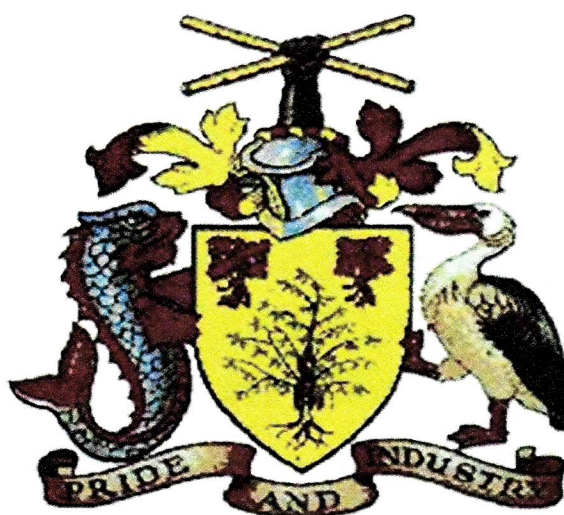


POLICE COMPLAINTS AUTHORITY



ANNUAL REPORT

2021

**POLICE COMPLAINTS AUTHORITY**

**MISSION STATEMENT**

*To maintain an independent system of investigating complaints against the  
Police*

**VISION STATEMENT**

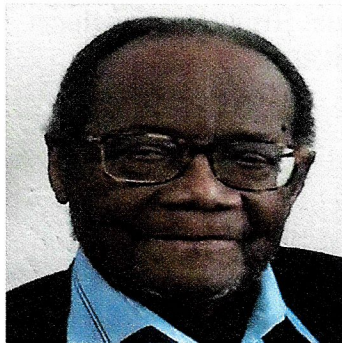
*To secure confidence of the public and the police in the manner of the  
investigation of complaints against the police.*

## Members of the Police Complaints Authority



Mr. Mark Forde – Chairman

Mr. Mark Forde is an Attorney-at-Law of some 16 years' experience at the Bar. He also holds a B.Sc. degree (Upper Second-Class Honours) in Public Administration from the University of the West Indies. He has worked in the private sector in Marketing Management and Training Administration and lectured. He has sat on the Board of the Barbados National Oil Company Limited and had previously served on the Board of the Police Complaints Authority as Deputy Chairman for three years.



Emerson Graham QC  
Deputy Chairman

Emmerson Graham QC, is a retired Magistrate who holds a Bachelor of Science Degree, Bachelor of Laws Degree, Master of Laws Degree and the Legal Education Certificate. He has served as Chairman of the Louis Lynch Foundation; Alma Parris School Board; Mental Health Review Board; Copyright Tribunal; National Insurance "Benefits" Tribunal; Town and Country Planning Tribunal; and Deputy Chairman of the Employment Rights Tribunal.



Rev. Dr. Lucille Baird MBE, DD, JP  
Member

Rev. Dr. Lucille Baird has been a Minister of Religion for 40 years and is the Senior Pastor of Mount Zion's Missions. She served at Her Majesty's Prison, Glendairy for 25 years as a Counsellor and a Government Rehabilitation Officer. She is a member of the British Empire, and has a Doctorate of Divinity from the International Theological Seminary of California (Honoris Causa). She is the chairperson of the Foursquare Women's Regional Committee and a member of the Foursquare Women's Global Council Committee USA, she is a member of Her Majesty's Prison, Dodds Advisory Board.



Mr. Louis St. E Woodroffe PhD.  
Ex-Officio Member

Dr. Woodroffe is Head of the Civil Service and also Director General of Foreign Trade in the Ministry of Foreign Affairs and Foreign Trade. He previously held the position of Permanent Secretary in a number of Government Ministries. He has been employed in the public service for close to 40 years.



Mr. David Leacock  
Member

David Leacock is a company director in the Leacock Group of Companies whose activity spawns' financial services, real estate rentals and distribution. He graduated with a Master of Business Administration (Finance) in 1984 from the University of Windsor, Canada. Mr Leacock is a Past President of the Rotary Club of Barbados South and is currently the President of the Barbados Squash Club. His interests include world affairs, foreign travel and squash.



Mrs. Dawn Grosvenor-Davis, J.P  
Member

Mrs. Grosvenor-Davis has been General Secretary of The Barbados Secondary Teachers Union for the past four (4) years and ensures that the rights of labour are not eroded. She is certified in Conciliation and Mediation by the International Labour Organization and boasts a dual Master's degree in Industrial Relations and Human Resource Management from Keele University, UK. Her Management training and Conflict Resolution expertise aided in her role as a tutor of Customer Relations and Customer Service for the Barbados Small Business Association and various private institutions.

