



Police Service Commission

2015

ANNUAL REPORT



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PREFACE

This report is produced in compliance with Section 66B of the Constitution of the Republic of Trinidad and Tobago as amended by Act No. 29 of 1999, which states that

“Each Service Commission shall submit to the President before 1st October in each year on its administration, the manner of the exercise of its powers, its methods of functioning and any criteria adopted by it in the exercise of its powers and functions in the previous year and the President shall cause the report to be laid within sixty days thereafter in each House.”

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ABBREVIATIONS

CoP	Commissioner of Police
DCoP	Deputy Commissioner of Police
DPA	Director of Personnel Administration
JSC	Joint Select Committee
MNS	Ministry of National Security
MPA	Ministry of Public Administration
NIPDEC	National Insurance Property Development Company Limited
PCA	Police Complaints Authority
PMCD	Public Management Consulting Division R&E Research and Evaluation Unit
R&E	Research and Evaluation Unit
SCD	Service Commissions Department
TTPS	Trinidad and Tobago Police Service
TTPSSWA	Trinidad and Tobago Police Service Social and Welfare Association
UN	United Nations

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• The Commissioner of Police and Deputy Commissioner of Police (Qualification and Selection Criteria) Order, 2015 as published by Legal Notice No. 219 of 16th December, 2015.	

CHAIRMAN'S FOREWORD

On January 29, 2015, I had the privilege of being sworn in by President Anthony Aquinas Carmona as the first female Chairman of the Police Service Commission. I began this three (3) year appointment by familiarizing myself with the mandated tasks of the Commission. I also took the time to meet with members of the Secretariat, as they are the supportive pillars who provide the Commission with information required to undertake the performance appraisals of the Trinidad and Tobago Police Service executive. As a professional with a social science background, I understood the importance of dialogue, collaboration, and team effort. My approach to the work of the Commission therefore began with the engagement of the Secretariat in a "Getting to know you" meeting. It was Valentine's season, and I sought to create a congenial atmosphere where we got to know each other's skills and talents over chocolates, music and much laughter.

In undertaking a needs assessment of the PSC, I soon recognized the need for some technical support and discussed with Commission members, the notion of hiring a consultant to assist in aligning the activities of the performance appraisal process. In the meantime, matters began to build momentum as the Commission was requested to appear before the Joint Select Committee of Parliament on March 27, 2015, to report on its constitutionally mandated tasks. On March 23, 2015, several days before the Commission was scheduled to meet with the JSC, there was a serious disruption of the country's productivity as members of the TTPS conducted what later became known as, "A Day of Total Policing". As the oversight body, the Commission immediately wrote to the TTPS asking for a report and explanation of this nationwide activity. The Police Complaints Authority launched an investigation and a report was submitted to the Commission.

Among the highlights of 2015 was the undertaking of a Strategic Plan for the Police Service Commission and its Secretariat. With the guidance of consultant Ms. Judith Joseph McSween and her team, the Commission held a residential retreat to brainstorm and strategize on how it would achieve its mandate over the coming three years. The Secretariat and other stakeholders were invited on the first day of the retreat to be active participants of the process. They even composed a song to demonstrate their view of the way forward for the Police Service Commission. The Commission signed off on the new Strategic Plan 2016-2018. Its vision is to become a highly innovative and vigilant oversight agency, contributing to the safety and security of the citizens of Trinidad and Tobago. The Mission was restated as follows: In pursuance of greater safety and security in Trinidad and Tobago the Commission, with the Secretariat's support, appoint, promote, discipline, monitor and evaluate the TTPS Executive and determine appeals against decisions of the Commissioner of Police. The new Strategic Plan also identified three core values of efficiency, transparency and collaboration.

In keeping with the notion of engagement and networking, the Commission met with the Minister of National Security and the Permanent Secretary as they presented a concept paper on the Simplification of the Selection Process for the Commissioner of Police.

CHAIRMAN'S FOREWORD

As the new Chairman, I encouraged the Commission to invite several stakeholders to meet with us in order to improve our effectiveness and efficiency as a Commission. During the year, the Commission met with the Director and Deputy Director of the Police Complaints Authority to ascertain collaborative efforts in which we could engage for the more efficient operations of the TTPS. We also met with the TTPS executive and the executive of the Police Social and Welfare Association. As the new Chairman, I was eager to steer the Commission in a direction where we could be invigorated to find innovative ways of undertaking our mandate. It was with this in mind that the Commission accepted an invitation to a breakfast meeting with the Trinidad and Tobago Chamber of Commerce. They had a keen interest in understanding the challenges experienced by the Commission in undertaking its mandate, particularly in appointing a Commissioner of Police.

In 2015, the Commission celebrated its achievements and was saddened by its losses. We acknowledged with sadness, the loss of the services of a Commission member and two members of the Secretariat. The Commission therefore hosted a lovely farewell luncheon to celebrate the contributions of Mr. Addison Mansfield Khan who was a former President of the Industrial Court. He served as a member of the Commission from July 2010 to May 2015. Dr. Kerry Sumesar-Rai who served as Director of Monitoring, Evaluation and Education from February 2009 to June 2015 was also honoured. The Commission also lost the competence services of Mrs. Coomarie Goolabsingh who served as Secretary to the Commission from 2013 to 2015.

The Commission acknowledges the unstinting contributions they made during their tenure.

We were deeply saddened to learn of the passing of Mr. Addison Khan in September 2015. His wisdom, commitment to the Commission and his gentle but firm disposition cannot go unrecognized.

The Commission and Secretariat closed off the year with a luncheon at the Commission's office, thankful for the completion of goals and looking forward to the tasks of 2016.

On behalf of the Police Service Commission, I recommit myself to the fulfillment of the constitutional mandate of the Commission. While there were several challenges over the year, I am confident that with the collaborative effort of the Commission members, the Secretariat, and the TTPS, we will achieve our ultimate goal of assisting to making Trinidad and Tobago a safer society.



Dr. Maria Gomes
Chairman

ABOUT THE POLICE SERVICE COMMISSION

Mandate

The Police Service Commission is an independent body established in accordance with Section 122 of the Constitution of the Republic of Trinidad and Tobago

Section 123 (1) of the Constitution gives the Police Service Commission the power to:-

- a) Appoint persons to hold or act in the office of commissioner and deputy commissioner of police;
- b) Make appointments on promotion and to confirm appointment to offices;
- c) Remove from office and exercise disciplinary control over persons holding or acting in the offices specified in paragraph (a);
- d) Monitor the efficiency and effectiveness of the discharge of their functions
- e) Prepare an annual performance appraisal report in such form as may be prescribed by the Police Service Commission respecting and for the information of the Commissioner or Deputy Commissioner of Police; and
- f) Hear and determine appeals from decisions of the Commissioner of Police, or of any person to whom the powers of the Commissioner of Police have been delegated, in relation to appointments on promotions or as a result of disciplinary proceedings brought against a police officer appointed by the Commissioner of Police.

