

Annual Report of the



OMBUDSMAN
of BARBADOS 2025



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LETTER OF TRANSMITTAL

His Honour The President
The Senate
Parliament Buildings
Bridgetown

His Honour The Speaker
The House of Assembly
Parliament Buildings
Bridgetown

Dear Mr. President and Mr. Speaker,

I have the honour to submit the Annual Report of the activities of the Office of the Ombudsman covering the calendar year January 01 to December 31, 2025.

The Report is made pursuant to Section 13(6) of the Ombudsman Act, CAP. 8A of the Laws of Barbados to facilitate its laying before Parliament.

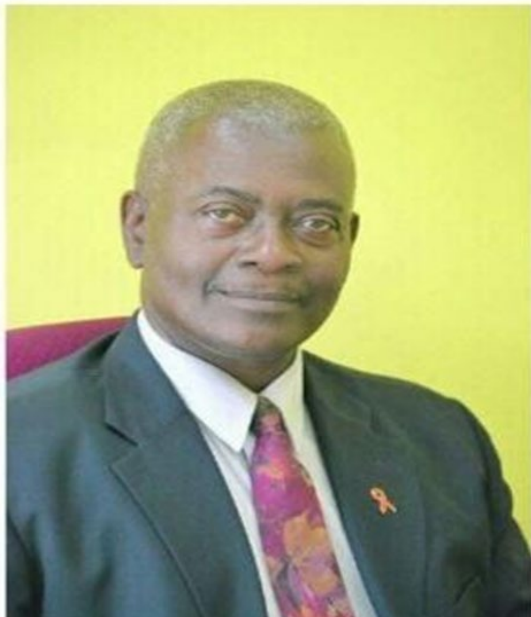
Yours faithfully,



Nigel L. Taylor, SCM, J.P.
Ombudsman

THE MESSAGE OF THE OMBUDSMAN

It is only fair that on the commencement of this report to state and further explain the entire concept of the individual who is referred to as “the Ombudsman.” Every citizen deserves fairness, dignity, and justice in the life of their nation. To this end, it is important that there be someone who holds the position of the Ombudsman as the embodiment of that principle especially to allow citizens to have a voice outside the court system.



Dr. Nigel L. Taylor
Ombudsman

In the Barbadian context, an Ombudsman is an independent official who investigates complaints against government agencies, or departments of government and seeks to resolve disputes fairly and impartially. People serving in the Office of the Ombudsman play a key role in promoting accountability, protecting the rights of persons and public interests while addressing systemic issues, particularly when formal legal action is impractical or unavailable.

In certain countries the Ombudsman may be referred to by different titles, including Public Advocate, National Defender and even the term Complaints Commissioner. An Ombudsman typically has a broad mandate

that allows the individual to address overarching concerns in the public domain, and sometimes in the private sector. That said, sometimes an Ombudsman’s mandate extends over only a specific sector of society—for example, a children’s Ombudsman may be tasked with protecting the rights of the young people of a nation, while, in Belgium, the various linguistic and regional communities have their own ombudspersons.

While an Ombudsman is usually publicly appointed, they will typically have a large degree of independence and autonomy in fulfilling their function. Clearly, this is to enable the official to act in a fair and impartial way to all parties involved in a complaint.

In any country, whether it is developing or developed, there will always exist some bureaucracy. This is clearly the result of expanding populations. Expanding populations invariably need to be controlled and this obviously will lead to increased regulation and relationships such as social, legal and even economic.

One of the byproducts of this phenomenon is the growth of administrative hierarchy which winds itself into every household. Ultimately administrative action will be required in the natural day-to-day functions. When there are delays or problems in the administration, frustration will occur and often people tend to blame the Government when they may feel aggrieved or when these problems are not addressed or rectified immediately.

Government in the true sense is a major collection of individuals with their own problems and human failings. Government will only be as good as the individuals who comprise the said government. Clearly, there are basically two opposing factions made up of the same constituents – human beings, therefore, to please both factions and ensure harmony between them is not easy. We must recognize that the Government is equally made up of human beings who are fallible and as such, it is inevitable that mistakes will be made and even harsh words will be uttered. Traditionally, in many instances these people blame the government for the indiscretion. These scenarios are played and replayed daily in Barbados. There must always be the mandate to ensure a functioning and efficient administration. However, this is not always an easy task for any government. Consequently, everything must be done to ensure the propriety of a clean and efficient administration, if this is not done, public confidence in government is eroded. It is for this reason that the Office of the Ombudsman exists to continually address the systemic issues while requiring the public officers to provide reasonably timed responses to the submitted complaints.

A handwritten signature in blue ink, appearing to read 'Nigel L. Taylor', with a long horizontal stroke extending to the right.

NIGEL L. TAYLOR, SCM, J.P.
Ombudsman

WHO IS AN OMBUDSMAN?

The Office of the Ombudsman is entrusted to people who stand as guardians of fairness, integrity and accountability. They are committed to ensure that every citizen's voice is heard, every concern treated with dignity and every institution of Government held to the highest standard of justice. The typical role of the Ombudsman is one of service, to listen, to act fairly and to ensure all departments of Government remain accountable to the people. The principal thought exhibited here is that the Ombudsman and the Office of the Ombudsman must act as a bridge between the citizen and the public administration working to resolve concerns with transparency, dignity and respect.

The Office of the Ombudsman will recognize that the voices of the citizens matter, and their rights must always be protected. In essence, the Ombudsman records the public complaints, investigates them and reports on his findings, sometimes even acting on his own initiative. If wrongdoing is discovered, it should be rectified.

Recognizing that the Ombudsman is perceived to be non-political, well-informed and prudent, he/she enjoys the support from the general public and public officials alike. However, the institution at times has its limitations and challenges. People expect the Ombudsman to expunge a society's injustices, however, that is erroneous because he /she cannot change the values of society. The most he /she can do is to strive to uphold the already established fundamental principles. If one is truly honest, the Ombudsman can easily and successfully consider grievances involving the disregard of persons established rights, but he loses effectiveness when he undertakes social engineering of major proportions.

Secondly, psychology would affirm that the Ombudsman would succeed primarily when government officials and the management in the public sector share the values he /she seeks to nurture. The established grievance mechanism currently employed would work smoothly only when those who operate it and those for whom it operates are individuals moved by common ideals.

It should be noted that the experience of this Ombudsman has shown that the assistance secured by those who make complaints to his office are from those who have a "rights consciousness" – conversely, this is something infrequently found among the least advantage elements in this society.

In today's system of modern governance, it is reiterated that there must be an independent guardian of fairness, accountability and justice. Citizens should always have the sense of protection, mental and otherwise, of a trusted avenue to raise complaints against maladministration and to be assured that there is someone who will safeguard their rights even within the government structure.

These persons should operate with integrity and respect for the rights of all individuals, irrespective of religion, creed, gender or political affiliation.

THE IMPORTANCE OF THE OMBUDSMAN

While preparing this report the author stumbled upon what is considered a historical reference to the concept and the existence of the Ombudsman to which it is deemed interesting for the purpose of education.

Below is the direct quote from *Jeremy Pope's reference in the book Confronting Corruption: The Elements of a National Integrity System, TI Source Book 2000*. This is interesting reading for the student of history.

“Although the word “Ombudsman” is Scandinavian in origin, the first Ombudsman actually flourished in China over 2,000 years ago, during the Ts’ in Dynasty (221 BC) and in Korea, too during the Choseon Dynasty. The Romans also grappled with the problem, but it was the example of the second Muslim Caliph, Umar 1 (634-644) and the concept of Qadi al Qadat (developed in the Muslim world), which influenced the Swedish King, Charles XII. In 1713, fresh from self-exile in Turkey, Charles XII created the Office of Highest Ombudsman. The Scandinavians subsequently molded the Office into its contemporary form. As a result, in modern times the institution was thought to be unique to the needs of Scandinavians, until the 1960s, when New Zealand introduced its first Ombudsman.” (Pope 83)

Lest we minimize the concept or the importance of the personage of the Ombudsman, it should be clear that this individual stands as a pillar of justice and fairness, a beacon of hope for citizens who seek redress when the machinery of governance falters. In Barbados, the Ombudsman embodies the fundamental principle that no voice is too small, no grievance is too insignificant, and no citizen is beyond the reach of justice.

The Ombudsman and his staff should always see themselves as more than an office of employees but rather guardians of trust between the people and state. By so doing, the importance of the Ombudsman and all that both he and his staff do, lie not only in resolving complaints but in strengthening democracy. In essence, these honourable folks within the said office are champions of social justice, defenders of the vulnerable and custodians of the people’s faith in governance and democracy.

In the twenty-first century and beyond, it is inevitable that one looks at the expansion of the role of Ombudsman beyond the oversight of government. The classification of this “modern” Ombudsman will ultimately expand to general oversight which might include corporations, agencies, and perhaps service providers.

In reality, the challenges might be more modern and engaging than those which the current Ombudsman would have confronted in the early stages of the assignment.

The modern challenges for this officer, it is perceived, can be that of perception of bias where it is critically important for this individual to maintain independence in highly politically charged environments. It is currently noted that many offices of the Ombudsman in the Caribbean Association of Ombudsman's jurisdiction have limited resources and struggle with funding and staffing. The future of the Ombudsman in the twenty-first century must be revolutionized if the officer and the office must maintain their effectiveness.

There is the question of digital transformation where complaints might be addressed online. Consideration must also be given to cyber rights and AI ethics, which are critical aspects of this generation. Couple with the foregoing, one must be cognizant that there is a cultural competency that must be addressed. Communities and societies are now diverse, there is cross-border movement where four Caribbean countries namely, Barbados, Belize, Dominica, and St. Vincent and the Grenadines implemented a landmark "full free movement" agreement in 2025. This arrangement allowed their nationals to enter, reside, work, and move freely without the need for work permits or skills certificates. As Ombudsman, one's policy must now be more impactful than before. It is very important that the Ombudsman moves from being the handler of reactive complaints to that of a proactive systemic reformer.

THE IDEAL OMBUDSMAN

In some jurisdictions, the legislation speaks of the criteria that should be engaged for the appointment of the Ombudsman. In many instances in these jurisdictions the fundamental qualification is that of someone who is the recipient of over five or ten years in the legal profession, the recipient of a law degree or even a retired jurist.

In Barbados the specification is not outlined in that same way. Barbados records in its legislation who should **not** be the Ombudsman. It states in The Ombudsman Act CAP 8A Section 1(4) **"The Ombudsman shall not be a member of the Senate or of the House of Assembly...."**

In the book *"The Work and Practice of Ombudsman and National Human Rights Institution"* which is a compilation of articles and studies is a follow-up on the conference of the subject matter which was held in Copenhagen, Denmark from the 23rd to 25th September 2001. The then Ombudsman of Antigua and Barbuda, Dr. Hayden Thomas speaking on shared experiences in his country made a reference to the quotation by Sir Hugh Wooding an eminent jurist and former Chief Justice of Trinidad and Tobago which so beautifully encapsulates the ideal person for this office, he states: -

“There has been a tendency to think that a legal qualification would be an advantage to the holder. This need not be so. Expertise in administrative matters would be perhaps even more important since legal advice can always be sought. The Ombudsman should be a person of known independence, proven integrity and persuasive ability whose reputation will lend prestige to the office....”

HISTORICAL BACKGROUND

For the student of history, it is noted that the Ombudsman Institution has been in existence in the Caribbean subregion for several years. Our records indicate that Guyana was the first country in the region to embrace the concept of the Ombudsman when it established its office in 1966. This was followed by Trinidad and Tobago, Jamaica, Saint Lucia, Barbados, Antigua and Barbuda and Belize whose office was established in 1999. Below is the chronology for Barbados’ Office of the Ombudsman.

- i. The Constitutional Review Commission in its March 1979 Report recommended the establishment of an Office of the Ombudsman, not enshrined in the Constitution, but by an Act of Parliament.
- ii. The Ombudsman Act No. 68 of 1986 was enacted and came into effect by Proclamation in January 1981.
- iii. The Office of the Ombudsman in Barbados became operational on January 02, 1987, at Culloden Farm, Culloden Road, St. Michael.
- iv. The Office of the Ombudsman vacated its premises at Culloden Farm on April 02, 1995.
- v. The Office of the Ombudsman was relocated to its current location, 2nd Floor Trident House, Broad Street, Bridgetown on April 03, 1995.
- vi. Its creation was to provide a safeguard against maladministration and protect citizens' rights against government agencies by investigating complaints and administrative issues while making recommendations for corrective action or improvement to administrative systems.
- vii. Sir Franklin M. Blackman, a retired Cabinet Secretary, was the first Ombudsman, taking office on January 1, 1987.

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In Barbados the Office of the Ombudsman first functioned at Culloden Farm, Culloden Road from January 2, 1987 to 1995 -- a period of 8 years before being relocated at its present location for almost 30 (April 2025) continuous years.

In essence, this year, the Office of the Ombudsman celebrates its 38th year of active service to the people of Barbados.

PERSONS WHO SERVED AS THE OMBUDSMAN OF BARBADOS

- | | |
|------------------------|----------------|
| 1. Sir Frank Blackman | 1987 – 1993 |
| 2. Mr. Carlton Browne | 1993 – 1996 |
| 3. Mr. Carl Ince | 1998 – 2002 |
| 4. Mr. Cyril Clarke | 2003 – 2007 |
| 5. Mr. Valton Bend | 2009 - 2022 |
| 6. Dr. Nigel L. Taylor | 2023 – Present |

The Logo of the Office of the Ombudsman



**The Office of the Ombudsman
Bridgetown, Barbados**

THE OVERVIEW

This annual report is basically tabled in both Houses of the Parliament pursuant to Section 13(6) of the Ombudsman Act CAP 8A of the Laws of Barbados. In this report, Part 1 will discuss the work of the Office while commenting on specific issues which did arise during the year under review. Part 2 will provide a statistical overview of the work of the Ombudsman highlighting diverse comparisons, while Part 3 will present some needed recommendations which will be presented to improve the quality of service generally.

