 Harbour Street  
Kingston

Accounts 2010/2011  
Audit Inspection  
Office of the Public Defender

An examination of the accounting records and financial transactions of the captioned Office revealed a generally satisfactory state of affairs.

*JGA*

for Auditor General



AUDITOR GENERAL'S DEPARTMENT  
8 WATERLOO ROAD  
P.O. BOX 455  
KINGSTON 10  
JAMAICA

ANY REPLY OR SUBSEQUENT REFERENCE  
TO THIS COMMUNICATION SHOULD BE  
ADDRESSED TO THE AUDITOR GENERAL  
AND NOT TO ANY OFFICER BY NAME  
AND THE FOLLOWING REFERENCE  
QUOTED - 347 - 882/5

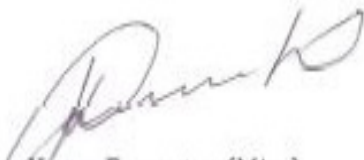
Tel. No.: 926-8309/926-5963/926-5846  
Fax Number: 968-4690  
Email: [audgen5@cwjamaica.com](mailto:audgen5@cwjamaica.com)

February 10, 2012

Accounting Officer  
Office of the Public Defender  
78 Harbour Street  
P.O. Box 695  
Kingston

**Re: Certified Appropriation Account**

Please find enclosed copy of the certified Appropriation Account in respect of Head 0300 -  
Office of the Public Defender for financial year 2010/2011.

  
Karen Forrester (Miss)  
for Auditor General

*Handwritten notes in red ink:*  
Suey  
28/02/12  
DF & A (D)  
FY 11/12  
G



AUDITOR GENERAL'S DEPARTMENT  
P.O. BOX 455  
KINGSTON 10  
JAMAICA  
Email: audgen5@cwjamaica.com

## **Auditor General's Report**

**To the Accounting Officer  
Office of the Public Defender – Head 0300**

### **Report on the Appropriation Account**

I have audited the accompanying Appropriation Account of the Office of the Public Defender - Head 0300 which comprises the Account by Objects, Activity/Projects and explanatory statement of the causes for variation between approved estimates and expenditure as at March 31, 2011.

### **Accounting Officer's Responsibility for the Account**

The Accounting Officer is responsible for the preparation and presentation of the Account in accordance with the Financial Administration and Audit Act. This responsibility includes: designing, implementing and maintaining internal controls relevant to the preparation and presentation of the Appropriation Account that is free from misstatement, whether due to fraud or error; applying the requisite government accounting policies; and ensuring that transactions and events are executed in accordance with laws and regulations that are appropriate in the circumstances.

### **Auditor's Responsibility**

My responsibility is to express an opinion on the Account based on my audit. I conducted my audit in accordance with the Financial Administration and Audit Act and the auditing standards issued by the International Organization of Supreme Audit Institutions (INTOSAI). Those standards require that I comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the Appropriation Account is free from misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the Account. The procedures selected depend on the auditor's judgment, including the assessment of the risks of misstatement in the Appropriation Account, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the Department's preparation and presentation of the Appropriation Account in order to design audit procedures that are appropriate in the circumstances. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of the explanations made by management, as well as evaluating the overall presentation of the Appropriation Account.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

## Opinion

In my opinion, the attached Appropriation Account is a fair representation of the financial transactions for the year ended March 31, 2011 in accordance with Section 24 I (1) (a) (b) of the Financial Administration and Audit Act.

## Report on Additional Requirements of the Financial Administration and Audit Act

I have obtained all the information and explanations which, to the best of my knowledge and belief, were necessary for the purpose of the audit. In my opinion, proper accounting records have been maintained and the Appropriation Account is in agreement therewith and gives the information required in the manner so required.

  
\_\_\_\_\_  
Pamela Monroe Ellis (Mrs.)  
Auditor General

2012/02/16  
Date





0100 - Office of the Auditor General  
11/08/2014

Appropriation Account - Object Summary

Fiscal Year: 2014  
 Program: 01 - Revenue  
 Period: 01/01/2014 - 12/31/2014  
 Sub-Program: -  
 Project: -