## **POLICE COMPLAINTS AUTHORITY**

### **Annual Report – January to December 2021**

The Police Complaints Authority was established by an Act of Parliament – The Police Complaints Authority Act, 2001-10.

The Functions of the Authority are to:

- a. Monitor the investigation by the police force of any complaint with a view to ensuring that the investigation is conducted impartially;
- b. Supervise the investigation of complaints or other matters in accordance with section 7;
- c. Undertake the direct investigation of complaints where it thinks necessary; and
- d. Review complaints in accordance with sections 21 to 24.

The Authority comprises:

- a. A Chairman, a Deputy Chairman and two other persons all of whom shall be appointed by the President on the advice of the Minister.
- b. One person who shall be appointed by the President in his absolute discretion.
- c. One person who is a former gazetted police officer of the Police Force who shall be appointed by the President on the advice of the Police Force Association; and
- d. The Head of the Civil Service, ex officio.

The Chairman and the Deputy Chairman shall be Attorneys-at-Law of at least 10 years standing.

The President shall appoint a member of the Authority to be its secretary.

No person shall be eligible to serve as a member of the Authority if that person is or was during the last 5 years:

- (a) a member of Parliament;
- (b) a candidate for election to membership of the House of Assembly;
- (c) a member of the Police Force;
- (d) a member of the Barbados Defence Force; or
- (e) declared bankrupt or moved against by his creditors.

By Section 5 (2) of the Act the Authority is, subject to the provisions of the Constitution relating to the powers of the Director of Public Prosecution and the Police Service Commission, not subject to the directions or control of any other person in the exercise of its functions under the Act.

### **Filing of Complaints**

Complaints may be made by a member of the public or his authorized agent at the Police Complaints Authority at its office in the Jones Building, Webster's Business Park, Wildey, St. Michael, at any police station or at the Office of Professional Responsibility, Barbados Police Service.

When a complaint is made at the office of the Authority or a police station, it is forwarded to the Office of Professional Responsibility and when it is made at the Office of Professional Responsibility a copy is forwarded to the Authority.

When in relation to a matter which is before the Authority, proceedings have been, or are instituted in any court the Authority cannot commence proceedings, or if proceedings have already commenced, the Authority must discontinue the proceedings in respect of the matter until after the determination of the Court.

### **General**

The Office of the Police Complaints Authority provides an independent outlet where a member of the general public can make a complaint against the police for any acts committed in the exercise of their duties. Complaints can be made by any person between the hours of 9:00 am and 3:00 pm Monday to Friday. The office is located in Jones Building, Webster's Business Park, Wildey, St. Michael.

### **Staff**

The staff of the Police Complaints Authority comprises of an Investigator, an Administrative Officer II and an Administrative Assistant.

### **Meetings**

The Covid-19 Coronavirus pandemic continued to curtail many activities because of the associated health concerns, restrictions and curfews. These continued to restrict face to face gatherings and the movements of citizens and visitors alike and the imposition of stringent health protocols in an effort to control and prevent the spread of the virus. These conditions continue to test the entire country socially, physically, mentally, financially and technologically, with technology becoming a necessity for the continuity of education and work purposes. The new norm of virtual activities, including meetings, prevailed to accommodate many work, school and business processes in order for life and business to continue

Against this backdrop the members of the Authority continued to rise to the technological challenge and were able to continue to function with a blend of electronic and limited face to face

means. To this end, for the most part the Authority was still able to comply with its legally mandated meeting once per month. There were nine (09) regular and one Sub-Committee (01) meeting of the Police Complaints Authority for the period January to December 2021.

The appointments of the sitting members of the Authority which commenced in 2018 expired in September, 2021. This led to a situation where the Authority was not constituted and unable to have a mandated meeting for the months of September to November 2021. It was again reconstituted at the end of November and held a meeting in December, 2021. The Authority again finds itself in a position where it is not fully constituted which can prove challenging in obtaining a quorum for regular meetings.

During the period under review the Authority continued discussions with the Office of the Commissioner of Police in order to formulate and execute a Memorandum of Understanding between the two organizations. This Memorandum of Understanding remains outstanding. It is still considered critical not only to charting the way forward but in reducing the backlog of outstanding complaints sent to the Commissioner of Police for investigation. It would identify a standard agreed timeframe and process, among other things, by which investigations should be completed.

### **Complaints Received for 2021**

During the year 2021 a total of twenty (20) complaints and one (1) request for a review were received at the Authority. This represented a decrease of nine (9) complaints (31%). Of the complaints made six (06) complaints were made by males and fourteen (14) by females. Of these the average age for males was fifty-eight (58) and females forty-eight (48) years. The demographic portrayed from the statistics shows the majority of complaints continue to range from the middle aged to mature adults.