During the year 2025, two hundred and one (201) cases were brought forward. Some of these were under action at the close of the previous year, notwithstanding the significant effort to resolve those that were active in 2024. Those outstanding 201 formed part of the 2025 quota for resolution.

During the year 2025, there were formal complaints and in other cases there were complaints from the public requesting assistance in areas that quite truthfully should never have reached the Office of the Ombudsman, if personnel in the various departments had made some greater determination to seek a resolution to the matter.

This comment is not prejudicial or should not be interpreted as an attack or affront against officers within the Public Service but is clearly a hypothesis that has also been experienced by officers within the Office of the Ombudsman when they were investigating the cases that required timely responses.

This report, covering the period from January to December 2025, is the latest of reports from the Office of the Ombudsman, Barbados. It sets out the challenges, constraints and successes within which the Office operated in the past administrative year. The report will detail the problems which were encountered, the measures which were undertaken by the Office, the statistics, and summaries of the complaints. Additionally, the many enquiries which were addressed throughout the year will also be highlighted.

Despite the increased workload with the enquiries which were handled by this office, there is the note of an increase in numbers. I'm gratified to think that the productivity of this office has improved in terms of the quantity and quality of work which was accomplished in relation to the number of concluded complaints as compared to the last five years.

Considering the increasing workload and heightened demand for the services of the Ombudsman, particularly in circumstances where available resources remain constrained, the Office has consistently undertaken reviews and revisions of its policies and operational procedures.

These measures are intended to ensure that cases are processed in an efficient and effective manner. Accordingly, the office implemented a realignment of its organizational structure with a focus on enhancing its case assessment and management systems, while maintaining its commitment to the resolving of complaints within a reasonable time frame.

The noted increase in workload represents a positive indicator, reflecting the growing utilization of the services from the Office of the Ombudsman and the effectiveness of its public outreach and access mechanisms. This trend demonstrates increasing public confidence in statutory avenues for redress and oversight, as well as greater reliance on the Office of the Ombudsman to uphold administrative accountability. Moreover, the sustained demand underscores the Office's contribution to promoting transparency, fairness, and efficiency in public administration, consistent with its mandate and strategic objectives.

SERVICE BEYOND STATUTORY DUTY **Upholding the People's Trust**

There is an element of the function of the Office of the Ombudsman which is not reported or even widely known or realized but which is documented publicly in this report. It could be tabled as a commitment to public trust. The Office, while steadfastly fulfilling its statutory mandate, also embraces the important duty of attending to the signing of hundreds of documents each year. This service, extended with diligence and care to both Barbadians and visitors, reflects the Office's enduring commitment to accessibility and integrity. Each signature is not merely an administrative act but can be seen as a symbol of trust and a reaffirmation of the Office's role in safeguarding fairness and due process.

Through this daily labour, the Office demonstrates that its responsibilities are not confined to oversight alone but encompasses the practical facilitation of the people's needs. In welcoming citizens and guests alike, the Ombudsman's Office stands as a bridge between governance and community, ensuring that the values of justice and accountability are lived out in tangible ways.

This dedication to service, carried out year after year, is a testament to the Office's legacy as a guardian of integrity and a pillar of national life. In every document signed, the Office affirms its place as a trusted institution—one that honours the dignity of the people and strengthens the bonds of confidence between the public and the state.

REVIEWING WHY THE OMBUDSMAN IS IMPORTANT TO A COUNTRY

Developmental minds will clearly see the part the Ombudsman can play in the life of a country. In the primary instance, he / she is critical and vital because the holder of that office is required to safeguard the rights of all citizens, ensure government accountability, and strengthen democracy by acting as an independent bridge between the people and the state. Their role helps prevent abuse of power, ensures the fair resolution of complaints and promotes the restoration of trust in public institutions.

In national life, the Ombudsman is clearly an engaging individual with the vested responsibility to hold the government, acting through its many departments and ministries responsible.

One must bear in mind that all arms of Government carry unique functions and with that, the challenges are different. It is a given fact, that a social environment will prompt a democratic expression and that provides the right for the general population to be heard on issues which affect their quality of life. The Ombudsman, for the most part, must keep pace with the change which would necessitate administrative action and the formulation of policies in a dynamic setting. All of these are harbingers where grievances are bound to arise.

In this modernized society, the Ombudsman must always be seen as the Defender of the Citizen's Rights, who in addition to the investigation of complaints against government agencies, ensures that ordinary citizens have a voice when they feel they have been mistreated or ignored by the bureaucracy, while protecting vulnerable groups who may lack resources to challenge the unfair treatment.

The Ombudsman must be the promoter of good governance by encouraging transparency and accountability in public administration, identifying systemic problems and recommending reforms to improve efficiency and fairness. The Ombudsman invariably should act as a check on corruption, maladministration, and abuse of power. Coupled with those characteristics, the Ombudsman must be an individual who strengthens democracy by providing his office as a well-known and proven independent, impartial institution outside of political influence and by so doing, reinforces the rule of law by ensuring government actions align with legal and ethical standards. The Office of the Ombudsman also simplifies justice for citizens who may find legal systems intimidating or expensive and helps reduce the burden on judicial systems by handling administrative complaints.

Overall, the time taken by the office in adjudicating these matters/inquiries is considerable, especially when an officer within the Office of the Ombudsman must conduct a personal interview where the complainant is distressed by some matter/event. The process certainly requires time and patience for adjudication, while at the same time, the officer must provide an atmosphere which would allow the complainant to be willing to share openly and comfortably.

OFFICERS WITHIN THE OFFICE OF THE OMBUDSMAN

It should be noted that the Office of the Ombudsman needs a caliber of officer who must not only be qualified academically but more importantly must have some unique and yet practical attributes for the mandate of the office.

These officers who are assigned to the Office of the Ombudsman are constantly under pressure to investigate complaints, which emanate from perhaps ninety-five percent of government ministries and departments with no commonality in them other than the fact that there are complaints. The officers should maintain professional and ethical standards by embracing integrity and impartiality. The officers must constantly act without bias by ensuring fairness in investigations. Confidentiality is also critical as the sensitive information which is presented by the complainant must be protected and accountability must rank extremely high within the Office of the Ombudsman.

The officers must also have some managerial, analytical and or investigative skills. With a small staff and receiving diverse complaints on the same day, it is imperative that officers be well-rounded and able to think critically while assessing the complaints with an evidence-based decision-making view to identify any systemic issues. These findings being supported by facts and law.

The officers in the Office of the Ombudsman should have very good or excellent communication and interpersonal skills with approachability, clear communication and conflict resolution forming a perfect triumvirate for success. If these are clearly working, then with organizational and leadership abilities in the formulae, the next best thing would be to manage the cases without losing any objectivity, while maintaining respect and credibility in the public service.

THE INVESTIGATIONS OFFICER IN THE OFFICE OF THE OMBUDSMAN



Dr. Michael Sabazan
Retired Investigations Officer

The Investigations Officer is a senior member of the team within the Office of the Ombudsman. The Officer has a unique role in that he / she occupies a central and indispensable position within the said office serving as the primary mechanism through which the Office fulfills its mandate to promote administrative justice, accountability, and good governance.

The Investigations Officer should be able to act with independence, impartiality, and professional judgment which would allow him/her to translate complaints from the public into structured inquiries that enable fair and evidence-based determinations.

Without a doubt, he/she is or can be accredited the title of guardian of procedural fairness and due process.

A defining aspect of the Investigations Officer's role is the safeguarding of procedural fairness. Throughout the investigative process, the officer must ensure that all parties are afforded the opportunity to be heard, that decisions are informed by verified facts, and that investigations are conducted in accordance with applicable laws, policies, and principles of natural justice. This function is critical to maintaining public trust in the integrity and credibility of the Office.

During the year 2025, the Investigations Officer of fourteen (14) years Dr. Michael Sabazan who was responsible for conducting thorough, objective, and methodical investigations into allegations of maladministration, abuse of authority, unfair treatment, or unreasonable delay by the public authorities, retired from active duty.

He was committed to the task of gathering documentary evidence, conducting interviews, analyzing administrative practices, and assessing compliance with statutory and policy frameworks. On all occasions his analytical capacity enabled the office to distinguish systemic issues from isolated incidents and to formulate informed findings and logical recommendations to the Ombudsman. At the office we wished him a happy retirement on a task well executed.

Following on his heels, the Office of the Ombudsman was able to secure the service of an equally competent individual who, as the principal point of engagement between complainants and public institutions, must play a critical facilitative role. The officer must continue to communicate investigative processes clearly to stakeholders, manage expectations, and foster cooperation with public authorities.

Through this interface, the Officer contributes to resolving complaints efficiently while encouraging administrative bodies to reflect on and improve their practices. The current Investigations Officer has shown her giftedness with individual case resolution and contributes to the broader institutional objective of administrative improvement. Her investigations document patterns and trends identified through investigations to inform policy advice, systemic reviews, and recommendations aimed at preventing recurrence of maladministration.



Ms. Suzanne Ward
Investigations Officer (ag)

It should be noted that the Investigations Officer must operate at the core of the Ombudsman's constitutional and statutory independence by conducting investigations free from external influence and grounded in professional ethics reinforcing the Office's role as an impartial oversight institution.

Again, it is repeated for emphasis that the Ombudsman does not in any way or form reverse an administrative decision but only recommends that the body reconsiders their decision in cases where evidence shows the need for modification of the previous decision.

THE EXECUTIVE OFFICER IN THE OFFICE OF THE OMBUDSMAN

Under Section 4 of the Ombudsman Act, Cap. 8A, the Ombudsman is empowered to perform his functions through officers of the Office authorized by him, and all such persons are public officers appointed under the Constitution of Barbados.

The Executive Officer is one such authorized officer who forms part of the administrative arm of the institution, rather than the investigative arm.

Our staffing records and organizational charts of the Office of the Ombudsman of Barbados show the Executive Officer as a distinct post within the Office, separate from:

- Investigations Officers
- Executive Secretary
- Clerical and support staff

The Office of the Ombudsman, like all well-functioning offices, must have administrative personnel with relevant administrative skills. The individual should have good interpersonal relations and in the case of the Ombudsman's Office the individual should be versed in accounting and budgetary control.

The Executive Officer (EO) in many offices within the public service has different functions, however, in the Office of the Ombudsman in Barbados, the Executive Officer is a public officer within the said office who provides administrative, managerial, and operational support to the Ombudsman in the execution of his constitutional and statutory functions. It should be emphasized that the role is non-investigative and exists to ensure that the Office functions efficiently, independently, and in compliance with public service regulations.

While the exact title and scope may vary at many jurisdictions, the role is generally non-adjudicatory and supportive in nature. In the general sense and depending on the size of the office, the Executive Officer traditionally assumes the role of the operations manager and in many countries with an Office of the Ombudsman or the Office of the Complaints Commissioner, the person oversees the day-to-day administrative operations of the Office, ensuring continuity and efficiency of services. This typically includes:

- i. Office administration and internal management
- ii. Human resources and personnel supervision
- iii. Procurement, logistics, and facilities management
- iv. Financial and budget execution

When these functions are executed by someone other than the Ombudsman it allows the Ombudsman to operate independently and effectively without being burdened by routine management concerns.

In Barbados, the Executive Officer coordinates the work of the office administratively and typically heads the human resources and personnel aspects of the Office. The officer ensures the proper use of government resources, compliance with laws, and ethical standards within the Office of the Ombudsman. Technically all non-investigative staff should commonly report (directly or indirectly) to the Executive Officer.

The Barbados Office of the Ombudsman for the past year has had the benefit of a young lady who has worked in many departments of government which has offered her a broad and rounded repertoire which has been used to the benefit of the office.

She has been able to assist with the implementation of the Ombudsman's policies and decisions where she translates policy directives into operational plans and ensures institutional compliance with internal rules, civil service regulations, and financial controls.

Unlike the Investigations Officer, the Executive Officer does not decide cases or investigations. She fulfills one of her core responsibilities by ensuring the Office has the resources required to perform its constitutional or statutory mandate. On all occasions she is seen as presiding, preparing and executing the annual budget for the office. On many occasions, she is the principal person who manages and informs of the government appropriations and expenditures. She is also required to ensure compliance with audit and accountability rules. This is essential to maintaining the Ombudsman's functional independence.

The practice in the Office of the Ombudsman vests supervision and control in the



Ms. Lisa Clarke
Executive Officer (ag.)

Ombudsman while allowing delegation of administrative management basically to the Executive Officer to ensure efficient operations. The Executive Officer must at all times develop a healthy relationship with the Ombudsman who is an independent officer, appointed under the Ombudsman Act CAP 8A, while the

Executive Officer is a career public officer who operates under the direction and authority of the Ombudsman ensuring that the Office functions smoothly, lawfully, and efficiently, without encroaching on the Ombudsman's independent judgment.

Of special note is the fact that the current Executive Officer is always willing to be a part of any project which is being undertaken by the Office of the Ombudsman irrespective of whether it is research oriented or assisting with the interviewing of complainants.