Code	Description	Original Estimate	Per	Supplementary Sources	Total	Actual Expenditure	Total Net Expenditure	Last Year	More Than	Net Variance
01	Compensation of Employees	11,000,000.00	00.00	00.00	00.00	41,377,000.00	41,366,000.79	00.00	1,000,000.79	-1,000,000.79
02	Tax and Equipment Subsidies	6,000,000.00	00.00	00.00	00.00	6,000,000.00	6,000,000.00	00.00	00.00	00.00
03	Board of Property, Machinery & Equipment	1,000,000.00	00.00	00.00	00.00	1,000,000.00	1,000,000.00	00.00	00.00	00.00
04	Public Utility Services	4,000,000.00	00.00	00.00	00.00	4,000,000.00	4,000,000.00	00.00	00.00	00.00
05	Purchase of Other Goods and Services	1,000,000.00	00.00	00.00	00.00	1,000,000.00	1,000,000.00	00.00	00.00	00.00
06	Revenue Bonds	00.00	00.00	00.00	00.00	00.00	00.00	00.00	00.00	00.00
07	Grants and Contributions (Change in Public Trusts & Investments Other Bonds)	00.00	00.00	00.00	00.00	00.00	00.00	00.00	00.00	00.00
08	Purchase of Equipment Capital Assets	1,000,000.00	00.00	00.00	00.00	1,000,000.00	1,000,000.00	00.00	00.00	00.00
<b>Total for Pts. Program, 01 - Revenue Year</b>		<b>24,000,000.00</b>	<b>00.00</b>	<b>00.00</b>	<b>00.00</b>	<b>53,377,000.00</b>	<b>53,366,000.79</b>	<b>00.00</b>	<b>1,000,000.79</b>	<b>-1,000,000.79</b>

Approved by: [Signature]  
 Date: 11/26/14

**APPROPRIATION ACCOUNT**

HEAD 0300  
SUB-HEAD 1

OFFICE OF THE PUBLIC DEFENDER  
LEGAL SERVICES  
Year 2010/2011

**EXPLANATION OF THE CAUSES OF VARIATION BETWEEN APPROVED ESTIMATES AND EXPENDITURES**

**21. Compensation of Employees**

The actual expenditure was more than the budgetary allocation because of the additional cost incurred in the payment of Temporary Workers (Re: Tivoli Investigations).

**(\$3,969,093.76)**

**22. Travel Expenses and Subsistence**

Mileage Expense was less than budgeted for.

**\$68,971.51**

**23. Rental of Property**

There was no increase in maintenance cost for the financial year.

**\$95,152.00**

**24. Public Utilities Services**

Reduction in public utilities expenses resulted from control measures that are in place and minimal increase in cost.

**\$811,226.08**

**25. Purchase of Other Goods and Services**

The significant under expenditure resulted from the limited utilisation of legal fees allocated to the office for the financial year.

**\$4,895,354.16**

**Retiring Benefits**

**28. Actual expenditure exceeded allocation because of increase in gratuity payment.**

**(\$1,160,596.02)**

**Grants and Contribution**

**30. The request for payment was less than the budgeted amount.**

**\$58,240.00**

**Furniture and Equipment**

**31. Some budgeted Capital Goods were not purchased.**

**\$197,889.04**

Prepared by:

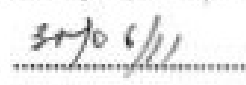
  
.....  
**Accountant**

Date:

  
.....

Accounting Officer:

Date:

  
.....

**STATISTICS  
COMPLAINTS HANDLED BY THE  
OFFICE OF THE PUBLIC DEFENDER  
1979 - 2010**

<b>Particulars</b>	<b>Figures</b>	<b>Total</b>
Number of complaints received from 1979 - 2009	22,872	
Number of complaints received in 2010	848	
Number of complaints received from 1979 - 2010		23,717
Number of complaints closed from 1979 - 2009	20,951	
Number of complaints closed in 2010	417	
Number of complaints closed from 1979 - 2010		21,368
Number of complaints pending for 2010	723	
Number of complaints pending to date		2641
Number of male complainants served in 2010	456	
Number of female complainants served in 2010	392	
Number of complainants served in 2010		848

## CASES RECEIVED FOR THE PERIOD JANUARY 1, 2006 – APRIL 15, 2010

<b>YEAR</b>	<b>TOTAL FILES RECEIVED FOR THE YEAR</b>	<b>FILES CLOSED</b>	<b>FILES BROUGHT FORWARD</b>	<b>TOTAL FILES UNDER INVESTIGATION</b>
2006	1101	814	287	1101
2007	969	629	627	1256 (b/f from 2006 + received in 2007)
2008	1043	550	1120	1670 (b/f from 2007 + files received in 2008)
2009	834	156	1814	1970 (b/f from 2008 + files received in 2009)
2010	260	106	1968	2074 (b/f from 2009 + files received in 2010)
<b>TOTAL</b>	<b>4223</b>	<b>2255</b>	<b>1968</b>	<b>1968</b>
	<b>Files received for the period</b>	<b>Files closed for the period</b>	<b>Files brought forward</b>	<b>Total files currently being investigated</b>