In comparison the Authority received from the Commissioner of Police notice of sixty-one (61) complaints made to the Office of Professional Responsibility, Barbados Police Service for the corresponding period.

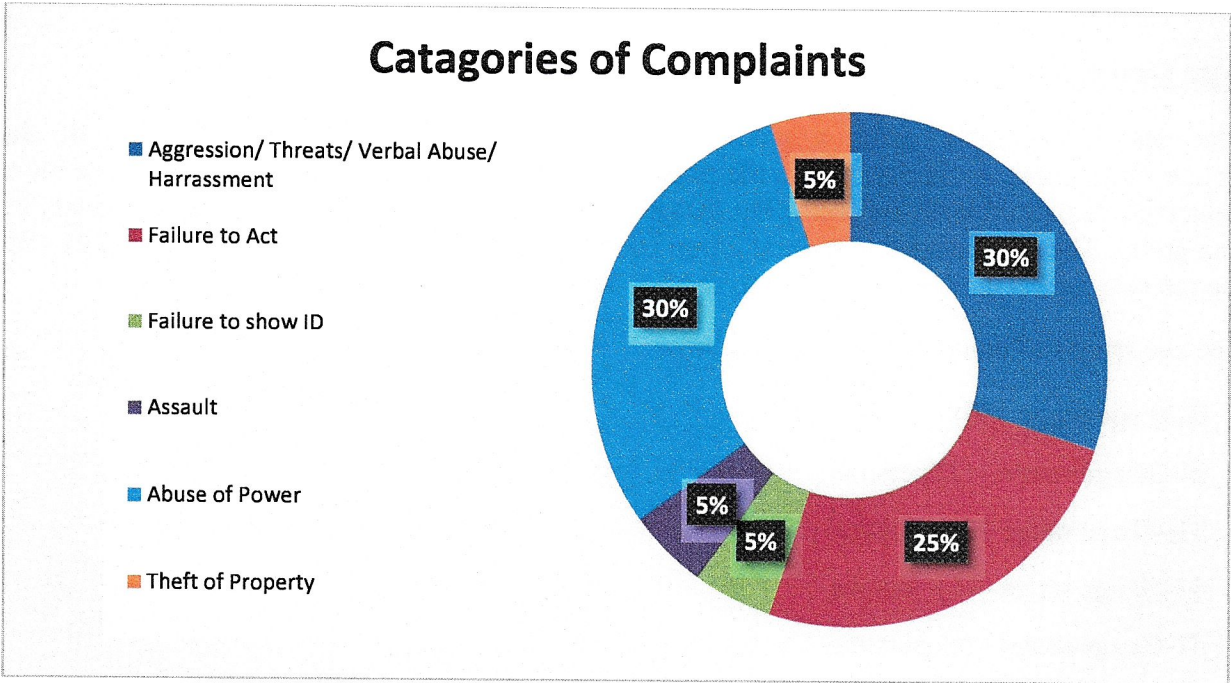
Complainants are still expressing difficulty in accessing the Authority's services because of its location.

**Categories of Complaints Received at the Police Complaints Authority:**

**Table 1: Categories of Complaints**

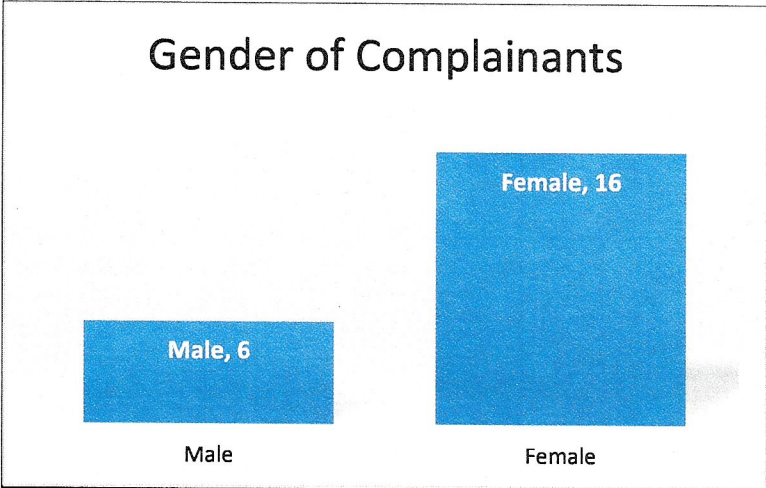
<b>CATEGORY</b>	<b>DESCRIPTION</b>	<b><u>2019</u></b>	<b><u>2020</u></b>	<b><u>2021</u></b>
1	Aggression/Threats/Verbal Abuse/Harassment	9	14	6
2	Failure to take action on reports made	6	7	5
3	Failure to produce Police I.D. or Search Warrant	2	1	1
4	Assault/Bodily Harm	2	0	1
5	Abuse of Power	2	6	6
6	Theft of Property by Police	1	0	1
7	Wrongful Cause of Death	0	0	0
8	Not within the purview of the Police Complaints Authority	1	0	0
9	Damage of Property	0	0	0
10	Wrongful Arrest	0	0	0
11	Wrongful Detainment of property	0	1	0
	<b><u>TOTAL</u></b>	<b><u>23</u></b>	<b><u>29</u></b>	<b><u>20</u></b>