In addition, the Constitution (Amendment) No. Act 12 of 2007 provides that for the purpose of sub-section 1 (d) above

- (a) The Commissioner of Police shall, every six months, submit a report in writing to the Police Service Commission on the management of the Police Service; and
- (b) The Police Service Commission shall have the power to call on the Commissioner of Police to produce documents pertaining to financial, legal and personnel matters in relation to the Police Service."

The Commission through its oversight function, has an integral role to play in facilitating and accelerating the transformation of the Trinidad and Tobago Police Service (TTPS) and ultimately, improving public trust and confidence in the police service.

VISION, MISSION, CORE VALUES

Vision

To effect our constitutional mandate in a holistic, transparent and efficient manner that contributes to safety and security in Trinidad and Tobago

Mission

In pursuance of greater safety and security in Trinidad and Tobago the Commission, with the Secretariat's support, appoint, promote, discipline, monitor and evaluate the TTPS Executive and determine appeals against decisions of the Commissioner of Police.

Core Values

Efficiency - We adopt a pro-active, solutions based and results oriented approach that allows us to remain open and have contextual flexibility, while acting with the requisite urgency, addressing each situation in a professional, courteous and purposeful manner.

Transparency - We adhere to protocol and procedure with accurate documentation and record keeping. We monitor and evaluate, using feedback for continuous assessment and the revision of our policies and procedures. We are accountable for and able to withstand scrutiny of our processes and end products.

Collaboration - To achieve the overall objectives of the Commission, we think critically and communicate effectively. We observe, listen, consult and share information, operating as a team. We give and accept constructive criticism.

THE COMMISSION MEMBERS Section 1

The Police Service Commission comprises a Chairman and four (4) other members each of whom is appointed by the President.

Pursuant to Section 122, of the Constitution, the President shall, after consultation with the Prime Minister and the Leader of the Opposition, nominate persons who are qualified and experienced in the disciplines of law, finance, sociology or management to be appointed as members of the Commission.

During the period January 2015 to December, 2015 the Commission comprised:-

Dr Maria Therese Gomes -	Chairman
Mr Martin George -	Member
Mr Addison Mansfield Khan -	Member until May 2015
Ms Roamar Achat-Saney -	Member
Dr. James Armstrong -	Member

PROFILES

Dr. Maria Therese Gomes - Chairman



Dr. Maria Therese Gomes is a lecturer in the Faculty of Social Sciences, Department of Behavioural Sciences at the University of the West Indies, St Augustine Campus. She lectures to undergraduate and master's level students in social work programmes in areas of Human Service Management and Administration as well as the rudiments of applying psychological and sociological theories to the social work practice.

Dr Gomes taught at the School of Social Work at Howard University, Washington DC in the United States where she attained her Master's Degree and Doctorate and in Social Work.

Dr Gomes is a former public servant with over twenty (20) years' experience in Human Service and Social Development agencies. Dr Gomes works conscientiously to alleviate issues of inequity in the pursuit of social justice in the society.

A graduate of the London School of Economics and Political Science, Dr. Gomes also holds a Master's Degree in Social Policy and Planning in Developing Countries.

Dr Gomes is a former public servant with over twenty (20) years' experience in Human Service and Social Development agencies. Dr Gomes works conscientiously to alleviate issues of inequity in the pursuit of social justice in the society.

PROFILES



Mr Addison Khan - Member

Mr Addison Khan, M.A., L.L.M has a distinguished career as an Attorney at Law and former President of the Industrial court of Trinidad and Tobago. Mr Khan has over forty-five (45) years' experience and expertise in industrial relations and industrial relations law. He was a former private legal practitioner and Assistant Legal Adviser of Texaco Trinidad, Inc. He has appeared as an advocate in labour and employment cases. Mr. Khan passed away on 9th September 2015.



Mr Martin George – Member

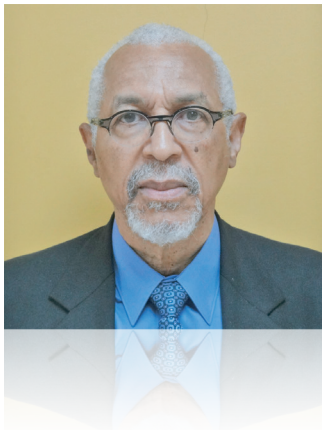
Mr George is the principal attorney of his law firm Martin A. George and Company. He has a strong sense of social service and is a founding member and former Chairman of Crime Stoppers Trinidad and Tobago. He was called to the Trinidad and Tobago Bar in 1992 and has over 18 years' experience in the areas of Civil Litigation, Estate and Property matters, Wills and Probate, Divorce and Family Law, Commercial Litigation and Debt Recovery.

PROFILES



Mrs Roamar Achat-Saney – Member

Mrs Roamar Achat-Saney is an Attorney-at-Law and Past Principal of Fyzabad Secondary School. She pursued a Bachelor of Arts degree in English Literature and Social Sciences at the University of The West Indies, St. Augustine and entered the field of Education in 1979. She has spent over 30 years in this profession, first as a Teacher of English Language and Literature and for the last 10 years as an Administrator of a large Senior Comprehensive School. She also holds a LLB Degree from the University of London and a Legal Education Certificate from the Hugh Wooding Law School. She currently has her own private practice. Her most recent work has been with Youth Offenders.



Dr. James Armstrong – Member

Dr. James Armstrong is a Development Planner. He has worked as a Chief Technical Advisor at the United Nations (UN) and assisted numerous governments in the formulation of strategic development plans; established and strengthened institutions, and provided management and technical backstopping to numerous UN programme and project managers stationed around the world. Part of his responsibilities included the monitoring and evaluation of the UN assisted projects and accountability reporting for resource inputs. He has also lectured in planning and development at the university level.

STATUTORY MEETINGS

During the year under review, the Commission held twenty (20) bi-weekly statutory meetings and eight (8) Special Meetings, which included meetings with the Acting Commissioner of Police.

In accordance with Section 123 (6) of the Constitution, the Commissioner of Police is required to submit to the Commission periodic reports on the management of the Police Service. In this regard, four such meetings were held.

Table 1 Details of special meetings by the Police Service Commission

Date	Meeting
12.02.2015	Meeting with Commissioner of Police
18.05.2015	Meeting with Commissioner and Deputy Commissioners of Police
30.07.2015	Meeting with Deputy Commissioners of Police
07.12.2015	Meeting with Commissioner of Police

Meetings were also held with the Permanent Secretary, Ministry of National Security, the Director, Police Complaints Authority (PCA) as well as the President and members of the Trinidad and Tobago Police Service Social and Welfare Association (TTPSSWA).

POLICE SERVICE COMMISSION SECRETARIAT

In order to achieve its mandate, the Police Service Commission, receives administrative, technical and financial support from the Service Commissions Department (SCD) through the Police Service Commission Secretariat. The Director of Personnel Administration (DPA) who is the Accounting Officer for all Service Commissions heads the SCD.

The Police Service Commission Secretariat was established by Cabinet Minute No. 1564 dated 21st June 2007. It supports the Police Service Commission in its examination of the performance of the Commissioner of Police (CoP) and Deputy Commissioners of Police (DCoPs) through monitoring and evaluating the effectiveness and efficiency of police systems, and operations using pre-determined and agreed indicators and targets.