## BREAKDOWN OF COMPLAINTS RECEIVED IN 2010 CATEGORIZED BY PARISHES AND EXTERNAL COMPLAINTS

PARISHES	TOTAL COMPLAINTS	PERCENTAGES (%)
Clarendon	37	4.4%
Hanover	14	1.7%
Manchester	24	2.8%
Portland	16	1.9%
St. Andrew	32	3.8%
St. Ann	35	4.1%
St. Catherine	203	23.9%
St. Elizabeth	19	2.2%
St. James	29	3.4%
St. Mary	22	2.6%
St. Thomas	36	4.3%
Trelawny	10	1.2%
Westmoreland	19	2.2%
Kingston	89	10.5%
Kingston 1	2	0.2%
Kingston 2	23	2.7%
Kingston 3	11	1.3%
Kingston 4	8	0.9%
Kingston 5	24	2.8%
Kingston 6	17	2%
Kingston 7	4	0.5%
Kingston 8	11	1.3%
Kingston 9	2	0.2%
Kingston 10	22	2.6%
Kingston 11	26	3.1%
Kingston 12	13	1.5%
Kingston 13	19	2.2%
Kingston 14	21	2.5%
Kingston 16	11	1.3%
Kingston 17	4	0.5%
Kingston 19	7	0.8%
Kingston 20	17	2%
<b>External Complaints</b>		
Bermuda	1	0.1%
Canada	1	0.1%
England	1	0.1%
Trinidad & Tobago	1	0.1%
USA	17	2%
<b>TOTAL</b>	<b>848</b>	<b>100%</b>

**COMPLAINTS RECEIVED FOR THE PERIOD  
JANUARY 1 – DECEMBER 31, 2010**

Authority	Status		
	Ongoing	Closed	Total Received
Accountant General's Department	9	0	9
Administrator General's Department	3	0	3
Air Jamaica Limited	2	0	2
Attorney General's Department	4	0	4
Caribbean Maritime Institute	3	0	3
Child Development Agency	2	0	2
Court of Appeal	8	0	8
Department of Cooperatives & Friendly Societies	1	0	1
Department of Correctional Services	47	0	47
Electoral Office of Jamaica	0	2	2
Falmouth Works Agency	1	0	1
Family Court	0	1	1
Firearm Licensing Authority	4	0	4
Hanover Parish Council	1	0	1
Home Circuit Court	3	1	4
Housing Agency of Jamaica	1	0	1
Inland Revenue Department	4	0	4
Jamaica Agricultural Society	2	0	2
Jamaica Constabulary Force	25	4	29
Jamaica Customs Department	6	0	6
Jamaica Defence Force	11	0	11
Jamaica Fire Brigade	2	1	3
Jamaica Foundation for Lifelong Learning	1	0	1
Jamaica High Commission	1	0	1
Jamaica Information Service	1	0	1
Jamaica Urban Transit Company	8	0	8
Kingston & St. Andrew Corporation	5	2	7
Manchester Parish Council	3	1	4
Medical Council of Jamaica	1	0	1
Ministry of Agriculture	3	0	3
Ministry of Education	16	2	18
Ministry of Finance	27	1	28
Ministry of Health	36	2	38
Ministry of Housing	2	0	2

Ministry of Justice	11	1	12
Ministry of Labour and Social Security	11	0	11
Ministry of National Security	21	0	21
Ministry of Transport and Works	4	1	5
Ministry of Water and Housing	4	0	4
Montego Bay Gun Court	1	0	1
Montego Bay Metro Transport	1	0	1
National Environmental Planning Agency	1	0	1
National Housing Agency	0	1	1
National Housing Development Corporation	3	0	3
National Housing Trust (NHT)	10	0	10
National Insurance Scheme	16	0	16
National Solid Waste Management Authority	0	3	3
National Water Commission	16	2	18
National Works Agency	6	0	6
Non-Authority	51	46	97
Office of Titles	0	1	1
Office of Utilities Regulation	1	0	1
Parish Council	1	0	1
Parole Board	4	1	5
Passport, Immigration & Citizenship Agency	0	1	1
Pensions Office	1	0	1
Petrojam	0	1	1
Police	230	38	268
Police Public Complaints Authority	1	0	1
Post and Telecommunication Department	1	0	1
Registrar General's Department (RGD)	36	3	39
Resident Magistrate Court	10	2	12
Revenue Protection Department	1	0	1
Runaway Bay HEART Academy	0	1	1
Rural Agricultural Development Authority	0	2	2
Social Development Commission	0	1	1
St. Ann Parish Council	0	1	1
St. James Parish Council	0	1	1
St. Mary Parish Council	0	3	3
St. Thomas Parish Council	0	1	1
Supreme Court	0	2	2