The Executive Officer has on occasions been a member at the regional Ombudsman Association specially convened meetings where the serving Ombudsman in Barbados is currently the President of the Caribbean Ombudsman Association (CAROA).

RESOLVING CHALLENGES WITHIN THE OFFICE OF THE OMBUDSMAN

It is again reiterated that the central focus within the Office of the Ombudsman is maintaining objectivity and impartiality in seeking the resolution of the cases which are brought to our attention.

It should be noted that Ombudsman offices in the Caribbean face basically identical recurring challenges that affect their ability to deliver justice, accountability, and good governance. Within the Caribbean, these challenges are compounded by resource constraints, overlapping mandates, and the need for stronger regional cooperation.

In Barbados, the office is presented with conflicts to mediate, complaints to be investigated and the provision of recommendations to be presented to various parties. This is done in order to ensure that there are fair and just practices being reflected within the government agencies, especially as the average citizen is confused and disillusioned by bureaucratized administrative proceedings and seemingly cannot fend for themselves.

In the 2024 annual report (laid in the Parliament of Barbados) the Ombudsman highlighted the uniqueness of the legislation of the Ombudsman's Act CAP 8A. In that report, he stated,

“the framers of the legislation with foresight of people’s inclinations and thoughts identified a salient point in the said legislation. The point that needs to be accentuated with precise care is that the framers of this legislation made sure that no executive public official could question the Ombudsman’s decision as it relates to the cases or the nature of the cases he investigates. It is clearly prescribed that in all situations the ultimate decision of whether to investigate or not to investigate is solely up to the Ombudsman.” (Report to the Parliament 2024)

Section 6 (2) of the Ombudsman Act states that: -

“In deciding whether to make, continue or discontinue an investigation authorized by this Act, the Ombudsman shall in all cases act in accordance with his own discretion which shall not be questioned.”

The section further states that the Ombudsman may refuse to investigate any matter on the grounds that it is trivial or that the complaint is frivolous or vexatious or not made in good faith, or that the complainant has not a sufficient interest therein.

Additionally, it states that no one has the authority to impede the Ombudsman from investigating presenting cases as outlined in the Ombudsman Act CAP 8A **Section 12 (1) & (2)**. The legislation states: -

12. (1) “If any person without lawful excuse obstructs the Ombudsman or any officer of his in the performance of his functions under the Act or fails to act as lawfully required by the Ombudsman, the Ombudsman may certify the offence to the High Court.

12. (2) Where an offence is so certified the High Court may, after hearing any person properly desiring to be heard, punish the offender in the same manner as for contempt of court.”

Even though persons bring their challenges and frustrations to the Ombudsman after all has seemingly failed them, one must recognize that the very office to which redress is sought has its own legal and structural limitations as many offices lack binding authority and the recommendations are purely advisory. Much of the legislation in the Caribbean jurisdiction is seemingly outdated or vague and the operating legislation tends to restrict the investigative scope.

In many countries, the Office of the Ombudsman is plagued with resource constraints. There are limited staff and technological challenges which can easily impede the investigation process. In Barbados, the Office had earmarked the building of a partnership with two sections of the government where there were the most challenges and leveraged the available technology to advance its complaint handling and outreach.

In Barbados, where the Ombudsman’s office plays a crucial role in safeguarding citizens’ rights, the most impactful steps would be the continued independence through constitutional guarantees, the investing in staff capacity, and certainly the avenue of raising public awareness to build trust and accessibility.

INSTITUTIONAL RESISTANCE AND OVERSIGHT

Turning Obstacles into Pathways for Justice

Repeatedly, one must affirm that the Ombudsman is a pillar—firm, steady, and essential to the house of governance. The Ombudsman is more than an institution—he/she is a guardian of integrity, a bridge between governance and community, and a living testament to the values of fairness and justice. Yet, as we know from experience, this noble mandate is not without obstacles.

In the investigation of complaints there seems at times to be evidence present which suggests that the Ombudsman's work is often tested by the very institutions it seeks to hold accountable. Even though this Ombudsman has never encountered political interference that strains the independence of the Barbadian Office of the Ombudsman, resource limitations can weaken the Ombudsman's reach. These deficiencies, along with resistance from agencies, ministries and departments can also compound and delay the completion of the complaints.

Bureaucratic delays obstruct our path, because officers at the Office of the Ombudsman must make repeated calls to ascertain simple or what should be deemed simple recorded information. Obstruction weakens accountability and prolongs the resolution of complaints. Sometimes with the limited staff in the office, the officer might easily set a case aside for a short while with the intention of revisiting the complaint soon after, however, it can become lost in the system simply because multiple cases are tabled immediately after while awaiting responses on the previous particular matter.

Limited staff, funding, and investigative tools restrict the Ombudsman's capacity while complex cases often exceed available resources within the office leaving gaps in oversight.

Collectively, these obstacles weaken the Ombudsman's effectiveness and erode public trust, underscoring the urgent need for stronger legal frameworks and a culture of cooperation across government departments.

These challenges, though formidable, remind us why the Ombudsman exists—to safeguard integrity, to demand accountability, and to ensure that the people's voice is never silent.

ESTABLISHMENT OF THE NHRI AND THE NMIRF

The Cabinet of Barbados, on 6 February 2025, approved the establishment of two key institutions to strengthen Barbados' human rights framework:

- The National Human Rights Institution (NHRI)
- The National Mechanism for Implementation, Reporting and Follow-Up (NMIRF)

Under Government's transformation agenda, and given its mandate, the Office of the Ombudsman was positioned to evolve into both the Paris Principles and Venice Principles compliant NHRI, ensuring transparency, accountability, and citizen empowerment. The NHRI was expected to play an advisory role to the Government on human rights matters, monitor the impact of national policies, recommend redress mechanisms, and lead public education efforts as it relates to human rights. The Office was to be supported by the establishment of the NMIRF, to guarantee the fulfillment of international reporting obligations under the six (6) UN Human Rights Treaties ratified by Barbados.

One of the major activities for 2025 was the continued cooperation between the Office of the Ombudsman and the Ministry of Foreign Affairs and Foreign Trade (MFAFT) to facilitate the advancement of activities aimed at the transition from the Office of the Ombudsman to the National Human Rights Institution. The collaboration was intended to facilitate the:

1. Engagement of technical expertise to guide the design of the institutional framework,
2. Drafting of relevant legislation and regulations,
3. Development of the implementation schedule and,
4. Identification and allocation of the necessary financial, human and physical resources.

This move represented a significant step towards a holistic approach to engender human rights at the core of national development, ensuring that every Barbadian is empowered to thrive in a just and equitable society.

PARTICIPATION IN THE CAROA SPONSORED ACTIVITIES

Official visit to Tortola, BVI

The Ombudsman of Barbados, acting in his capacity as the President of the Caribbean Ombudsman Association conducted an official visit to Tortola, British Virgin Islands from the 17th to 20th March 2025. On that visit courtesy calls were paid to the Premier and Deputy Premier of the country as well as the Governor, Deputy Governor and Leader of the Opposition. These meetings discussed the role and efficiency of the Ombudsman's office both in their country and the Caribbean as a whole. Meetings were conducted with the members of the board of CAROA to ascertain the challenges that were faced by the Ombudsman offices in the region and seek to explore proposed solutions.

Lengthy discussions took place with the Board to discuss the establishment of a Human Rights Institution in each territory within the Caribbean sub-region. Expanded understanding of the Venice and Paris Principles was discussed. This was necessary to be sure of the Ombudsman's clear understanding of what would be required and what protection would be offered when these two major principles are woven into the National Human Rights Institution. Discussion also centered around the reviving of cooperation with the Latin American colleagues in order that best practices can be shared and the enhancement of regional solidarity can be achieved.

THE REGIONAL SYMPOSIUM

The Office of the Ombudsman took part in a CAROA sponsored symposium during the period October 20-23, 2025. CAROA boasts a membership of 17 countries with 13 of them very engaged. At this seminar there were 38 persons in attendance with participation from 11 of the 13 active countries registered as members of CAROA. This represented 84.6% of the active member states.

The theme was "Building sustainable futures: Preparing the path for the strengthening of CAROA.

As President of CAROA, it was pleasing to note the excellent response both in numerical strength and participation. It was an honour for all present at the symposium to have the Premier of the Virgin Islands Dr. the Hon. Natalio D. Wheatley present the Feature Address at the Opening Session. He emphasized the importance of the Ombudsman in the life of the country's development while encouraging those present to ensure fairness and justice are always paramount in their deliberations.

Some of the topics presented in the symposium were: -

- i. The importance of Public Relations in the promotion of the role and Office of the Ombudsman
- ii. Identifying ways to strengthen the regional organization to respond collectively to regional issues
- iii. The role and challenges of the Investigations Officer in the Office of the Ombudsman
- iv. Sourcing funding for the regional body, CAROA
- v. Training and Training needs of the Association
- vi. The transition of the Office of the Ombudsman to that of a Paris compliant Nation Human Rights Institution (NHRI.)

As part of the presentation, the Ombudsman of Barbados shared a comprehensive document on the establishment of a Human Rights Institution. This report was prepared by Political Scientist Dr. George Brathwaite, BSc. (Hons); M.Phil., Ph.D, a lecturer in Political Science at the Cave Hill Campus of the University of the West Indies. The presentation document focused on the establishment of Barbados expanding its Ombudsman Office into a NHRI. The intention was for all associations present to be guided on Barbados' model.

THE CARIFESTA XV STUDENT JAMBOREE

One of the initiatives of CARIFESTA XV which was held in Barbados from the 22-31 August 2025 was the creation of a Student Jamboree. This activity was indeed novel to CARIFESTA programming.

The idea was birthed in the spirit of The Hon. Mia Amor Mottley, Prime Minister and Minister of Culture, Barbados, who thought it would be an excellent idea to invite and host a few hundred students in Barbados from across the region. This would have certainly allowed them to experience their first post-COVID-19 CARIFESTA. Additionally, one of the main points of the jamboree was to inspire those participating to plan and prepare as they come together to share creatively.

Recognizing that this targeted group, the 5th and 6th form students are the leaders of tomorrow, every effort was put in place to accommodate them in a setting which is safe while at the same time allowing them to be exposed in an environment which can and will create the atmosphere for regional integration and sharing, hence the CARIFESTA XV STUDENT JAMBOREE.

This Jamboree was held in a camp-style environment utilizing secondary schools for greater interaction. These schools were prepared to accommodate all the students and their chaperones.

The Ombudsman and the Executive Officer at the Office of the Ombudsman were tasked to oversee this activity in the short time that was available from conceptualization to the completion of the activity. The Ombudsman held many meetings with his team and focused on key operational areas including security coordination, transportation arrangements, accommodation logistics and camp site management. In support of these efforts, several site visits were conducted to assess infrastructure readiness of the buildings to be used and ensure a successful execution of this component of CARIFESTA.

The programme consisted of many features which were loved by the young people. These included tours of historical sites, official Youth Village activities, parades, Grand Market visits, country nights, theatrical productions and a well appreciated visit from the Prime Minister of Barbados who spent time with the campers.

THE CARIFESTA XV STUDENT JAMBOREE 2025





Participants attending the Opening Ceremony



The Opening Ceremony of the CARIFESTA XV Student Jamboree was held at Queen's College, St. James

The Minister of Culture in the Prime Minister's Office, the Hon. Shantal Munroe-Knight addressed the Opening Ceremony at Queen's College with an interactive dialogue.





The Prime Minister of Barbados, the Hon. Mia Amor Mottley and the Minister of Education, The Hon. Chad Blackman interacting with the Jamboree participants during their visit to the Jamboree site.



**The Prime Minister as she shares with the participants during her visit to the
CARIFESTA XV Student Jamboree**

ADDITIONAL MEETINGS ATTENDED

1. Staff from the Office of the Ombudsman were actively involved in the following capacity building workshops: -
 - i. Drafting reports to international treaty bodies. The Ministry of Foreign Affairs in collaboration with the Commonwealth Secretariat hosted a capacity building workshop for local stakeholders on drafting reports to international treaty bodies. This was conducted from 3rd – 5th June 2025.
 - ii. On 30th June 2025 the Office of the Prime Minister hosted the Commitment for Results Workshop with the objective of developing skills within the Public Sector to identify and formulate indicators for greater efficiency and compliance with established service standards.
 - iii. The Office was also engaged from the 22nd – 25th April 2025 with a Mission Barbados Workshop which was hosted by the Office of the Head of the Public Service and the Mission Barbados Control Centre. The objectives of the workshop were to refine outcome targets, validate priority initiatives and offer information which would facilitate the acceleration implementation of the countries' sixth national missions.
 - iv. Regular meetings conducted by Zoom and WhatsApp with some members of the CAROA's Executive along with the Ombudsman of certain jurisdictions.
 - v. Meetings with certain members of The Inter-American Commission on Human Rights (IACHR) which is a principal and autonomous organ of the Organization of American States ("OAS"). Its mission is to promote and protect human rights in the American hemisphere. These meetings when convened provide training in many areas which are considered challenging by members of CAROA.

THE STATISTICAL OVERVIEW OF THE WORK OF THE OMBUDSMAN

Barbados Report 2025



The Public Service of Barbados operates under the Public Service Act, CAP 29 (2007), which consolidates administrative functions to promote efficiency and effectiveness. Section 4(1) of CAP 29 provides that the Public Service shall be managed by: Service Commissions, in accordance with their functions under the Constitution, relevant regulations, and Codes; the Head of the Public Service; and the Committee of Permanent Secretaries.