**Chart 1: Percentages of Categories of Complaints**

Category 1: Unprofessional Conduct, six (6) complaints, Category 5: Abuse of Power six (6) and Category 2: Failure to take action, five (7) complaints continue to receive a higher incidence of complaints, accounting for 85% of the amount received for the period. Allegations of unprofessional conduct continue to be the main points of concern with the general public. The Authority is pleased to report that as was the case in previous years the complaints do not include allegations of bribery, drug related activity, corruption or other serious matters of that nature.



**Chart 2: Complainants Gender**

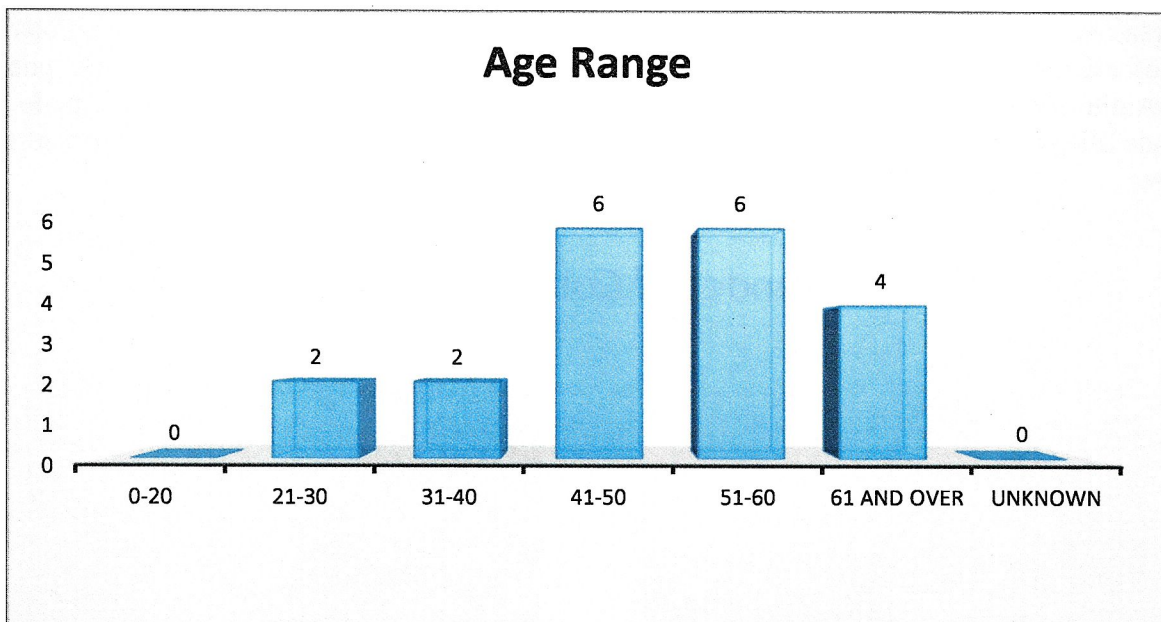
The above chart indicates the number of the complaints made by males and females for 2021.

## Age Demographic

The age demographic gives a picture of the persons who access the services of the Police Complaints Authority. While the popular view is that the younger generation have more negative interactions with the police our data suggest that our services are not accessed widely by that group. The middle aged to mature group continues to be the greater user of our services with the majority of the complaints related to service delivery.

The age ranges of complainants are as follows:

- 0-20 age range - (0) person
- 21-30 age range - (2) persons
- 31-40 age range - (2) persons
- 41-50 age range - (6) persons
- 51-60 age range - (6) persons
- 61 and over age range - (4) persons
- Unknown age range - (0) person



**Chart 3: The number of Complainants and Complainant Age Ranges.**

### **Ranks of Police Officers Complained Against**

For the period January to December 2021, complaints were made against eighteen (18) police officers. The ranks complained against are as follows:

- (1) Inspectors
- (3) Sergeants
- (12) Police Constables
- (2) Unknown

In addition, there were complaints against unnamed staff of five (5) Police Stations and one (1) Department.