Tax Assessment Audit Department	0	1	1
Titles Office	0	3	3
Transport Authority	7	3	10
University Hospital of the West Indies	1	0	1
University of Technology	1	0	1
University of the West Indies	3	0	3
Wallenford Coffee Company Limited	1	0	1
Westmoreland Parish Council	1	0	1



**A. B-B**

**Ref. No.: C-486/10**

**Police**

A. B-B visited our Office on July 20, 2010 and stated that during a curfew on Sunday July 18, 2010 about 7:00 a.m. her son was taken from his house where he was with his girlfriend. He was detained along with others from the area and was held at Harman Barracks. She was informed by her son (telephone conversation) that more identification other than his National Identification and Tax Registration Number, which he had on him, were required. The reason given was that there was a man wanted for murder who had the same Christian and surname but not the middle name.

A. B-B arrived at Harman Barracks at 4: 00 p.m. with her son's passport, birth certificate and school records. She presented them to a male detective who was at the front desk. She was told by the officer that what was required for his release at that time was fingerprinting results. She said that she departed Harman Barracks at 9:00 p.m. and the results were not received.

She visited again the following morning. She was informed by the officer who it was alleged was responsible for her son's processing that the results were alright, but he could not be released until he had received a call from another station. He did not reveal to A. B-B. what it was about.

**L.B**

**Ref. No.: C-06/10**

**Registrar of Titles**

L. B. complained that he bought a property in 1998. He said that he visited the Office of the Registrar of Titles in 2007, but was informed that the title for the property had disappeared. L. B. said he visited the office again in December 2008 and was told that the said title was currently there but it had a different folio number and his name was no longer present on the title.

However, L. B. said that he was given a copy of the new title and was advised to keep it until the matter was resolved.

Subsequently, a letter was sent to the Registrar of Titles from this Office. The Registrar of Titles responded by letter to this Office advising that the property was transferred to L. B. in December 2009 and that he should contact his attorney if he had not received his title.

L. B. later advised, by telephone, to this Office that he was no longer interested in pursuing the matter as he had received the title.

The file was therefore closed on November 3, 2010.

**VED**

**Ref. No.: C-656/09**

**Registrar General's Department**

This complainant wrote on behalf of her brother, ALH. She sought the assistance of the Public Defender in obtaining a corrected copy of his birth certificate which was applied for in March 2009. Upon receipt of the document, VD noticed that the surname was written as one word, when in fact it should have been two words. She stated that in an effort to have the correction made she took some completed documents submitted by her brother who lives abroad to the Registrar General's Department in Twickenham Park, Spanish Town. Some of the documents which were taken included a statutory Declaration bearing names of all children born to mother, school admission record form, JTSTDEC (Description of error to be corrected), copy birth certificate, Jamaican Passport and other relevant documents.

By way of letter dated May 6, 2010 to the Registrar General's Department from this Office with supporting documents enclosed, a request was made for the kind attention to this matter as the complainant was anxious to have it settled.

**J.W**

**Ref. No.: C-22/2010**

**Passport Immigration and Citizenship Agency**

On Monday January 11, 2010 J. W. complained to this Office that he made an application to the passport office to have his passport renewed. His passport had expired on January 3, 1999. It was also damaged by flood rains (an act of God) in 2005. J. W. was charged an amount of Nine Thousand Five Hundred Dollars (\$9,500.00) which was the fee applicable for the replacement of a damaged passport. However, the passport had expired before it was damaged. He requested the Public Defender's intervention in the matter.

A letter from this Office was submitted to the Chief Executive Office of the Passport Immigration and Citizenship Agency requesting a refund of Five Thousand Dollars (\$5,000.00) in respect of our complainant.

Subsequently, a cheque was prepared for the amount requested and delivered to this Office on June 8, 2010. J. W. signed as receiving same on June 10, 2010.

The file was therefore brought to closure on June 10, 2010.