While CAP 29 establishes the management framework, CAP 8A, the Ombudsman Act is complementary, introducing an independent corrective and developmental role, ensuring that governance structures deliver not only efficiently, but with fairness and responsiveness. The Ombudsman's interventions are guided by the core values of: Fairness, Integrity, Impartiality, and Independence.

Chart 1: Organizational Values of the Office of the Ombudsman



Together strategically, CAP 29 and CAP 8A reinforce a dual mandate, that of Operational Efficiency – through structured management and oversight and Service Excellence – through independent review, accountability, and fairness.

This alignment strengthens the governance of public sector agencies, ensuring that citizens experience both effective service delivery and equitable treatment.

Ombudsman of Barbados Annual Report 2025

The integration of CAP 29 and CAP 8A therefore underscores Barbados' commitment to modern and citizen-focused governance.

During the year 2025, the thrust of the Ombudsman's interventions was to continue with greater productivity the investigations and resolution of complaints, as well as to champion the improvement of service delivery which should ultimately lead to enhanced public satisfaction.



Cases were classified according to the key sectors as listed at pages xi – xiv of the Barbados Estimates Document. This approach was taken considering that over twenty thousand (20,000+) persons are employed across the thirty (30) Public Sector Organizations that include business and financial development, law, order and justice, along with health, education and housing.

Excluding the Office of the President, Parliament and the Office of the Ombudsman, this analysis revealed that complaints have been laid against 70% of the main public sector organizations.

Table 1 below shows the results of the complaints assessed to date according to the specified classification. A further breakdown of the complaints was also undertaken to identify those departments and agencies for which the most complaints were laid. This is provided at Appendix I.

Table 1: 2025 Complaints Classified by Public Sector Organization

No.:	Head	Name	Number of Complaints
3	13	Prime Minister's Office	15
4	14	Ministry of Finance	49
5	15	Cabinet Office	0
7	18	Audit	0
8	19	Treasury	0
9	20	Ministry of Public Service and Talent Development	7
10	27	Ministry of Tourism and International Transport	2
11	29	Office of the Director of Public Prosecutions	0
12	30	Attorney General	18
13	31	Ministry of Industry, Innovation, Science and Technology	0
14	32	Ministry of Foreign Affairs and Foreign Trade	0
15	33	Ministry of Home Affairs, Information and Public Affairs	10
16	35	Ministry of People Empowerment and Elder Affairs	7
17	39	Ministry of Legal Affairs and Criminal Justice	0
18	40	Ministry of Transport and Works	5
19	41	Ministry of Energy, Business Development and Consumer Affairs	1
20	44	Ministry of Private and Public Investment	0
21	50	Post Office	2
22	51	Ministry of Sports and Community Empowerment	1
23	59	Ministry of Environment, National Beautification and Fisheries	5
24	63	Ministry of Technological and Vocational Training	4
25	83	Ministry of Agriculture, Food and Nutritional Security	3
26	84	Ministry of Labour, Social Security and the Third Sector	34
27	86	Ministry of Health and Wellness	16
28	93	Ministry of Housing Lands and Maintenance	5
29	96	Ministry of Educational Transformation	13
30		GAIA Barbados Inc.	5

The recent analysis of complaints lodged against Public Sector Organizations (PSOs) reveals a concerning trend. Specifically, there are:

- **A high prevalence of complaints:** Complaints have been registered against an estimated 70% of Public Sector Organizations classified by head, indicating systemic inefficiencies.
- **A concentration of issues:** Nine (9) Departments/Agencies with five or more complaints made against them, with at least three (3) of these recording totals of 15, 33 and 43, suggesting persistent operational or cultural challenges.
- **Increasing governance risk:** Operational inefficiency undermines social, economic, and political stability, eroding public trust and employee morale.

Chart 2: Departments or Agencies with Five (5) or more Complaints

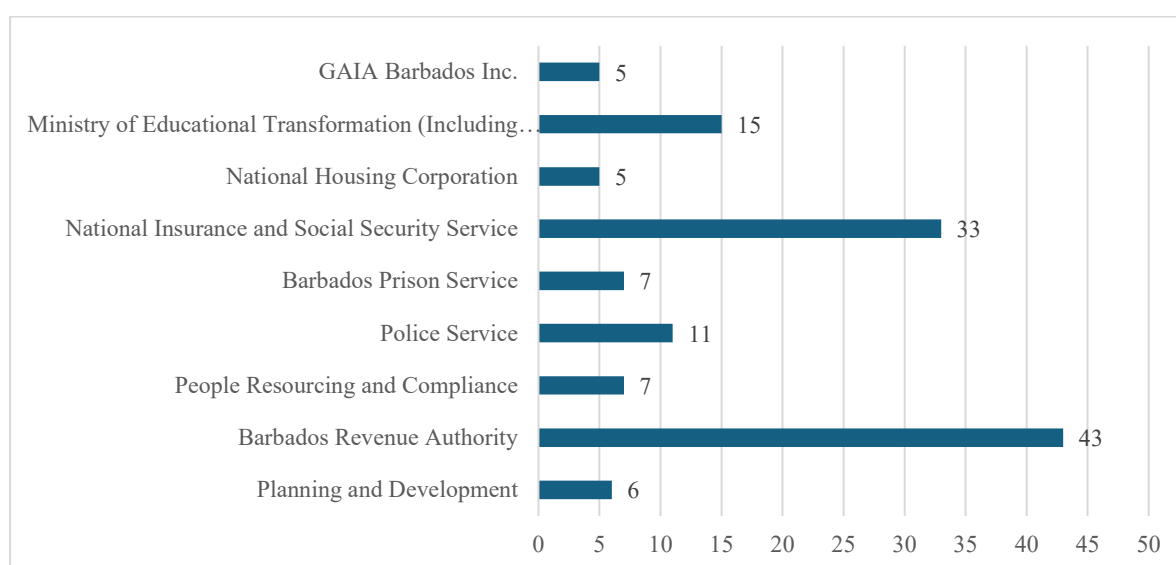


Table 2: Comparison of MDAs with more than five (5) complaints

Organization	Mandate	2025	2024	2023
Planning and Development		6	0	0
Barbados Revenue Authority	Tax Administration and Compliance	43	37	27
People Resourcing and Compliance	Public Sector Human Resource Management and Development	7	5	5
Barbados Police Service	Law Enforcement, Maintaining Order, Ensuring Public Safety	11	6	32
Barbados Prison Service	Custodial and Rehabilitation Services for	7	3	11
National Insurance and Social Security Service	Social Security Services	33	15	36
National Housing Corporation		5	0	0
Ministry of Educational Transformation (Including complaints against BOMs)	Governance and Administration of the Education System	15	9	26

GAIA Barbados Inc.		5	0	0
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*BOMs – Boards of Management

The number of new complaints for 2025 was one hundred and thirteen (113), a decrease by sixty-eight (68) from the 2024 total. The number of cases brought forward from 2024 was two hundred and one (201), giving an overall case load of three hundred and fourteen (314). See Table 3.

Table 3: Number of Complaints for the Period 2019-2025

Complaints	2019	2020*	2021*	2022*	2023	2024	2025
Brought Forward	607	615	628	629	640	286	201
New	19	15	1	11	141	181	113
Total	626	630	629	640	781	467	314
Non- Jurisdiction	6	0	0	0	96	40	83
Withdrawn	0	0	0	0	8	2	10
Resolved	5	2	0	0	391	224	107
Active	615	628	629	640	286	201	114

Chart 3: A Comparison of Caseloads 2024 and 2025

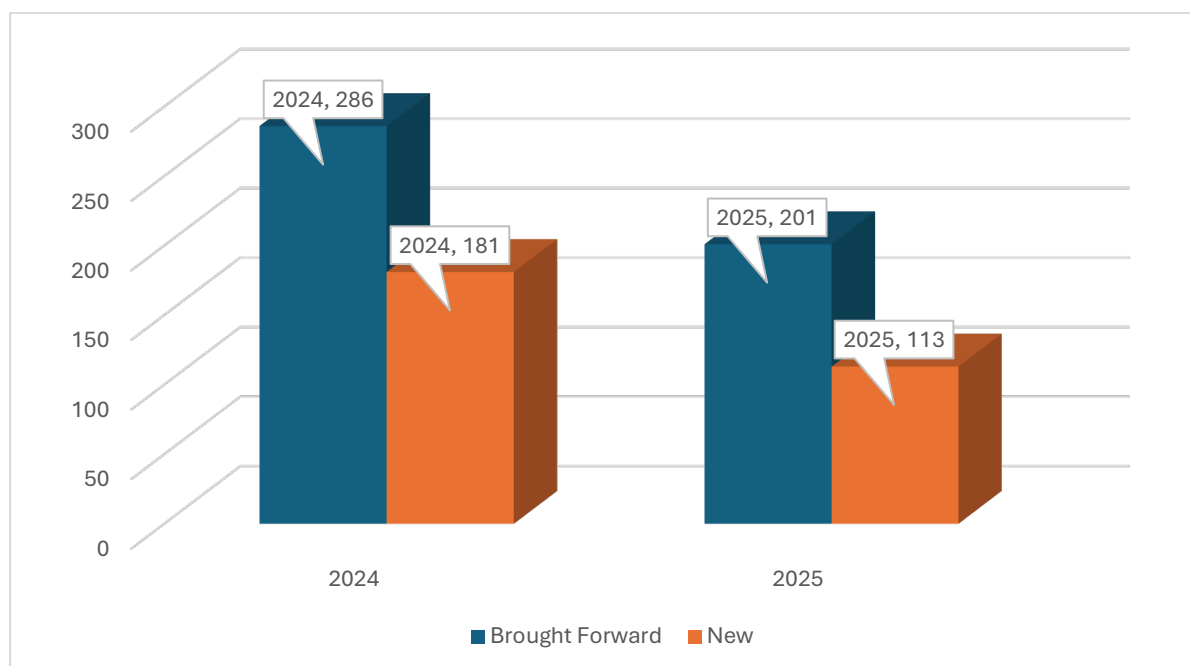
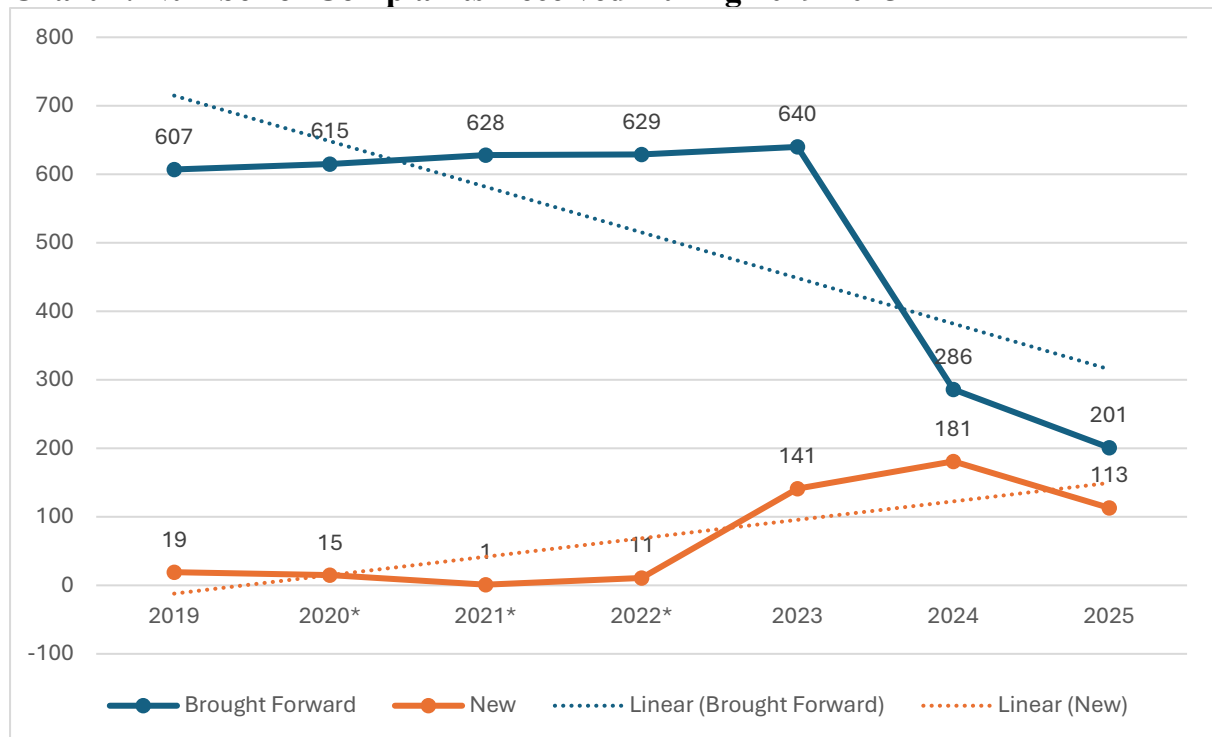


Chart 4 shows a consistent decline in the number of cases which remain active at the end of each year. The drop in new cases also suggested that the intake began to stabilize after the spike of the previous year. In summary, the system went from sudden pressure to aggressive recovery. Given that public sector operations support effective governance, build citizen trust, and facilitate overall national development, the analysis underscores the need for the administrative and governance arms to mitigate

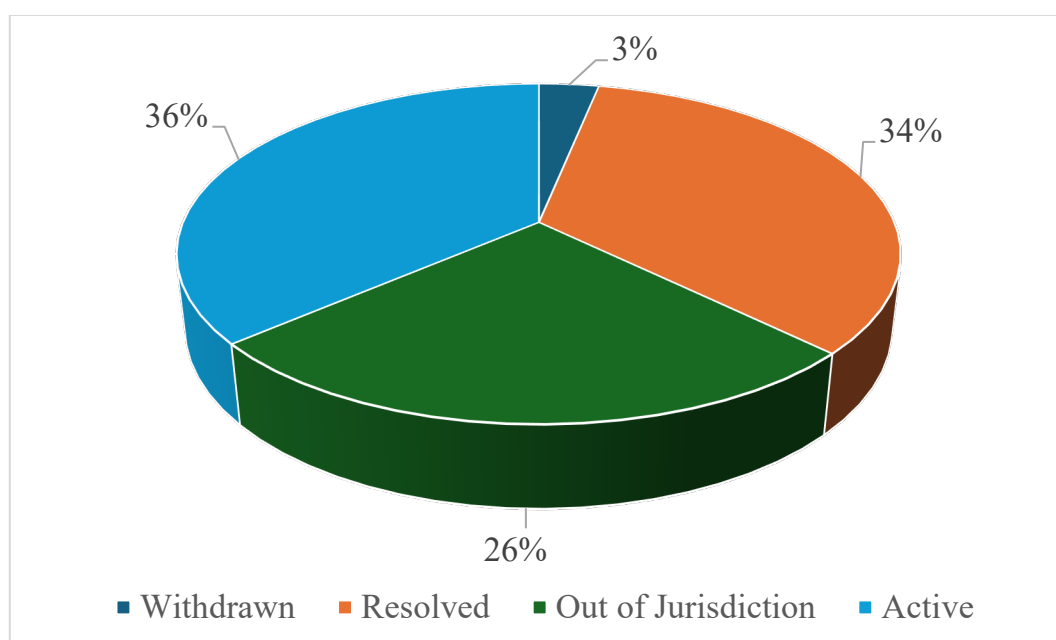
inefficiencies with public service delivery which may threaten the key factors for driving and sustaining national growth.