### **Actions Taken Regarding Complaints Filed**

The Authority reviewed all complaints received at its office. It made a determination which complaints would be forwarded immediately to the Commissioner of Police for investigation and those which seemed amenable to direct investigation by the Authority. Those deemed amenable, statements were requested from the persons involved and an interview with the complainant and the officer(s) complained against were conducted after all statements were received.

For the year 2021, nine (9) persons were invited to interviews with regard to complaints made at the office. All persons invited to an interview attended however two were not interviewed for various reasons.

Of the complaints filed during the year under review six (6) were referred to the Commissioner of Police for further action or to be investigated. Twelve (12) complaints were received after the expiration of the tenure of the members of the Authority who began the year. As a result of this happening the processing of those complaints was delayed. One complaint was forwarded to the Office of the Commissioner of Police for statements from the officers concerned in order for the Authority to conduct a direct enquiry. The Authority continues to be mindful of the current pandemic recognizing the need to balance the health and exposure to its members and the public at large when scheduling interviews.

### **Completed Investigations**

During the year 2021, one (1) completed investigation report was received from the Office of the Commissioner of Police in respect of complaints referred for investigation during the review period. This continues to be an area of serious concern for the Authority as this increases the backlog and severely affects the confidence of the members of the public who make complaints.

## **Investigations under Section 7 of the Police Complaints Authority Act**

Section 7 of the Police Complaints Authority Act provides as follows: -

- (1) The Authority shall supervise the investigation of:
  - (a) Any complaint alleging that the conduct of a police officer resulted in the death of or serious injury to some other person.
  - (b) Any other matter, whether or not the subject of a complaint, referred to the Authority by the Commissioner, which in the opinion of the Commissioner, should be supervised because of its gravity or its exceptional circumstances.

There were no investigations under Section 7 of the Act.

## **Budget**

The sum of \$252,509.00 was allocated in the Estimates for the Financial Year 2020-2021 for the Sub-Program 0238: Police Complaints Authority. Our allocation has remained adequate and has continued to service the current needs of the Authority even in the challenging economic environment.

## **Conclusions and Recommendations**

The Authority continues to operate within the boundaries of its legal mandate as it discharges its duties. It continues with its efforts to find ways to reduce the backlog of complaints and increase public confidence in the system.

To this end, the Authority continues in its pursuit of the formalization and implementation of a Memorandum of Understanding with the Barbados Police Service. This would redound to the reduction of outstanding complaints, increase productivity and result in a renewed confidence in the complaints process.

There will always be a place for a functioning and efficient mechanism which promotes fairness and transparency in the settling of any dispute. The police are endowed with great authority and must be kept in check from the abuse of such authority. The Police Complaints Authority, as an independent body, is poised to receive and investigate complaints of abuse, misconduct, unnecessary violence and lack of caring on the part of the Barbados Police Service. The wielding of such authority by the police should be done with great care and balance to prevent abuse while providing quality service to members of the public.

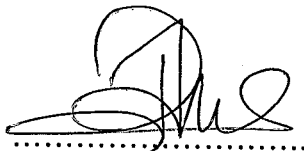
The increase in the number of complaints by members of the public, including those of abuse of power, can have a genesis in the knowledge of the law, or lack thereof, by the complainants and the manner of communication between the police and the public, as the police execute their duties.

This knowledge is balanced by the expectations of the public in the interpretation and execution of the Laws of Barbados by the police.

Direct enquiries into complaints where the circumstances permit has had and can have a significant impact in the speedier resolution of complaints. In addition, there is the benefit that in some cases the lack of communication or improper communication could have contributed to the making of the complaint in the first instance.

To this end, the Authority continues to recommend continuous public relations and customer service training for the police. Only through training, and the application of the principles taught, can positive changes in the interactions between members of the public and the police be achieved. The public, through increasing education, has developed high expectations of the quality of service they receive from the Barbados Police Service and when this level is not met or delivered, this often results in complaints to the Police Complaints Authority.

During the year under review the tenures of the Chairman Justice Elneth Kentish Q.C. and members Charles Blades and Henderson Clarke came to an end. The current Board of the Authority wishes to thank the outgoing members for their sterling service during their tenures. I also wish to thank the returning members of the Authority and the staff for their continued commitment, unstinting support and service.

A handwritten signature in black ink, appearing to read 'Mark H. Forde', is written over a horizontal dotted line.

**Mark H. Forde**  
Chairman