The Secretariat also provides administrative and clerical services to the Commission's Appeal Tribunal as well as assists in the dissemination of information and the conduct of the Commission's public education programmes. It is comprised of the following Units:

Audit Unit

The Audit Unit conducts audits of the administration of financial and human resources processes in the Trinidad and Tobago Police Service, which includes the disciplinary, recruitment and complaint processes. The Unit also audits physical resources, and other record keeping systems. Data collected is analysed to ascertain the extent of compliance with established policies and as well as the effectiveness and efficiency of the performance of the Commissioner of Police and Deputy Commissioners of Police. During the period under review, the unit has had no Financial Analyst to conduct evaluations on how the TTPS executive spends monies allocated.

POLICE SERVICE COMMISSION SECRETARIAT

Research and Evaluation Unit

The Research and Evaluation Unit (R&E) is responsible for developing and implementing the Performance Framework and criteria used by the Commission for the appraisal of the Commissioner of Police and Deputy Commissioners of Police.

Implementing the framework involves a year long process of data collection, research and analysis, which the Unit undertakes in order to prepare the annual appraisal reports on the performance of the CoP and DCoPs. The R&E Unit therefore conducts annual surveys of the general public to determine their levels of trust and confidence in the police and an internal survey of members of the TTPS to determine their job satisfaction, wellbeing and conditions of work. The Unit also undertakes focus groups and meetings with stakeholders to determine the quality of service they receive from the police, and attends and reviews town hall meetings held with communities.

The Research and Evaluation Unit also designs and utilises data capture forms to be used in research, monitoring and appraisals. These forms include the survey forms, field interview forms, self-rating forms, peer appraisal forms and Quarterly Reporting Forms.

Public Education Unit

The Public Education Unit is responsible for developing and guiding the Commission's public education strategy as well as communicating with all stakeholders about the Commission's evaluation of the performance of the Commissioner of Police and Deputy Commissioners of Police. Its activities include providing communication advice, proactive media relations, media monitoring, management of internal communications, public relations and outreach.

POLICE SERVICE COMMISSION SECRETARIAT

Appeals Unit

The Appeals Unit provides support to the Commission in the form of case management and transcriptional evidence in accordance with the Commission's responsibility to hear and determine appeals in respect of disciplinary and promotional decisions of the Commissioner of Police.

Legal Unit

For the period under review, the Legal Unit of the Service Commissions Department (SCD) provided legal services to the Commission, as there was no legal unit physically located at the Police Service Commission's office in Pasea, Tunapuna.

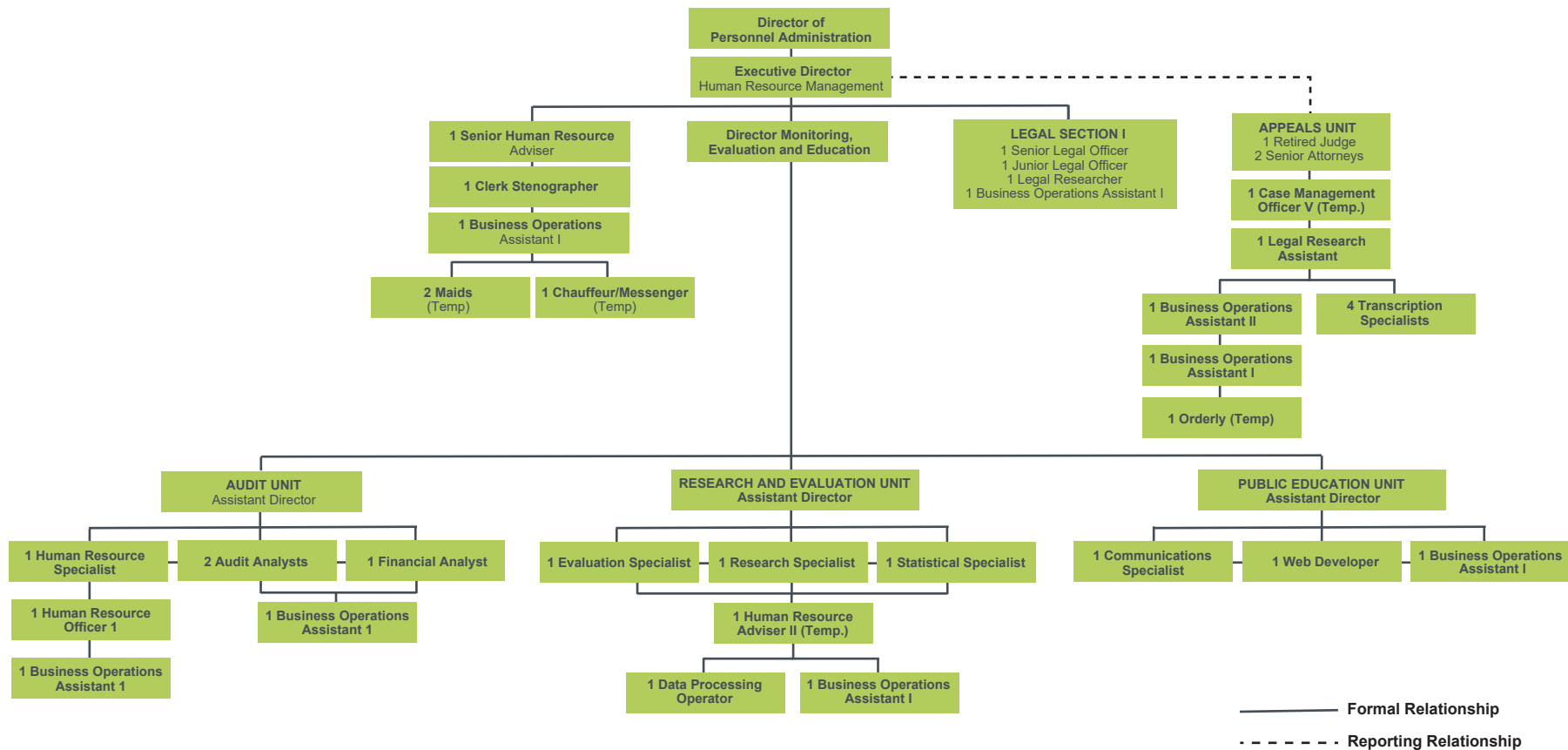
The Legal Unit provides advice to the Commission on the legal interpretation of relevant Acts and Regulations; reviews documents; assists the Commission through extensive legal research on issues relevant to its constitutional functions; and advises on legislation and other matters pertaining to the Police Service.

Administration Unit

The Administration Unit provides internal support services that include office management, records management, registry and facilities management, which contribute to the effective operations of the Commission.