Chart 4: Number of Complaints Received During 2019-2025



At the end of 2025, thirty-four (34%) percent of the cases were resolved, thirty-six (36%) percent remained active and approximately three (3%) percent were withdrawn. Chart 5 below shows the status of cases at the end of 2025.

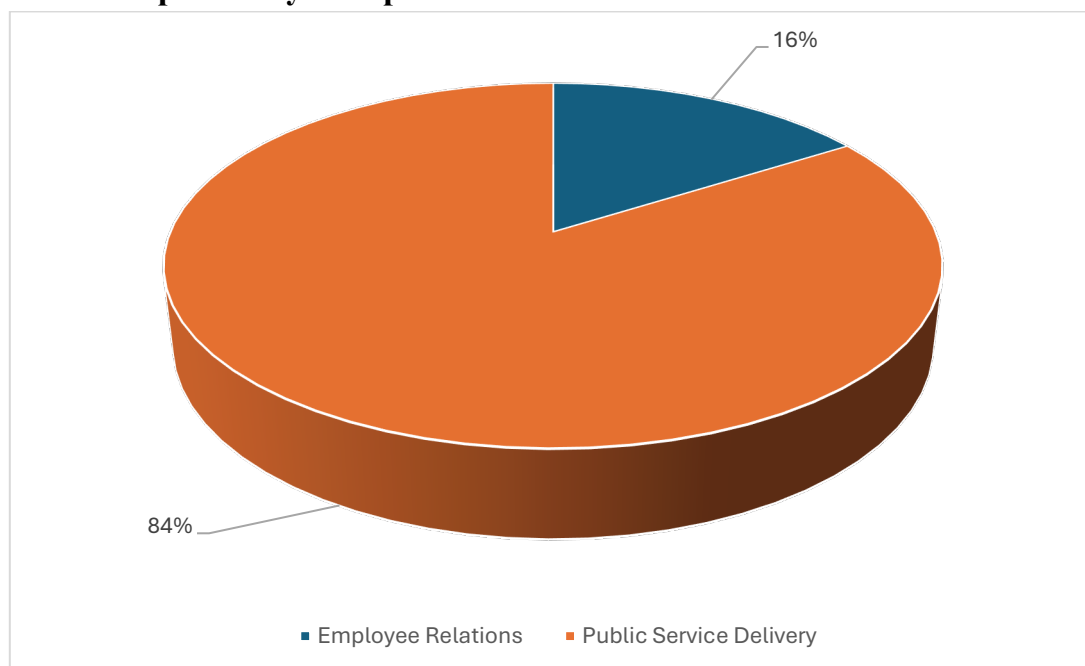
Chart 5 – 2025 End of Year Status of Complaints



At the heart of the complaints lie the dual source of dissatisfaction: Sixteen (16%) of employees in this instance felt constrained by unfair practices, and eighty-four (84%) of citizens in this instance felt disillusioned by improper or inadequate service delivery. As it relates to employee grievances some of the issues identified are supercession, non-promotion and more recently, reported perception of employee victimization.

By the end of 2025, the Ombudsman had also completed an investigation relating to one (1) CARICOM complaint which was received by the Government of Barbados. The investigation process included interviews under oath, reviews and analyses of the relevant file(s) and document(s). Summary findings and recommendations were submitted on 26 June 2025 to the Office of the Prime Minister.

Chart 6: Complaints by Complainant Classification



It is indeed important to ensure that there is a culture of fair and transparent human resource practices. This is essential for the unlocking of employee productivity, satisfaction and the reducing of internal grievances along with the improvement of the delivery of service. Equally important is the cultivation of institutional knowledge, that is the development and sharing of expertise both within agencies and across public sector organizations.

In recent investigations, the Ombudsman has observed a marked increase in the use of the term “victimization” as the basis for employee complaints. The Concise Oxford Dictionary (9th Edition) defines victimization as “to single out (a person) for punishment or unfair treatment.” Other definitions also include “to discriminate against,” a concept directly addressed by the Employment (Prevention of Discrimination) Act, 2020, which would apply in such circumstances.

With reference to citizen complaints, the Office of the Ombudsman has adopted a collaborative approach by working closely with Ministries, Departments and Agencies to resolve complaints more efficiently. For instance, the National Insurance and Social Security Service (NISS) has instituted a dedicated email address to streamline queries from the Office of the Ombudsman in order to ensure timely responses.

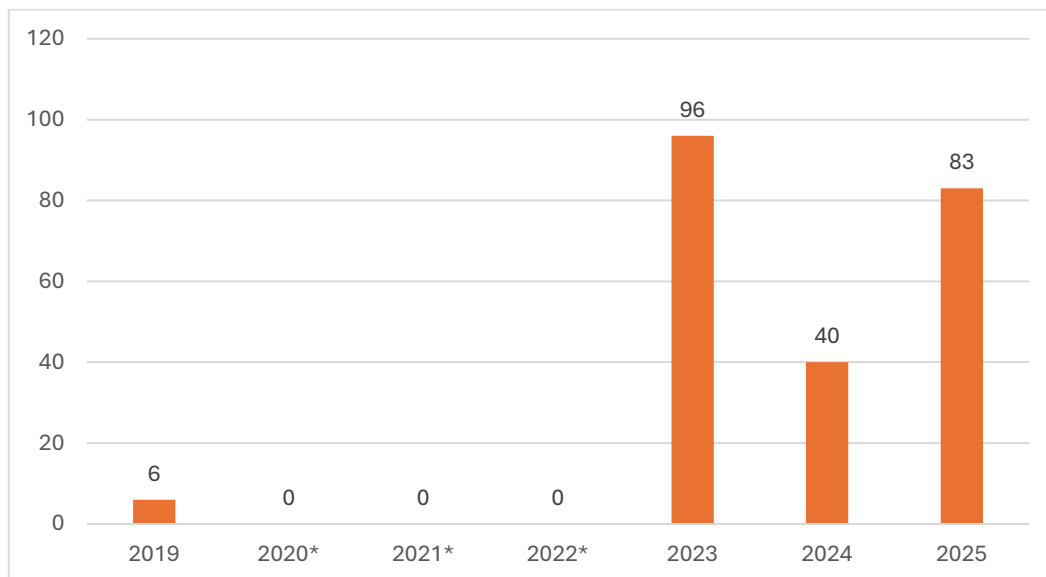
Additionally, the Office of the Ombudsman convenes bi-monthly meetings with the Manager and Team for Taxpayer Advocacy at the Barbados Revenue Authority, providing a structured mechanism for regular reporting and oversight of complaints lodged against this agency. These measures reflect a commitment to proactive engagement, faster resolution, and strengthened accountability across the public sector.

The Office of the Ombudsman is also cognizant of the establishment of the Learning and Development Directorate (L&DD) whose mandate is to assist in “improving the efficiency and effectiveness of the Public Service. This is achieved through an integrated human resource development effort aimed at improving individual and organizational work performance.” Additionally, there is also the operationalization of the Performance Review and Development System (PRDS) which seeks to promote greater productivity and create standards of performance.

Matters Outside the Jurisdiction of the Ombudsman

The Ombudsman’s report has also taken note of the volume of matters not subject to investigation. These include those matters which are classified by the Second Schedule of CAP 8A. Matters that are made against private sector entities also fall outside the purview of the Ombudsman.

Chart 7: Cases Classified as Out of Jurisdiction 2019-2025



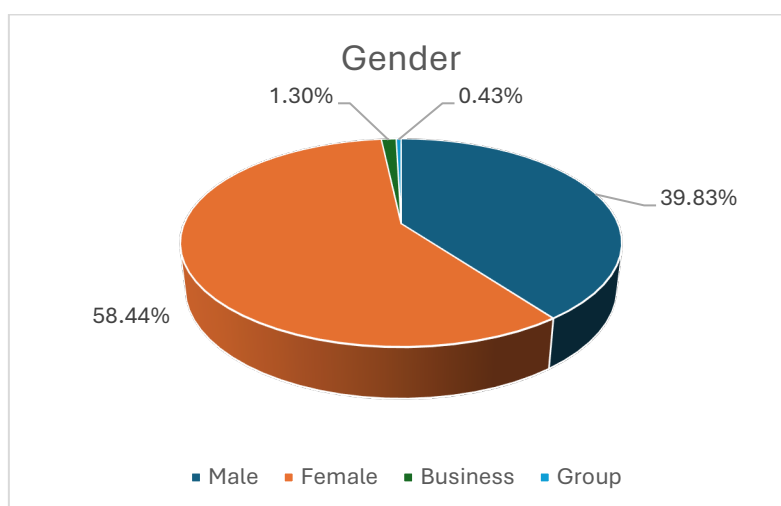
For the benefit of clarity, the Ombudsman’s jurisdiction is limited by statute under Section 2 of the Ombudsman Act CAP 8A. The Ombudsman can investigate the administrative conduct of government ministries, departments and statutory authorities that appear to be improper, unreasonable or inadequate. If a complaint does not fall within the statutory definition of administrative conduct it begs to reason that the Ombudsman has no legal power to investigate even if the complaint seems unfair. It should be noted that the Ombudsman has no inherent or general power outside of what the Act expressly allows.

Case Demographics

Gender Distribution of Cases for 2025

Approximately 58.4 percent of the complainants filing new cases for 2025 were females and 39.8 percent were males. Three (3) cases which were lodged by companies represented 1.3% percent while one (1) group of concerned citizens laid a complaint. **A group case is defined as a complaint in which there is more than one complainant.**

Chart 8 – Cases Disaggregated by Gender



Cases Submitted by Senior Citizens (65+)

Barbados has placed tremendous emphasis on aging and the care of the elderly. The vision established under the National Policy on Aging focused on Barbados being “a country in which all older people are equipped and empowered to lead healthy, active, secure and dignified lives.” The Ombudsman monitors the complaints made by senior citizens to ensure the alignment of service delivery practices with the national objectives for elderly care. For this analysis, any individual aged 65+ is classified as a senior citizen. From a sample of fifty-five (55) persons who engaged with the Ombudsman, approximately 33% were 65 years or older, highlighting a significant proportion of older adults among complainants.

At least 7% of the new complaints against MDAs were made by people 65 years or older. As we continue to promote service excellence within the public sector, it is imperative that service delivery to elderly citizens be characterized by elements of kind consideration and the willingness to assist.

Table 4: Details of Ages of the Sample of Complainants:

Range	Age Range	Number of Complainants
1935 - 1944	81 - 90	1
1945 - 1954	71 - 80	8
1955 - 1964	61 - 70	12
1965 - 1974	51 - 60	20
1975 - 1984	41 - 50	10
1985 - 1994	31 - 40	2
1995 - 2004	21 - 30	2

Of the complainants who engaged with the Ombudsman and whose ages could be confirmed, the following information was also observed:

- The modal age range was 51–60 years, accounting for 20 complaints.
- The age distribution between 41–80 years represented approximately 91% of the sample, indicating that the majority of complainants fall within middle-aged to older adult categories.

This suggests that the Ombudsman’s services are most frequently accessed by individuals in the 41–80 age bracket.

Cases Submitted by Persons Living with Disabilities

In consideration of the Cabinet’s approval in September 2023 of “The 2023 – 2030 National Policy for Improving the Lives of Persons with Disabilities,” the Ombudsman also seeks to monitor complaint trends involving this vulnerable group. As the country continues its thrust to ensure accessibility, inclusiveness and equality, it must become a reality for persons living with disabilities. The Ombudsman supports the targeted effort to advance the full rights and fundamental freedoms of persons with disabilities in Barbados as aligned to the vision of the Office namely, “to support the protection of individual rights and liberties and to promote adherence to service standards in the delivery of public goods and services.” There were four (4) cases submitted by persons with physical disabilities.