POLICE SERVICE COMMISSION SECRETARIAT ORGANISATIONAL STRUCTURE

As at December 31, 2015



ACTIVITIES

Section 2

In keeping with its mandate, the Police Service Commission during the year under review focused its attention on:

- **Acting appointments to the positions of Commissioner and Deputy Commissioners of Police**
- **Hearing and determination of disciplinary matters**
- **Hearing and determination of appeals**
- **Joint Select Committee of Parliament hearing with regard to the effectiveness and efficiency of the operations of the Police Service Commission**
- **Performance appraisal process for Commissioner and Deputy Commissioner of Police**
- **Review of the Performance Appraisal Framework for the Commissioner and Deputy Commissioners of Police**
- **Meetings with key stakeholders**
- **Institutional Strengthening**
 - (a) **Developing a Strategic Plan for the Commission for 2016 -2018**
 - (b) **Restructuring of the Police Service Commission Secretariat**

ACTIVITIES

ACTING APPOINTMENTS TO THE POSITIONS OF COMMISSIONER AND DEPUTY COMMISSIONERS OF POLICE

1. ACTING APPOINTMENTS TO THE POSITIONS OF COMMISSIONER AND DEPUTY COMMISSIONERS OF POLICE

The Commission made fifteen (15) acting appointments in the offices of Commissioner and Deputy Commissioners of Police during the period under review. The acting appointments were made in accordance with Section 123 (1) (a) of the Constitution Act 6 of 2006, the Commissioner of Police and Deputy Commissioner of Police (Acting Appointments) (Selection Process) (No. 2) Order, 2009 as published by Legal Notice 103 of 15th May 2009. (Refer to Table 1.1 and Table 1.2)

Table 1.1 provides information of persons appointed to act as Police Commissioner of the TTPS

Name	Start Date	End Date
Stephen Williams	01 st February, 2015	31 st July, 2015
	01 st August, 2015	31 st January, 2016
Ann-Marie Alleyne Daly	08 th March, 2015	14 th March, 2015
	22 nd March, 2015	28 th March, 2015
	11 th May, 2015	15 th May, 2015
	28 th June, 2015	30 th June, 2015
Glen Hackett	01 st July, 2015	01 st July, 2015
Harold Phillip	29 th October, 2015	08 th November, 2015

ACTIVITIES

HEARING AND DETERMINATION OF DISCIPLINARY MATTERS

Table 1.2 provides information of persons appointed to act as Deputy Commissioner of Police of the TTPS

Name	Start Date	End Date
Ann-Marie Alleyne Daly	1 st February, 2015	31 st July, 2015
	1 st August, 2015	31 st January, 2016
Glen Hackett	10 th September, 2014	09 th March, 2015
	10 th March, 2015	09 th September, 2015
	10 th September, 2015	09 th February, 2016
Harold Phillip	26 th November, 2014	25 th May, 2015
	26 th November, 2015	26 th May, 2016
Deodath Dulalchan	29 th October, 2015	08 th November, 2015

2. HEARING AND DETERMINATION OF DISCIPLINARY MATTERS

Prior to the Constitution Amendment Act No. 6 of 2006, the Police Service Commission was responsible for hearing and determining appeals that arose from decisions of the Commissioner of Police, or of any person to whom the powers of the Commissioner of Police was delegated, in respect of disciplinary proceedings brought against officers in the Trinidad and Tobago Police Service.

With the passing of this legislation, the responsibility and authority to discipline police officers below the rank of Deputy Commissioner of Police was transferred to the Commissioner of Police. The Police Service Commission retained the authority to exercise disciplinary control over persons holding or acting in the offices of Commissioner of Police or Deputy Commissioner of Police only.

All disciplinary matters that commenced prior to the proclamation of the Act, which had not been finalized, were addressed by the Police Service Commission during the period under review. (Refer Table 2.1 and 2.2.)

ACTIVITIES

Table 2.1 provides details of disciplinary matters finalized in 2015

Nature of Matter	Outcome
Court Charges <ul style="list-style-type: none"> • Assault occasioning actual bodily harm • Robbery with violence • Kidnapping 	<p>Officer retired from the Police Service with effect from 17th April 2013 at which time, the Court had not determined his matter.</p> <p>The Commission lifted the order of interdiction imposed on the officer and restored the one-quarter salary which was withheld from him.</p>
Allegation of Misconduct Omitting to tender adequate evidence at a Disciplinary Tribunal	<p>The Commission noted that the officer retired with effect from 30th March 2014 on attaining the age of 60. The Commission also noted legal advice, which indicated that there was insufficient evidence to support the preferment of a disciplinary charge.</p>

Table 2.2 provides details of disciplinary/court matters pending as at 31st December 2015

Matters Pending	Court	Total
Court Charges pending at High Court	Tobago Assizes – 4 San Fernando – 14 Port-of-Spain 12	30
Court Charges pending at the Magistrates' Courts	Arima – 1 Couva – 2 San Fernando - 1 San Fernando Traffic Court – 1 San Grande – 1	6
Matters before Disciplinary Tribunals	Notes being prepared for submission to the Police Service Commission regarding 2nd penalty	2

ACTIVITIES

HEARING AND DETERMINATION OF APPEALS

3. HEARING AND DETERMINATION OF APPEALS

The Police Service Commission is required in accordance with Section 123 (1) (f) of the Constitution, to hear and determine appeals arising from decisions of the Commissioner of Police, or of any person to whom the powers of the Commissioner of Police have been delegated, in relation to appointments on promotion or as a result of disciplinary proceedings.

The procedure for the hearing and determination of appeals is outlined in the Police Service Commission (Appeal) Regulations and published in Legal Notice No. 270 of 2009. The Commission meets at such times as may be necessary for the purpose of performing its functions stipulated in Section 123 (1), (f) stated above. Support for the Appeals process is provided by the Appeals Unit of the Secretariat.

In 2015, two (2) appeals were filed with the Commission both of which arose from decisions in respect of disciplinary proceedings. No appeals related to promotion were filed in 2015. However, in 2015, the Commission delivered two (2) judgments in respect of appeals related to promotional matters. The judgement in those matters were applied to an additional one hundred and seventy-three (173) promotional appeals that were filed in 2011 by officers who were affected by similar circumstances. (Refer Table 3.1 and 3.2.)

Table 3.1 provides the status of promotional and disciplinary appeals

Appeals Carried Forward to 2015	Matters Filed		Matters Heard		Matters Adjourned	Matters Determined / Completed	Matters Outstanding
194	Disciplinary	Promotional	Disciplinary	Promotional	3	173 promotional matters from three (3) test cases	23
	2	0	3	5			

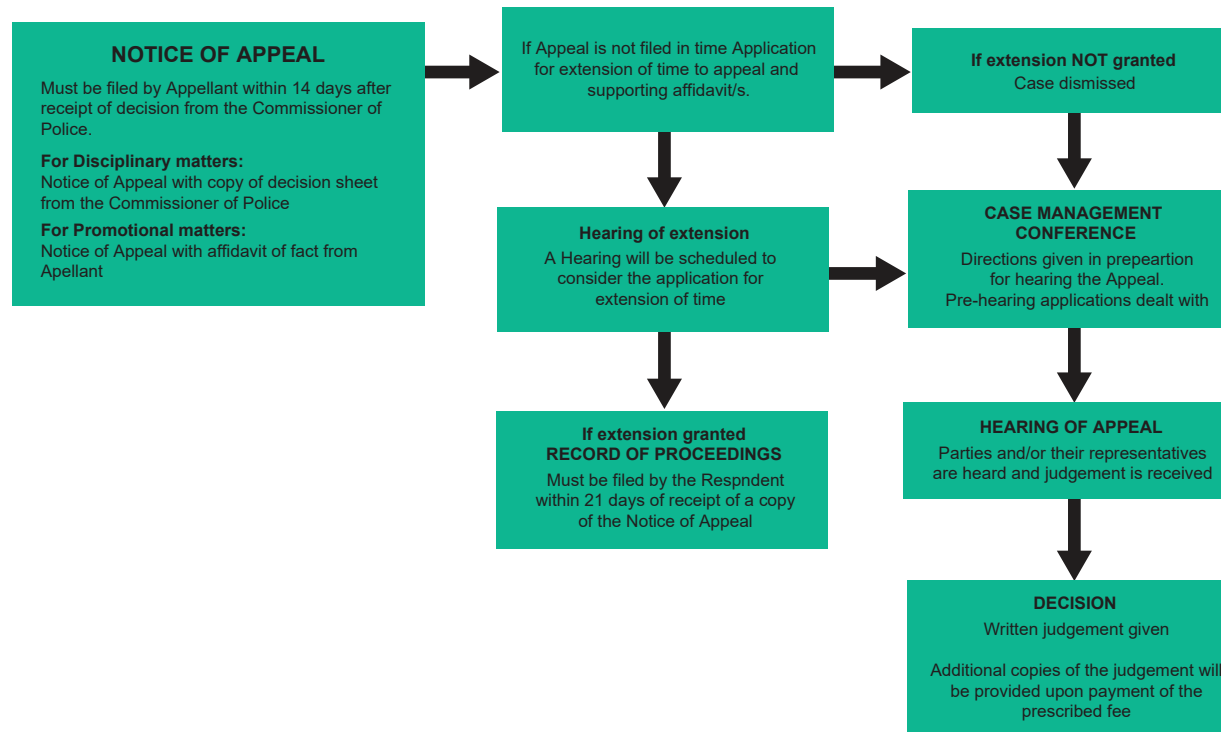
ACTIVITIES

HEARING AND DETERMINATION OF APPEALS

Table 3.2 provides a status of outstanding promotional and disciplinary matters

MATTERS OUTSTANDING		
Year	Disciplinary Matters	Promotional Matters
2011	3	1
2012	6	2
2013	1	7
2014	1	Nil
2015	2	Nil

Table 3.3 The Appeals Process



ACTIVITIES

JOINT SELECT COMMITTEE OF PARLIAMENT

4. JOINT SELECT COMMITTEE OF PARLIAMENT

The Commission together with the Director Personnel Administration (DPA) its accounting officer and officials of the Office of the Commissioner of Police appeared before the Joint Select Committee (JSC) of Parliament on 27th March 2015 for a review of the effectiveness and efficiency of the operations of the Commission. Specifically the Joint Select Committee focussed on

- The selection process associated with the offices of the Commissioner of Police and Deputy Commissioners of Police;
- The monitoring and assessing of the performance of the Acting Commissioner of Police and Deputy Commissioners of Police;
- The effectiveness of support services to the PSC;
- The hearing and determination of appeals made against decisions of the Commissioner of Police; and
- An update on regulations and guidelines governing the PSC

27 March, 2015 Joint Select Committee Hearing



DCoPs Mr. Harold Phillip and Mrs Ann Marie Alleyne-Daly; Police Service Commission member, Mr. Martin George; DPA Ms Anastasius Creed; Police Service Commission Chairman Dr. Maria Therese Gomes; Police Service Commission members Mr. Addison Khan, Dr James Armstrong and Mrs Roamar Achat-Saney.

ACTIVITIES

PERFORMANCE APPRAISAL PROCESS FOR COMMISSIONER AND DEPUTY COMMISSIONERS OF POLICE

5. PERFORMANCE APPRAISAL PROCESS FOR COMMISSIONER AND DEPUTY COMMISSIONERS OF POLICE

The Police Service Commission is mandated under the Constitution to monitor, appraise and evaluate the performance of the Commissioner and Deputy Commissioners of the Trinidad and Tobago Police Service (TTPS).

The appraisal process aims to ensure that persons in the most senior positions of the TTPS meet and /or exceed performance standards and targets and are able to provide the impetus to improve the effectiveness and efficiency of the organization.

Table 5.1 Components of the Performance Appraisal Process

No	Performance Appraisal Process - 2014
1	Audit the management of the financial, human and material resources of the TTPS through the collection of data from site visits, documents, reports and interviews.
2	Internal survey of police officers and civilian staff of the TTPS
3	External survey of the general public
4	One-on-one interview with the Police Service Commission

The CoP and DCoPs are appraised against six (6) performance categories namely Maintenance of Law and Order, Public Trust and Confidence, Human Resource Management, Strategic Initiatives, Financial Administration and reports submitted to the Police Service Commission.

These six performance categories count for 70% of the total performance report. Each Performance Category is ascribed a percentage value based on the functions and scope of responsibility of the office holder. (Refer to Table 5.2)

ACTIVITIES

REVIEW OF PERFORMANCE APPRAISAL FRAMEWORK

Table 5.2 details the Performance Categories Ratings for the period 2014

Performance Category	Office Holder			
	Commissioner of Police	Deputy Commissioner of Police - Crime and Support	Deputy Commissioner of Police - Administration	Deputy Commissioner of Police - Operations
Maintenance of Law and Order	25%	30%	15%	40%
Public Trust and Confidence	10%	20%	20%	25%
Human Resource Management	10%	10%	55%	15%
Strategic Initiatives	30%	40%	5%	15%
Financial Administration	20%	N/A	5%	5%
Documents submitted to the PSC	5%			

The remaining 30% is awarded based on individual interviews conducted by the Commission with the Commissioner and Deputy Commissioners of Police respectively.

6. REVIEW OF PERFORMANCE APPRAISAL FRAMEWORK

The Commission is charged with the responsibility of appointing the Leadership Team of the TTPS. The team comprises the Commissioner of Police and three (3) Deputy Commissioners of Police. The Commissioner of Police who may opt to rotate their assigned positions delegates their roles. The three areas of responsibility are Administration, Operations and Crime and Support. The Police Service Commission's mandate also include monitoring and evaluating the performance of the TTPS Leadership Team to ensure effectiveness and efficiency in the operations of the Trinidad and Tobago Police Service.

ACTIVITIES

REVIEW OF PERFORMANCE APPRAISAL FRAMEWORK

In August 2014, the Commission commenced a revision of the appraisal mechanism for the Commissioner of Police (CoP) and Deputy Commissioners of Police (DCoPs), which involved a review of the appraisal methodology, design of worksheets and the appraisal format. In May 2015, the Commission agreed that there was need to strengthen the Performance Appraisal Process used in assessing key areas including management of resources and development of additional performance indicators. The Commission also agreed that there was a need to review the quality checks undertaken by the Secretariat in an effort to improve statistical accuracy, intellectual integrity, reliability and robustly logical validity of its findings. An initiative was therefore taken to hire a Consultant with expertise in Monitoring and Evaluation.