SUMMARY OF THE NATURE OF SOME OF THE COMPLAINTS 2025



Several complaints were made against Ministries and Departments. Outlined below are some of the Complaints which were reported to the Office of the Ombudsman.

- i. Complainant stated that on the occasion of her daughter entering a secondary school in September 2022, the Ministry of Education had not given her the subsidy due to new students entering the school for the first time.

- ii. Complainant was aggrieved that after five consecutive years she had not received an appointment within the Public Service.
- iii. Complaints against the State-Owned Enterprise with respect to remuneration and reclassification of certain employees.
- iv. Complaints against a government agency outlining being an employee for forty-five years and his pension is still outstanding.
- v. Complaints about being denied outstanding refunds of duties paid.
- vi. Complaints against the Barbados Police Service.
- vii. Complainant speaks of repeated unresolved challenges within the Government Housing Units.
- viii. Complainant was injured in a fall at a residence provided by a government ministry. A statement was given to the Ministry and the landlord admitted to the said Ministry that she fell and broke her foot at the residence, but the complainant stated that she was having difficulty claiming compensation from the landlord's insurance provider.
- ix. The complainant received injury from a fall at a government department while conducting business and was having difficulty receiving compensation.
- x. Complainant noted an increase in land tax demand without the appropriate explanation from the government agency.
- xi. Complainant was annoyed that a warning letter was received from BADMC of the potential lease termination under the Farmers' Empowerment and Enfranchisement Drive (FEED) Programme due to noted limited crop production.
- xii. Complainant requested the correction of a parent's death certificate. The appropriate contact was made and after intervention by the Ombudsman a new medical certificate of death was issued, the error in the previous death certificate was noted and the matter resolved by the coroner's and Registration offices.
- xiii. Inordinately long times in having questions affecting citizens answered from Government departments.

- xiv. Frequent complaints concerning being overlooked for promotion, while still being given more responsibility.
- xv. Complainant was aggrieved that her thesis was downgraded from a potential Ph.D to a M.Phil because of her failure to pass two upgrade seminars. She contended that the action was procedurally unfair and was a case of administrative abuse.
- xvi. Complaints arising from health challenges from inmates at the Barbados Prison Service.
- xvii. Complaints from inmates related to victimization and unfair treatment.
- xviii. Having to wait extremely long hours in the Accident and Emergency Department before being seen by a doctor. Time can range from several hours to days. Complainants speak of poor to no seating accommodation and not enough beds.
- xix. Complainant was aggrieved that after submitting his application to a government department in 2022 it was denied in 2024. The matter was appealed and a meeting set where he attended in the said year 2024. To date prior to his contact with the Office of the Ombudsman in 2025 he was unable to obtain a response to his appeal.
- xx. Complainant reported that he was informed by the Barbados Licensing Authority that he must re-register his vehicle since completing payment of a loan to his financial institution for the said vehicle. He also indicated that the vehicle was always registered only in his name from the date of purchase until the present time.
- xxi. Multiple complaints to the Office of the Ombudsman indicated that the environment at a particular polyclinic was not customer friendly.
- xxii. The non-payment of income tax refunds to the public.
- xxiii. No resolution to the complaint about paying monthly for piped potable water but not getting the supply on a regular basis.
- xxiv. Complaint about poor services from the Barbados Water Authority as it relates to the discoloration of the water for drinking and household use.

- xxv. Complainant indicated that his job required him to have the appropriate Personal Protective Equipment but the senior officers in that ministry did not provide the safety footwear as part of the said equipment but substituted it with simple inferior boots which did not adequately protect his feet from injury.
- xxvi. The continued report to the Office of the Ombudsman on the dissatisfaction with the level of pay given to invigilating staff for CXC Exams. The complainants argue that the money given for their services is not commensurate with the level of responsibility or the workload involved. They further argue that the money is also below the minimum standard wage of the country for workers.
- xxvii. Complainant was aggrieved about the failure to obtain his reverse tax credit after stating it has been three years since he had been making efforts but to no avail.
- xxviii. Complainant requested assistance in making an appeal to the National Insurance and Social Security Service after his appeal for non-contributory old age pension was disallowed.
- xxix. Repeated delay in the processing of complainant's application for pension.
- xxx. The complainant indicated her displeasure at being presented with false information from a government entity.

This resulted in an expense in having the said documents arrive from overseas then to be told by the government agency that they were not needed.
- xxxi. Complainant sustained injuries in a vehicular accident with a government vehicle in the year 2016. It was stated that even though the insurance company accepted liability the matter remained unsettled nine years later.
- xxxii. Complainant spoke on non-payment of acting allowance.
- xxxiii. Repeated complainants shared on the major damage to their vehicles due to very bad roads. This is causing great expense to repair vehicles.

COMPLAINTS BY HEAD AND NAME OF PUBLIC SECTOR ORGANIZATION

During the reporting period, the Office of the Ombudsman received complaints from members of the public concerning the administrative conduct of a range of Government Ministries, Departments, and Statutory Authorities. These complaints generally arose where individuals believed that they had been subjected to unreasonable delay, unfair treatment, improper procedures, errors in decision-making, or inadequate communication in their dealings with public bodies.

For clarity and transparency, complaints are categorized according to the departments and agencies against which they were made. This approach assists in identifying patterns of maladministration, highlights areas requiring administrative improvement, and promotes accountability within the public service.

The departments and agencies commonly identified in complaints to the Office of the Ombudsman typically relate to the administrative actions of those departments responsible for the delivery of essential public services. Other complaints relate to delays, eligibility determinations, procedural fairness, and access to services while a distinct number have been criticized for not communicating with the public on many issues which were presented to the departments.

Below gives a fair analysis of the complaints by Head and Name of the Public Sector Organization.

Complaints by Head and Name of Public Sector Organization

Head	Public Sector Organization/Programme	Percent
Head 13	Prime Minister's Office	
Archives	1	7%
Barbados Defence Force	2	13%
Barbados Water Authority	2	13%
Defence and Security	2	13%
Planning and Development	6	40%
Rural and Urban Development Commission	2	13%
	15	100%
Head 14	Ministry of Finance	
Barbados Customs	4	8%
Barbados Revenue Authority	43	88%

Head	Public Sector Organization/Programme	Percent
Electoral and Boundaries Commission	1	2%
Ministry of Finance	1	2%
	49	100%
Head 20	Ministry of Public Service and Talent Development	
People Resourcing and Compliance	7	100%
Head 27	Ministry of Tourism and International Transport	
Maritime Affairs	1	50%
Tourism	1	50%
	2	100%
Head 30	Attorney General	
Financial Services Commission (FIU)	1	5%
Government Industrial School	1	5%
Police Service	11	58%
Registration Services	2	11%
Supreme Court	3	16%
Solicitor General	1	5%
	19	100%
Head 33	Ministry of Home Affairs, Information and Public Affairs	
Barbados Immigration Department	2	20%
Barbados Prison Service	7	70%
Government Printery	1	10%
	10	100%
Head 35	Ministry of People Empowerment and Elder Affairs	
Child Care Board	1	17%
Ministry	2	33%
National Assistance Board	1	17%
Welfare	2	33%

Head	Public Sector Organization/Programme	Percent
	6	100%
Head 40	Ministry of Transport and Works	
Ministry	4	80%
Transport Board	1	20%
	5	100%
Head 41	Ministry of Energy, Business Development and Consumer Affairs	
Department of Commerce and Consumer Affairs	1	100%
Head 50	Post Office	
Barbados Postal Service	2	100%
Head 51	Ministry of Sports and Community Empowerment	
National Sports Council	1	100%
Head 59	Ministry of Environment, National Beautification and Fisheries	
Environmental Protection Department	3	60%
National Conservation Commission	1	20%
Sanitation Service Authority	1	20%
	5	100%
Head 63	Ministry of Technological and Vocational Training	
Barbados Accreditation Council	1	25%
Erdiston Teachers' Training College	1	25%
Samuel Jackman Prescod Institute	1	25%
University of the West Indies	1	25%
	4	100%

Head	Public Sector Organization/Programme	Percent
Head 83	Ministry of Agriculture, Food and National Security	
Barbados Agricultural Development and Marketing Corporation	3	100%
Head 84	Ministry of Labour, Social Security and Third Sector	
Labour	1	3%
National Insurance and Social Security Service	33	97%
	34	100%
Head 86	Ministry of Health and Wellness	
Brandford Taitt Polyclinic	1	13%
Environmental Health Department	1	13%
Psychiatric Hospital	1	13%
Queen Elizabeth Hospital	2	25%
Randal Phillips Polyclinic	2	25%
St. Philip Polyclinic	1	13%
	8	100%
Head 93	Ministry of Housing, Lands and Maintenance	
National Housing Corporation	5	100%
Head 96	Ministry of Educational Transformation	
Ministry of Educational Transformation (Including complaints against BOMs)	15	100%
GAIA Barbados Inc.	5	100%

- BOM – Boards of Management

AN ANALYSIS OF SOME SAMPLE CASES DURING THE YEAR 2025

Outlined below are some of the Complaints which were reported and resolved by the Ombudsman during the year 2025.

The Nature of Complaints

During the reporting period, the Ombudsman noted several cases that continue to expose systemic implementation challenges within the public sector. These include inadequate communication with citizens and consumers of public goods, poor human resource management practices, and improper operational procedures. In some instances, resources were wasted when complainants failed to take necessary action to allow for case closure. Five examples of such cases are provided for information. The issues, relevant legislation, application, and the conclusion are succinctly provided below:

Case Study No. 1

Improper Operational Procedures

The complainants in this matter were aggrieved that the taxes demanded for their properties had increased exponentially due to the reclassification of lands on which they lived from residential to agricultural.

The Ombudsman summoned the relevant senior officials from the Authority to provide an explanation on this anomaly. It was submitted that the land owned by those affected lie on an agricultural belt, with lot sizes of two or more acres. However, this reclassification was not authorized and actioned based on any statutory provision which governed the Authority's operations.

In a subsequent meeting with the Ombudsman, all parties involved in the decision and those affected by the circumstance ultimately recognized that a major error had occurred as voiced by the government entity and he recommended that the appropriate remedial action be completed in a timely manner to restore the lands to the original classification, and that the affected landowners be duly informed.

This matter was quickly resolved after the intervention of the Ombudsman, much to the satisfaction of all parties involved. A public announcement was made by the head of the department in question who announced that new invoices were prepared and re-distributed.

Case Study No. 2

The Cost of Delayed Action

This complaint concerned an eighteen-year delay in receiving a Personal Income Tax refund. During an interview with the Ombudsman, the taxpayer produced several pieces of evidence, including a Notice of Objection, the Authority's subsequent acknowledgment, a Notice of Assessment, and correspondence pointing out errors in the Authority's assessment.

The prolonged delay in resolving the matter caused significant frustration and led to the complaint being lodged with the Ombudsman. Upon intervention, the Authority confirmed the error in its assessment and the matter was soon settled.

However, based on the Ombudsman's recommendation that the authority follow their legislation and apply the appropriate interest from the period outstanding for the settlement, when accrued interest was applied as per the statutory obligation of the Authority, the refund increased by an estimated 34%, directly attributable to the Authority's delayed action. The Ombudsman notes that such inefficiency imposes unnecessary costs on the public purse and underscores the urgent need for greater efficiency and improved communication with citizens.

Case Study No. 3

Inconsistent Human Resource Practices

At one institution, employees in a bracketed post (II/I) were aggrieved that after serving five years at the lower scale (II), they were not promoted to the upper scale (I) with the corresponding remuneration as is customary.

Upon receipt of official complaint forms, the Ombudsman interviewed both staff members and management. Evidence included correspondence from the Chief Personnel Officer, issued in February 2011, which outlined the criteria for movement within bracketed posts and posts subject to qualification bars.

Following the Ombudsman's intervention, the administration investigated the matter and standardized the practice for movement within bracketed posts, ensuring greater fairness and consistency in future applications.

Circumstances such as these do not improve the morale of workers, and only serve to threaten productivity, positive organizational relationships and overall output.

Case Study No. 4

When Citizens Fail to Act In Their Own Best Interest

In October 2024, a complainant expressed frustration with a state agency that had agreed to remedy his dissatisfaction with the output as provided. The Ombudsman commenced investigations, engaging both the complainant and the entity. The business relationship between the entity and the complainant originated in 2007, and hence, the Ombudsman requested a report to include the status of the issues raised by the complainant. The report was submitted in a timely manner, and an agreement was reached between the parties' legal representatives by August 2024. An element of the agreement was the submission of additional information to enable further action.

By December 2025, some fifteen (15) months later despite repeated follow-ups by both the entity and the Ombudsman, the complainant had not provided the required information. The Ombudsman noted that the entity's attempts to obtain the information through the complainant's legal representative were reasonable and consistent with expected standards of communication.

The Office of the Ombudsman also made several efforts to encourage the complainant to act in good faith, but without success.

Following a meeting with the entity, the Ombudsman determined that the complainant had not demonstrated sufficient commitment to allow for resolution. The complainant had also engaged private legal counsel, and hence, the option for legal remedy before the court of law was available. The case was therefore closed by the Ombudsman.

The Ombudsman commended the entity for its professional conduct and timely advancement in the matter, particularly given the legal complexities involved. However, the complainant's failure to act resulted in wasted time, effort, and costs for officials and the government. This case underscores the importance of citizen responsibility in enabling the resolution of complaints against public sector organizations.