In June 2015, the Commission, through the Director of Personnel Administration (DPA), engaged the services of Dr Lennise Baptiste, Monitoring and Evaluation Consultant, to review and improve the framework used to monitor and evaluate how the TTPS Leadership Team manages the organization.

The activities included:

- Developing a Logical Framework to assess and evaluate the quality and standard of monitoring, evaluating and research of the Trinidad and Tobago Police Service by the Commission;
- Establishing a performance framework for the Commissioner of Police and Deputy Commissioners of Police to assess their current level of effectiveness and to inform the performance appraisal process;
- Introducing management information systems to assist in meeting productivity and effectiveness goals; advise on better use of resources due to support programme improvements; and
- Making recommendations and providing technical support and advice on research design and methodology to the Commission for the Secretariat to operationalize.

ACTIVITIES

REVIEW OF PERFORMANCE APPRAISAL FRAMEWORK

In this regard, a review of all relevant legislation and documentation relevant to the evaluation/appraisal process was undertaken as well as meetings were held with the Commission, the staff of the Secretariat, the Commissioner of Police, Deputy Commissioners of Police and other relevant stakeholders to develop the action plan and map the way forward.

In July 2015, a new Framework for the evaluation and appraisal of the Commissioner of Police and Deputy Commissioners of Police was submitted to the Police Service Commission for its review. The Performance Framework was accepted by the Commission and will be utilised to undertake the 2015 Performance Appraisal of the Commissioner and Deputy Commissioners of Police. The components of the new Performance Framework is at Table 6.1 below.

Table 6.1 – Components of the revised Performance Appraisal Framework

No	Components of the Revised Performance Appraisal Framework
1	Revised Performance Appraisal Forms (Worksheets) and appraisal components for TTPS Leadership Team <ul style="list-style-type: none"> • Leadership • Management • Communication
2	Quarterly Reporting Forms - Deputy Commissioners of Police
3	Bi-annual Periodic Report -Commissioner of Police
4	Self-appraisal
5	Teamwork Appraisal Forms
6	External Survey and Focus Groups - Public Confidence and Trust
7	Internal Survey and Focus Groups Trinidad and Tobago Police Service personnel and civilian staff
8	Interviews

ACTIVITIES

MEETINGS WITH KEY STAKEHOLDERS

7. MEETINGS WITH KEY STAKEHOLDERS

During 2015, the Commission met with several key stakeholders including the Police and Social Welfare Association and the Police Complaint Authority (PCA) to collaborate, exchange ideas and share information with respect to improving the operations of the Commission and the effectiveness and efficiency of the Police Service.

These meetings were also intended to strengthen further the Commission's commitment to foster good relations, with the agencies it interfaces within the execution of its duties, as well as with those who share the vision for a professional Police Service.

Throughout the year under review, meetings were also held with representatives of the Ministry of National Security(MNS), Ministry of Public Administration (MPA), National Insurance Property Development Company Limited (NIPDEC), Director of Personnel Administration, the Commissioner of Police and Deputy Commissioners of Police and the Trinidad and Tobago Chamber of Industry and Commerce. These meetings focused on strategies to improve the overall effectiveness and efficiency of the Commission, and in particular to advance the process for the selection and appointment of a Commissioner and Deputy Commissioners of Police.

The Police Service Commission will continue to collaborate with and engage members of the public and private sectors in 2016, with the aim of further improving its efficiency and effectiveness.



Pleased to know you:

Members of the Police Service Commission Dr. James Armstrong, Mr Martin George, Mrs Roamar Achat-Saney and Dr. Maria Therese Gomes (Chairman), Director of the Police Complaints Authority(PCA) Mr David West and Deputy Director Master Ralph Doyle

ACTIVITIES

INSTITUTIONAL STRENGTHENING

8. INSTITUTIONAL STRENGTHENING

8.1 Development of 2016-2018 Strategic Plan

As part of ongoing efforts to improve delivery of its mandate, the Police Service Commission held a Three-day retreat in September 2015 to develop a Strategic Plan for the period 2016 - 2018. Through a combination of document review, focus groups and interviews, the consultants gathered data on the current state of the Commission. This was followed by a 3-day residential Strategic Planning and Team building retreat and follow up workshops with a core team comprised of Commission members, SCD Executive and Secretariat staff, to further formulate and validate inputs into the final Strategic Plan. Meredith McSween International facilitated the Strategic Planning and Teambuilding retreat and workshops.

The overall process was inclusive, soliciting input from diverse stakeholders, addressing both the task and relationship dimensions of the Commission and its Secretariat. The outcome of the process was the development of a comprehensive strategic plan for the Commission to realize its vision. In particular, the strategic planning process provided the opportunity to align/realign internal stake holders on what is required to facilitate the Commission in the efficient and effective delivery of its mandate, not just at the level of an individual department/support unit, but as a comprehensive whole organisation.

Along with a new vision, mission and core values, strategic goals and objectives for the Commission and Secretariat were identified. The Strategic Plan was completed in December 2015. See Table 8.1.1.



Left image: Acting Commissioner of Police Stephen Williams (front left) in attendance at a session held to formulate the Commission's Strategic Plan 2016 – 2018
Getting It Right (Right image): Member of the Police Service Commission Martin George (standing) explaining a concept on Strategic Planning to participants during a session held to formulate the Commission's Strategic Plan 2016 – 2018.

ACTIVITIES

INSTITUTIONAL STRENGTHENING

Table 8.1.1 The Police Service Commission & Secretariat: Strategic goals and objectives.

Year	Goal	Strategic Objectives
1	Ensure the efficient and effective execution of our mandate - (task focus)	<p>Monitor and evaluate the Commissioner of Police and Deputy Commissioner of Police towards demonstrated improved efficiency in the execution of their overall function of protecting and serving the public of Trinidad and Tobago.</p> <p>Proactively review the Constitutional (Amendment) Act 6 of 2006, Act 12 of 2007 and Legal Notices No. 101, No. 102 and 103 of 2009 and present recommendations to the Attorney General.</p>
2	Foster an enabling institutional environment that supports the achievement of our mandate via timely support from the DPA - (relational focus).	Align policies, procedures, processes, staff and culture with the strategic direction of the Commission through collaboration with and timely support from the DPA

The focus for 2016 will be to ensure that the Secretariat has the necessary human, financial and other resources to achieve the overall goals and objectives of the Police Service Commission.

8.2 Restructuring of the Police Service Commission Secretariat

The Police Service Commission Secretariat is comprised of six (6) functional Units namely Administration, Legal, Appeals, Audit, Research and Evaluation and Public Education.

The current organisational structure comprises thirty-three (33) contract positions many of which have a life span of three (3) years. The turnaround time to recruit and select persons to meet the needs of the Commission has created a high percentage of vacancies in the organization and affected the Commission's ability to achieve its mandate a timely manner.

In July 2015, following a review of the existing structure of the Secretariat by the Public Management Consulting Division (PMCD) of the Ministry of Public Administration, Cabinet agreed to the creation of a number of permanent pensionable offices on the establishment of the Service Commissions Department (SCD) for the Police Service Commission Secretariat. The creation of these permanent offices will allow for continuity, promote a greater sense of stability and significantly increase the efficiency of the Commission. The new positions are detailed in Table 8.2.1

ACTIVITIES

INSTITUTIONAL STRENGTHENING

Table 8.2.1 New permanent positions for the Police Service Commission created during the reporting period.

Permanent Positions	Positions Created	Contract Position Replaced
1 Office of Executive Director	1	Director of Monitoring, Evaluation and Education
2 Senior State Counsel	3	Senior Legal Officer/ Senior Attorney
3 State Counsel II	1	Legal Researcher
4 Human Resource Adviser II	1	Human Resource Specialist
5 Legal Research Officer	1	Junior Legal Officer
6 Senior Research Officer	1	Research Specialist
7 Statistician II	1	Statistical Specialist

The new positions became effective from 1st January 2015. The position of Executive Director Human Resource Management was the only one filled in 2015. In 2016, the Service Commissions Department will continue the process to recruit persons to fill the remaining positions as well as collaborate with the Public Management Consulting Division (PMCD) to provide support as necessary in implementing the new organizational structure.

9. LIST OF CONTRACTS AWARDED DURING 2015

Awardee	Contract Details	Contract Duration
Meredith McSween International	Facilitation of Strategic Planning Process 2016-2018	08.09.2015 to 10.10.2015
Dr Lennise Baptiste	A proposed Operational Framework for the Police Service Commission	01.06.2015 to 31.07.2015

SECTION 3 APPENDICES

- The Constitution (Amendment) Act, No. 6 of 2006.
- The Commissioner of Police and Deputy Commissioner of Police (Acting Appointments) (Selection Process) (No. 2) Order, 2009.
- Police Service Commission (Appeal) Regulations – Legal Notice No. 270 of 3rd December, 2009.
- The Commissioner of Police and Deputy Commissioner of Police (Selection Process) Order, 2015 as published by Legal Notice No. 218 of 16th December, 2015.
- The Commissioner of Police and Deputy Commissioner of Police (Qualification and Selection Criteria) Order, 2015 as published by Legal Notice No. 219 of 16th December, 2015.

Fourth Session Eighth Parliament Republic of
Trinidad and Tobago



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 6 of 2006

[L.S.]

AN ACT to amend the Constitution to reform the Police Service Commission, confer powers on the Commissioner of Police to control and manage the Police Service, and for other related matters.

[Assented to 13th April, 2006]

THE CONSTITUTION (AMENDMENT) ACT, 2006

Arrangement of Sections

Section

1. Short title
2. Commencement
3. Alteration of the Constitution
4. Section 122 amended
5. Section 122A inserted
6. Section 123 repealed and substituted
7. Section 123A inserted
8. Section 127 amended
9. Section 129 amended
10. Section 132 amended
11. Section 134 amended
12. Transitional and savings

Preamble

WHEREAS it is enacted by subsection (1) of section 54 of the Constitution that Parliament may alter any of the provisions thereof:

And whereas it is provided in subsection (2) of the said section 54 that insofar as it alters certain provisions of the Constitution, a Bill for an Act of Parliament under the said section 54 shall not be passed by Parliament unless at the final vote thereon in each House it is supported by the votes of not less than two-thirds of all the members of each House:

And whereas it is intended by this Act to alter the Constitution:

Enactment

ENACTED by the Parliament of Trinidad and Tobago as follows:—

Short title

1. This Act may be cited as the Constitution (Amendment) Act, 2006.

Commencement

2. This Act shall come into force on a date to be fixed by the President by Proclamation.

Alteration of the Constitution

3. The Act shall be construed as altering the Constitution.

Section 122 amended

4. The Constitution is amended in section 122 by repealing subsections (2), (3) and (4) and substituting the following subsections:

“ (2) The members of the Police Service Commission shall be appointed by the President in accordance with this section.

(3) The President shall, after consultation with the Prime Minister and Leader of the Opposition nominate persons, who are qualified and experienced in the disciplines of law, finance, sociology or management, to be appointed as members of the Police Service Commission.

(4) The President shall issue a Notification in respect of each person nominated for appointment under subsection (3) and the Notification shall be subject to affirmative resolution of the House of Representatives.

(5) The President shall make an appointment under this section only after the House of Representatives has approved the Notification in respect of the relevant person.

(6) The President may in his own discretion appoint a Chairman of the Police Service Commission from among its members.

(7) The Members of the Police Service Commission shall hold office in accordance with section 126, other than subsections (4) and (5).”.

5. The Constitution is amended by inserting after section 122 the following section: Section 122A inserted

“Removal of members

122A. (1) The President shall, after consultation with the Prime Minister and the Leader of the Opposition, terminate the appointment of a member of the Police Service Commission, if the member—

- (a) fails to attend four consecutive meetings without reasonable cause;
- (b) is convicted of a criminal offence in any court;
- (c) becomes infirm in mind or body;
- (d) fails to perform his duties in a responsible or timely manner;
- (e) fails to absent himself from meetings of the Police Service Commission where there is a conflict of interest;

(f) demonstrates a lack of competence to perform his duties; or

(g) misbehaves in office.

(2) The President, in the exercise of his power under subsection (1)(d) to (g), may consider the report of a Joint Select Committee laid in Parliament in furtherance of sections 66A(1)(e) and 66B.

(3) A member of the Police Service Commission shall not be removed from office except in accordance with this section.”.

6. The Constitution is amended by repealing section 123 and substituting the following section:

“Powers of
the Police
Service
Commission

123. (1) The Police Service Commission shall have the power to—

(a) appoint persons to hold or act in the office of Commissioner and Deputy Commissioner of Police;

(b) make appointments on promotion and to confirm appointments;

(c) remove from office and exercise disciplinary control over persons holding or acting in the offices specified in paragraph (a);

(d) monitor the efficiency and effectiveness of the discharge of their functions;

(e) prepare an annual performance appraisal report in such form as may be prescribed by the Police Service Commission respecting and for the information of the Commissioner or Deputy Commissioner of Police; and

Section 123
repealed and
substituted

(f) hear and determine appeals from decisions of the Commissioner of Police, or of any person to whom the powers of the Commissioner of Police have been delegated, as a result of disciplinary proceedings brought against a police officer appointed by the Commissioner of Police.

(2) The Police Service Commission shall nominate persons for appointment to the offices specified in subsection (1)(a) and section 22(1) of the Police Service Act, 2006 in accordance with the criteria and procedure prescribed by Order of the President, subject to negative resolution of Parliament.

Act No. 7 of
2006

(3) The Police Service Commission shall submit to the President a list of the names of the persons nominated for appointment to the offices of Commissioner or Deputy Commissioner of Police.

(4) The President shall issue a Notification in respect of each person nominated under subsection (3) and the Notification shall be subject to affirmative resolution of the House of Representatives.

(5) The Police Service Commission shall appoint the Commissioner or Deputy Commissioner of Police only after the House of Representatives approves the Notification in respect of the relevant office.