Case Study No. 5

Improper Handling of Disciplinary Matters

A public service employee was suspended from duty in 2015, receiving full pay throughout the suspension, which lasted ten (10) years. According to the employee's account, no reason was provided for either the suspension or the subsequent recall to duty. **The correspondence issued to the officer listed the infraction as “failure to comply with lawful and reasonable instruction given,” an action deemed to “challenge and impede the orderly administration of the institution.” However, this phrasing reflects one of the generic terms contained in the Act and does not provide any specificity regarding the nature of the alleged misconduct.**

Prior to returning to work, the employee was instructed to attend a professional development session aimed at reintegration into the public service. Reportedly, no remedial measures or professional development were implemented to address the alleged infraction underlying the employee's suspension.

THE PROCEDURES FOR DISCIPLINARY ACTION

The legislative framework, specifically the Public Service Act (CAP 29), Third Schedule, Code of Discipline, sets out the procedures for disciplinary action:

Section 11: Charges against an officer must be defined in a written statement, accompanied by:

- (a) a signed statement by the officer, if any.
- (b) signed statements from witnesses, supervisors, and other relevant parties.
- (c) advice that the officer may be assisted during the enquiry by a trade union representative, attorney-at-law, or friend.

Section 12: All statements and documentary evidence to be used in an enquiry must be provided to the officer within seven (7) days.

Section 13: The officer must be given fourteen (14) days after receipt of the evidence to reply to the charge and submit written observations.

Section 17: The Commission, through the Chief Personnel Officer, must inform the officer of the Governor-General's decision within seven (7) days.

Section 6: Penalties for misconduct may only be applied after a formal hearing. These are mentioned for:

- Serious misconduct: suspension on half pay (up to 6 months), reduction in rank, suspension of increments (up to 2 years), written reprimand, compulsory retirement, or dismissal.
- Minor misconduct: oral warning or written reprimand.

Noteworthy therefore from the submission is that:

1. The officer reports that no disclosure was made regarding the specifics of the alleged infraction.
2. The statutory requirements under Sections 11, 12, and 13 appear not to have been followed, as no written charge, supporting evidence, or opportunity to reply was provided.
3. No communication of the Governor-General's decision was issued to the officer, contrary to Section 17.
4. None of the prescribed penalties under Section 6 were applied following the investigation, raising questions about the initial severity of the suspension.
5. The suspension period of **ten (10) years**, without formal charges, effectively functioned as a punishment outside the bounds of the legislative framework.

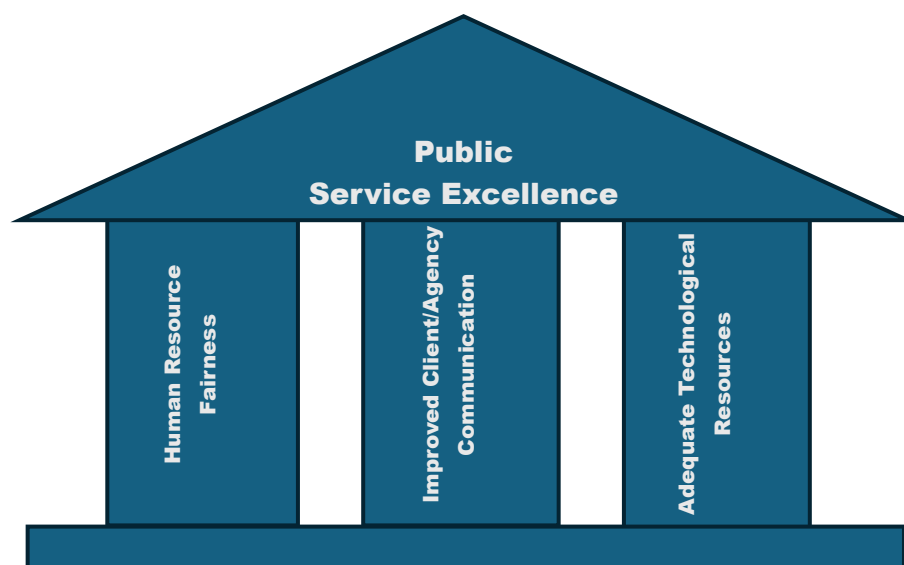
If the situation occurred as reported, the legislative framework guiding disciplinary processes was not properly followed, thereby undermining the integrity of the system. While legislation allows for an extension beyond the initial six (6) months to complete an investigation, it is unclear what mitigating factors could justify prolonging this case for **ten (10) years**.

In the context of CAP 8A and the Ombudsman's role in determining whether maladministration has occurred, such a delay raises serious concerns about procedural compliance, administrative fairness, and breaches of natural justice. A situation such as this erodes confidence in the systems established for the proper administration of the public service.

Should the legal pursuit of justice result in a favourable judgment for the officer, the Government and Public Sector Management may face significant costs and reputational damage. This case underscores the critical importance of educating senior officials on the proper handling of disciplinary matters to ensure compliance with legislative requirements and safeguard institutional credibility.

All officers should also familiarize themselves with the Public Service Act in its entirety, particularly the Third and Fourth Schedules.

**Looking Forward – Advancing Operational Excellence:
Key Strategic Objectives for 2026**



Recommendations for Improving Public Service Delivery

When examining the state of economies internationally, and the magnitude of global events which may negatively affect small developing countries such as Barbados, it is pivotal that policymakers be intentional about efficient public policy development and implementation. Firstly, policy actions must be designed to allow the country and its citizens to thrive, even in challenging circumstances. Secondly, policymakers and public officers at all levels must also be intentional as they seek to champion operational practices that consistently produce the desired outcomes for each beneficiary, simultaneously ensuring accountability and compliance.

In a news article on page 6 of the Daily Nation entitled “Strong public service vital”, Kimberley Agard reminded the congregation of “the significance of public workers, whom she described as the backbone of national development.” She alluded when public workers were respected, valued and properly supported, the entire country benefits.

Two critical areas noted for addressing employee and citizen dissatisfaction are the strengthening of human resource practices that motivate staff, and the improvement of communication with clients regarding their queries and complaints. The Ombudsman has also expressed concern about the lack of response—or, in some cases, the complete absence of response—to requests for information made by his Office.

In correspondence to the Head of the Public Service (HPS), dated 14 April 2025, he emphasized that such non-submissions negatively affect the efficiency of case processing. He further reminded the HPS that, under CAP 8A Section 10(1), the Ombudsman has the authority to summon any official to provide information, produce documents or items, attend for examination, or grant access to departmental or the authority’s premises, in order to determine whether maladministration has occurred. The Internal Investigation Service Standards and the Response Standards for Ministries, Departments, and Agencies are provided at Appendix II for reference.

Most cases brought before the Office of the Ombudsman arise because citizens have been unable, often for extended periods, to obtain responses directly from Public Service Organizations. Despite the introduction of channels intended to improve access to public services, challenges in reaching Public Service Organizations persist. For example, in addition to PBX systems, a Citizen Services Contact Centre was established in 2024, along with the post of Director of Citizen Engagement and Media Relations.

The Ombudsman will be recommending these specific actions below for consideration and implementation in order to advance and streamline service delivery: -

1. Strengthen Complaint Resolution Systems

- Expand dedicated communication systems across all major agencies, modelled on the National Insurance email channel and the Barbados Revenue Authority's dedicated team meetings for Ombudsman updates.

2. Enhance Human Resource Fairness

- Conduct a comprehensive HR audit to identify patterns of supercession, non-promotion, and grievance handling.
- Sensitize staff to promotion criteria to improve transparency and reduce perceptions of bias.

3. Institutionalize Learning and Development

- Ensure that the Performance Review and Development System (PRDS) meaningfully integrates training to close performance and knowledge gaps.
- Map the mandates of public service organizations to create opportunities for cross-training and knowledge-sharing, breaking silos and fostering institutional learning.

4. Embed Accountability and Transparency

- Require agencies to publish regular reports on complaint trends, resolution rates, and reform measures for public consumption.
- Introduce citizen feedback mechanisms such as customer/client satisfaction surveys, to complement Ombudsman data.
- Strengthen legislative frameworks to enforce compliance with service delivery standards.

5. Promote a Culture of Responsiveness

- Establish regular joint review meetings between the Ombudsman and high-complaint agencies, modelled on the Barbados Revenue Authority (BRA) collaboration.
- Operationalize Service Charters outlining citizen rights, service standards, and agency obligations.

6. Leverage Technology for Efficiency

- Expand and/or monitor the management of e-governance platforms to streamline service delivery and improve accessibility.

STRATEGIC GOALS FOR THE FINANCIAL YEAR 2026/2027

Ombudsman of Barbados Annual Report 2025

1. To investigate and resolve complaints with professionalism, fairness, integrity and independence. Additionally, seeking to positively impact the public sector administration and good governance at the national level.
2. To collaborate with ministries, departments and agencies of government, with a view to strengthen efficiency and public trust in the delivery of public goods and services.
3. To build greater public awareness of the role and function of the Ombudsman.
4. To maintain the relevance of the Ombudsman and the Office of the Ombudsman.
5. To continue to ensure the efficient use of allocated budgetary resources for the Financial Year 2026/2027 within the Office of the Ombudsman.

Appendix I: Departments and Agencies for which the Most Complaints were laid

From the statistical record the greatest number of complaints which came under the scrutiny of the Ombudsman were attributed to the following departments and ministries. The top six were as follows: -

Barbados Revenue Authority	43 complaints
National Insurance Department	33
Ministry of Education, Technological and Vocational Training	15
Barbados Police Service	11
Ministry of the Public Service	7
Barbados Prison Service	7

Appendix II: Proposed Service Standards (Internal Investigation Operations)

The following basic stages are common to the receipt of a formal complaint from a complainant:

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No.	Stage	Timeline
1	Acknowledge complaint	Within two (2) working days of receipt of the formal complaint
2	Initial interview with complainant	Within seven (7) working days of receipt of formal complaint
3	Investigation of information presented to determine the merit of the complaint	A maximum of three (3) weeks depending on the complexity of the complaint
4	Solicit response from the Ministry/Department/Agency being complained about	Within five (5) working days after completion of the preliminary investigation of the complaint
5	Update complainant	Within one (1) month of commencement of investigation where necessary
6	Analysis of the information obtained during the investigation to move towards decision and recommendations	Within ten (10) working days of receipt of the information
7	Prepare the file for submission to the Ombudsman for consideration	Within five (5) working days of completion of the investigation
8	Issue decision and recommendations to the Ministry/Department/Agency	Within five (5) working days of consideration and/or approval by the Ombudsman
9	Issue findings to the complainant	Within five (5) working days of consideration and/or approval by the Ombudsman
10	Analysis from team at the Office of the Ombudsman	Within five (5) working days of dispatch of letter
11	Update of any processes/protocols for ensuring best practice	Follow up within ten (10) working days of closure
12	Update relevant databases with the outcome.	Within seven (7) working days of closure

Response Standards for the Ministries/Departments/Agencies

No.	OMB Stage	Action by MDA	Timeline
1	Formal correspondence regarding complaint issued to Ministry/Department/Agency	Acknowledgement of notification of complaint from the Ombudsman	Within two (2) days of the receipt of the complaint notification
2		Findings of the internal case review	A maximum of fifteen (15) working days

3	Formal correspondence to communicate the decision of the Ombudsman	Acknowledgement of the decision of the Ombudsman	Within three (3) days of the receipt of the decision of the Ombudsman
4		Update on the action taken in relation to the decision of the Ombudsman	A maximum of ten (10) working days

References

1. **Ombudsman Act, CAP 8 A, The Laws of Barbados**
2. Jeremy Pope, **Confronting Corruption: The Elements of a National Integrity System**, TI Source Book 2000
3. **The Work and Practice of Ombudsman and National Human Rights Institution – a compilation of articles and studies** from a conference held in Copenhagen, Denmark.
4. **An Extract from the Ombudsman Report 2024** as laid in Parliament.

CHAPTER 8A

OMBUDSMAN

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.
2. The Ombudsman.
3. Appointment and removal.
- 3A. Salary.
4. Administrative provisions.
5. Powers of investigation.
6. Conditions of investigation.
7. Legal remedies.
8. Complaints.
9. Procedure of investigation.
10. Power to obtain information.
11. Secrecy of information.
12. Obstruction and contempt.
13. Reports.
14. Communications privileged.
15. Regulations.
16. Expenses.

FIRST SCHEDULE

SECOND SCHEDULE

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CHAPTER 8A

OMBUDSMAN

An Act to provide for the establishment of the office of Ombudsman.

1980-68.
1988-5.

[5th January, 1981]

Commence-
ment.
S.I. 1980/
191.

1. This Act may be cited as the *Ombudsman Act*.

Short title.

2. (1) There shall be an Ombudsman for Barbados who shall, in accordance with this Act, investigate and report upon allegations of improper, unreasonable or inadequate administrative conduct.

The Ombuds-
man.

(2) The Ombudsman shall perform his functions in accordance with his own independent judgment but shall be responsible to Parliament for the general discharge of his duties.

(3) The Ombudsman shall not enter upon the duties of his office until he has taken and subscribed the oath of office in the form set out in the First Schedule.

First
Schedule.

(4) The Ombudsman shall not be a member of the Senate or of the House of Assembly and shall not hold any other office of emolument or engage in any other occupation for reward.

3. (1) Subject to subsection (2), the Ombudsman shall be appointed by the Governor-General, by instrument under the Public Seal, on the recommendation of the Prime Minister after consultation with the Leader of the Opposition.

Appoint-
ment and
removal.

(2) The Governor-General shall before appointing a person to be the Ombudsman, submit the proposed appointment to each House of Parliament for approval.

(3) The Ombudsman may be removed from office in accordance with the provisions of section 105 of the *Constitution* which shall apply to his office as if enacted by this Act and the

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prescribed authority for that purpose shall be the Prime Minister acting after consultation with the Leader of the Opposition.

(4) The Ombudsman shall vacate office on attaining the age of 65 years but may be re-appointed by the Governor-General in the same manner as under subsection (1) for one further period not exceeding 5 years.

(5) The Ombudsman may resign office at any time by written notice to the Governor-General.

Salary.
1988-5.

3A. (1) There shall be paid to the Ombudsman a salary at such annual rate as the Governor-General specifies by order.

(2) An order made under this section shall be subject to negative resolution.

(3) An order made under this section may contain such supplementary provisions as the Governor-General may consider necessary or expedient for the purposes of the order.

Administra-
tive pro-
visions.

4. (1) Any function of the Ombudsman under this Act may be performed by any officer of the Ombudsman authorised by him for that purpose.

(2) The officers of the Ombudsman shall be public officers appointed in accordance with section 94 of the *Constitution*.

(3) The Ombudsman may charge such fees in connection with his functions in such amounts and subject to such conditions as the Governor-General may prescribe.

(4) All fees received by the Ombudsman pursuant to subsection (3) shall be paid to the Accountant General.

Powers
of investi-
gation.

5. (1) The purpose of an investigation by the Ombudsman shall be to ascertain whether injustice has been caused by improper, unreasonable or inadequate administrative conduct on the part of a government ministry, department or other authority subject to this Act.

1988-5.

(2) The Ombudsman may investigate any course of conduct or anything done or omitted by any person in the exercise of administrative functions respecting any business of the Government, including the administration of any statutory board or department of the Government responsibility for which has

been assigned to the Prime Minister or any other Minister pursuant to section 72 of the *Constitution*, not being functions concerned with a matter specified in the Second Schedule.

Second
Schedule.

(3) The Governor-General may, by order, amend the Second Schedule; but any such order shall be subject to affirmative resolution.

(4) An investigation by the Ombudsman shall not be prevented by any provision in any enactment, other than the *Constitution*, to the effect (howsoever expressed) that any matter or thing shall be final or conclusive or shall not be disputed, reviewed or called in question.

(5) If any question arises whether the Ombudsman is empowered to make an investigation or to exercise any power under this Act he may, if he thinks fit, apply to the High Court which may determine the question by declaratory order.

6. (1) The Ombudsman shall not make an investigation without first receiving a written complaint in accordance with this Act, unless he is of opinion or either House of Parliament resolves that there are reasons of special importance which make investigation by the Ombudsman desirable in the public interest.

Conditions
of investi-
gation.

(2) In deciding whether to make, continue or discontinue an investigation authorised by this Act the Ombudsman shall in all cases act in accordance with his own discretion which shall not be questioned; and in particular he may refuse to investigate any matter on the ground that it is trivial or that the complaint is frivolous or vexatious or not made in good faith, or that the complainant has not a sufficient interest therein.

7. (1) Subject to subsection (2), the Ombudsman shall not investigate any case where, in his opinion, the complainant would at any time have had a remedy or right of appeal in a court of law, tribunal or similar body established by the *Constitution* or by or under any enactment or by or on behalf of Her Majesty.

Legal
remedies.

(2) Notwithstanding subsection (1), the Ombudsman may investigate such a case if he is satisfied that for special reasons the complainant could not fairly be expected to have had recourse to such remedy or right of appeal.

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Complaints.

8. (1) A complaint under this Act may be made by any person or body of persons, whether incorporated or not, other than a government department, public authority or body constituted for purposes of the public service or for managing any industry or undertaking in public ownership.

(2) A complaint may be made by the person aggrieved or his duly authorised agent; and where the aggrieved person has died, the complaint may be made on his behalf by his personal representative or by such other suitable person as the Ombudsman determines.

(3) A complainant shall be a citizen or a resident of Barbados (or shall have been such at the time of his death) or shall have been in Barbados or on a ship or aircraft or installation registered in or belonging to Barbados at the time of the act or omission of which he complains.

(4) A complainant who is no longer in Barbados shall, if the Ombudsman so directs, be permitted to re-enter and remain in Barbados, subject to such conditions as the Minister responsible for immigration may direct, for the purposes of the investigation.

(5) A complaint may not be made later than 12 months from the day on which the complainant first knew of the facts giving rise to his complaint; but the Ombudsman may extend this time if in his opinion there are special circumstances which justify such extension.

(6) The Ombudsman shall determine any question whether a complaint is duly made to him.

Procedure
of investi-
gation.

9. (1) The procedure of an investigation by the Ombudsman shall, subject to this Act, be such as he shall determine.

(2) An investigation by the Ombudsman shall be held in private and he may make such inquiries from such persons and in such manner as he may think fit.

(3) The Ombudsman may determine whether any person may be represented by an attorney-at-law or otherwise in an investigation.

(4) The Ombudsman shall, before making an investigation give to the principal officer of the department or authority concerned, and to any other person against whom the complaint is made, an opportunity to comment upon the complaint.

(5) No person shall be entitled, as of right, to be consulted or heard by the Ombudsman, except in the manner provided by this Act.

(6) The Ombudsman may, in the manner prescribed, reimburse the complainant and any other person who assists in an investigation for expenses incurred and time lost.

10. (1) Subject to subsection (3), the Ombudsman may, for the purpose of an investigation, require any Minister, officer or member of the department or authority concerned or any other person (including the complainant) to supply any information, produce any document or thing, attend for examination, or allow access by the Ombudsman to any premises of the department or authority.

Power to
obtain in-
formation.

(2) The Ombudsman shall, for such purposes, have the same powers as the High Court (including the power to administer oaths and affirmations) but subject to the same rules relating to immunity and privilege from disclosure as apply in the High Court and subject also to the following provisions of this section.

(3) Where the Attorney General certifies that the giving of any information or the answering of any question or the production of any document or thing or the allowing of access to any premises

(a) might prejudice the security, defence or international relations of Barbados or the investigation or detection of offences;

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- (b) might involve the disclosure of deliberations of the Cabinet; or
- (c) might involve the disclosure or proceedings of the Cabinet or of any committee of the Cabinet relating to matters of a secret or confidential nature and would be injurious to the public interest,

the Ombudsman shall not require the information or answer to be given or the document or thing to be produced or access to the premises to be allowed.

(4) Subject to subsection (3), no information, answer, document or thing shall be withheld from the Ombudsman on the ground that its disclosure would be contrary to the public interest.

Secrecy of
information.

11. (1) Information obtained by or on behalf of the Ombudsman in the course of an investigation shall not be disclosed in legal proceedings or otherwise except

- (a) for the purposes of the investigation and any report thereon under this Act;
- (b) for the purposes of proceedings (or possible proceedings) for an offence of perjury connected with an investigation under this Act; or
- (c) for the purposes of proceedings under section 12.

(2) The Attorney General may give written notice to the Ombudsman that disclosure by the Ombudsman of any specified information or document, or of any class of information or document, would, in his opinion, be prejudicial to the safety of Barbados or otherwise contrary to the public interest; and in that case the Ombudsman and his officers shall not communicate such information or document to any person or in any manner.

Obstruction
and
contempt.

12. (1) If any person without lawful excuse obstructs the Ombudsman or any officer of his in the performance of his functions under this Act or fails to act as lawfully required by the Ombudsman, the Ombudsman may certify the offence to the High Court.

(2) Where an offence is so certified the High Court may, after hearing any person properly desiring to be heard, punish the offender in the same manner as for contempt of court.

13.(1) The Ombudsman shall make a report to each ^{Reports.} complainant explaining the result of his investigation, or his reasons for not investigating or partially investigating the complaint.

(2) Where the Ombudsman makes an investigation on his own initiative or pursuant to a resolution of either House of Parliament he shall make a report thereupon to that House of Parliament.

(3) In the case of a completed investigation the report of the Ombudsman shall state whether he finds that injustice has been sustained by reason of improper, unreasonable or inadequate conduct on the part of any person, government ministry or department or other authority subject to investigation under this Act and, in any case where he so finds, what action, if any, he recommends by way of remedy or compensation for the injustice.

(4) The Ombudsman shall, before making any report, afford an opportunity to be heard to any person, government ministry or department or other authority upon whose conduct he proposes to make adverse comment.

(5) A copy of each report made by the Ombudsman on a particular case shall be sent by him to the principal officer of the relevant government ministry or department or authority and also, if the Ombudsman thinks fit, to any other person whose conduct is the subject of the complaint or of comment in the report.

(6) The Ombudsman shall, in each calendar year, prepare for laying before each House of Parliament a general report on his functions under this Act.

(7) The Ombudsman may, from time to time, prepare for laying before each House of Parliament such other reports as he may think fit, including

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- (a) a report on the inequitable or unreasonable nature or operation of any enactment or rule of law, and
- (b) a report on any case where in his opinion injustice has been sustained as aforesaid and the injustice has not been or will not be remedied or compensated.

(8) In making any report the Ombudsman may name or refrain from naming any person as he may think fit.

(9) The Ombudsman shall submit his reports made under subsections (6) and (7) to the Speaker of the House of Assembly and to the President of the Senate (or, if the office of Speaker or President is vacant or the Speaker or President, as the case may be, is for any reason unable to perform the functions of his office, to the Deputy Speaker or Deputy President) who shall cause them to be laid before the House of Assembly and the Senate respectively.

Com-
munications
privileged.

14. For the purposes of the law of defamation

- (a) any communication made by or to the Ombudsman for the purposes of a complaint or investigation shall be privileged in the same manner as if it were made in the course of proceedings in the High Court;
- (b) any report of the Ombudsman under this Act shall be deemed to be authorised to be published by both Houses of Parliament;
- (c) any communication between the Ombudsman and a member of either House of Parliament for the purposes of the Ombudsman's functions shall be deemed to be a proceeding in Parliament.

Regula-
tions.

15. (1) The Governor-General may make regulations generally for the administration of this Act and, in particular, for prescribing any thing required to be prescribed under this Act.

(2) Regulations made under this Act shall be subject to affirmative resolution.

16. All expenses incurred by the Ombudsman in connection with his functions under this Act or the regulations shall be defrayed out of moneys voted for the purpose by Parliament. Expenses.

FIRST SCHEDULE

Section 2(3)

OATH FOR THE DUE EXECUTION OF THE OFFICE
OF OMBUDSMAN

I, _____, appointed Ombudsman of Barbados in accordance with the Ombudsman Act, Cap. 8A, do swear that I will faithfully and impartially perform the duties of my office.

SECOND SCHEDULE

1988-5.

Section 5(2)

MATTERS NOT SUBJECT TO INVESTIGATION

1. Action taken in matters certified by the Minister responsible for Foreign Affairs or other Minister of the Crown to affect relations or dealings between the Government of Barbados and any other Government or any international organisation of States or Governments.

2. Action taken, in any country or territory outside Barbados, by or on behalf of any officer representing or acting under the authority of Her Majesty in respect of Barbados or any other public officer of the Government of Barbados.

3. Action taken by the Attorney General under the *Extradition Act*. Cap. 189.

4. Action taken by or with the authority of the Attorney General or any other Minister of the Crown, the Director of Public Prosecutions or Commissioner of Police for the purposes of investigating crime or protecting the security of Barbados, including action taken with respect to passports.

5. The commencement or conduct of civil or criminal proceeding before any court of law in Barbados, or proceedings under the *Defence Act*. Cap. 159.

6. Action taken in connection with the exercise or possible exercise of the prerogative of mercy under the *Constitution* or otherwise.

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- 1988-5. 7. Action taken in matters relating to contractual or other commercial transactions, being transactions of a department of government or a statutory board not being transactions relating to
- (a) the acquisition of land compulsorily or in circumstances in which it could be acquired compulsorily;
 - (b) the disposal of surplus land acquired compulsorily or in circumstances in which it could be acquired compulsorily.
8. Any action or advice of a qualified medical practitioner or consultant involving the exercise of professional or clinical judgment.
9. Any matter relating to any person who is or was a member of the armed or police forces of Barbados in so far as the matter relates to
- (a) the terms and conditions of service of such member; or
 - (b) any order, command, penalty or punishment given to or affecting him in his capacity as such member.
10. Any action which by virtue of any provision of the *Constitution* may not be enquired into by any court.
11. The grant of honours or awards.
- 1988-5. 12. Matters relating to the grant of liquor licences.
13. Matters relating to the regulation of public utilities.
- Cap. 190. 14. Any function of the Minister under the *Immigration Act* or the regulations made thereunder.
15. Any judicial function not specifically excluded by paragraphs 1 to 14.



OMB 1

COMPLAINT FORM

ID Number

1. NAME
2. ADDRESS
.....
3. TELEPHONE NUMBER (*Home*) (*Work*)
4. *What Ministry, Department or Statutory Board are you complaining against?*
.....
5. *Have you complained to the Ministry, Department or Statutory Board about this matter?*
 - If so, on what date did you complain?
 - Was your complaint in writing?
 - Have you received a written reply?

6. *What are you complaining about?*
.....
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.....
.....

(If there is not enough space please continue on a separate sheet)

Signature:..... Date:.....

Form to be returned to:

The Office of the Ombudsman
2nd Floor, Trident House,
Lower Broad Street,
BRIDGETOWN.

For official use only