(6) For the purpose of subsection (1)(d), the Commissioner of Police shall, every six months, report to the Police Service Commission on the management of the Police Service.

(7) Notwithstanding subsection (6), the Police Service Commission may, on its own initiative, request a special report from the Commissioner of Police at any time on any matter relating to the management of the Police Service, to which the Commissioner of Police shall respond in a timely manner.

(8) The Police Service Commission may terminate the services of the Commissioner or a Deputy Commissioner of Police on any of the following grounds:

- (a) where the officer is absent from duty without leave for seven consecutive days, during which he has failed to notify the Police Service Commission of the cause of his absence, whether he holds a permanent, temporary, or contractual appointment;
- (b) breach of contract, where the officer is appointed on contract;
- (c) reported inefficiency based on his performance appraisal reports,

after giving him an opportunity to be heard;

- (d) where the officer holds a permanent appointment—
 - (i) on dismissal in consequence of disciplinary proceedings;
 - (ii) on being retired on medical grounds;
 - (iii) on being retired in the public interest; or
 - (iv) on the abolition of office.

(9) The procedure for the termination of the services of the Commissioner or a Deputy Commissioner of Police shall be prescribed by the Police Service Commission in accordance with section 129.

(10) Notwithstanding section 132, no appeal shall lie to the Public Service Appeal Board in respect of a decision made by the Police Service Commission under this section.”.

7. The Constitution is amended by inserting after Section 123A inserted section 123 the following section:

“Powers of the Commissioner of Police

123A. (1) Subject to section 123(1), the Commissioner of Police shall have the complete power to manage the Police Service and is required to ensure that the human, financial and material resources available to the Service are used in an efficient and effective manner.

(2) The Commissioner of Police shall have the power to—

- (a) appoint persons to hold or act in an office in the Police Service, other than an officer referred to in section 123(1)(a), including the power to make appointments on promotion and to confirm appointments;
- (b) transfer any police officer; and
- (c) remove from office and exercise disciplinary control over police officers, other than an officer referred to in section 123(1)(a).

(3) The functions of the Commissioner of Police under this section may be exercised by him in person or through any police officer of or above the rank of Superintendent acting under and in accordance with his general or special instructions.

(4) In the performance of his functions under this section the Commissioner of Police shall act in accordance with the Police Service Act, 2006 and the regulations made thereunder.”.

Section 127 amended

8. The Constitution is amended in section 127(1)—

- (a) in paragraph (b)(ii), by deleting the words “; and” and substituting a full stop; and
- (b) by deleting paragraph (c).

Section 129 amended

9. The Constitution is amended in section 129 by inserting after subsection (7) the following subsection:

“ (8) A reference in subsection (5) to a Service Commission also includes a reference to the Commissioner of Police, as the case may be.”.

Section 134 amended

10. The Constitution is amended in section 134 by—

- (a) deleting from subsection (1) the words “or subsection (3)” and inserting the words “, (3) or (3A)”;
- (b) deleting the words “Where a person” in the first line of subsections (2) and (3) and substituting the words “Subject to subsection (3A), where a person”; and

(c) inserting after subsection (3) the following subsection:

“ (3A) Where a person, who is eligible for benefits in respect of public service, was at the time he ceased to be a public officer subject to the jurisdiction of the Commissioner of Police, the power referred to in subsection (1) with respect to those benefits shall not be exercised without the approval of the Commissioner.”.

11.(1) Notwithstanding section 126 of the Constitution, all the members of the Police Service Commission, appointed under section 122, shall vacate their offices within six months after this Act comes into force, and in any event, the offices of the Commissioners are deemed to be vacant from the day following the expiry of the said six months.

(2) Any matter which, immediately before the effective date specified in subsection (1), is pending before the Police Service Commission or before any person or authority to whom the power to deal with such matters has been delegated by the Police Service Commission, shall, from the effective date specified in subsection (1), be continued before the corresponding Police Service Commission after the commencement of this Act or the said person or authority, as the case may require.

(3) Any appeal filed by a police officer and pending before the Public Service Appeal Board, at the commencement of this Act, shall be heard and determined by the Board after the commencement of this Act, as though this Act had not been passed.

Passed in the House of Representatives this 27th day of March, 2006.

J. SAMPSON
Clerk of the House

IT IS HEREBY CERTIFIED that this Act is one the Bill for which has been passed by the House of Representatives and at the final vote thereon in the House has been supported by the votes of not less than two-thirds of all the members of the House, that is to say by the votes of 30 members of the House.

J. SAMPSON
Clerk of the House

Passed in the Senate this 28th day of March, 2006.

J. SANDY
Acting Clerk of the Senate

IT IS HEREBY CERTIFIED that this Act is one the Bill for which has been passed by the Senate and at the final vote thereon in the Senate has been supported by the votes of not less than two-thirds of all the members of the Senate, that is to say by the votes of 26 members of the Senate.

J. SANDY
Acting Clerk of the Senate

LEGAL NOTICE NO. 103

REPUBLIC OF TRINIDAD AND TOBAGO

THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO,
CHAP. 1:01

ORDER

MADE BY THE PRESIDENT UNDER SECTION 123(2) OF THE CONSTITUTION

THE COMMISSIONER OF POLICE AND DEPUTY
COMMISSIONER OF POLICE (ACTING APPOINTMENTS)
(SELECTION PROCESS) (NO. 2) ORDER, 2009

1. This Order may be cited as the Commissioner of Police and Deputy Commissioner of Police (Acting Appointments) (Selection Process) (No. 2) Order, 2009.

2. In this Order, “Commission” means the Police Service Commission established under section 122 of the Constitution. Interpretation
Constitution

3. The Commission may, as it thinks fit, appoint to act in the office of the Commissioner of Police, a person holding or acting in the office of the Deputy Commissioner of Police where— Appointment of
Acting
Commissioner

(a) the Commissioner is absent from Trinidad and Tobago or is on vacation leave or is unable by reason of illness or any other reason, to perform the functions of the Commissioner of Police; or

(b) the office of the Commissioner of Police is vacant for whatever reason and the appointment of his successor is pending.

4. The Commission may, as it thinks fit, appoint to act in the office of the Deputy Commissioner of Police after consultation with the Commissioner of Police, a person holding or acting in the office of Assistant Commissioner of Police where— Appointment of
Acting Deputy
Commissioner

(a) the Deputy Commissioner is absent from Trinidad and Tobago or is on vacation leave or is unable by reason of illness or any other reason, to perform the functions of the Deputy Commissioner of Police; or

(b) the office of the Deputy Commissioner of Police is vacant for whatever reason and the appointment of his successor is pending.

Order to
apply to
acting
appointments
only

5. For the avoidance of doubt, this Order shall apply only to acting appointments in respect of the offices of the Commissioner of Police and Deputy Commissioner of Police notwithstanding the appointment of the Commissioner of Police and Deputy Commissioner of Police (Selection Process) Order, 2009.

L.N. No. 56 of
2009 revoked

6. The Commissioner of Police and Deputy Commissioner of Police (Acting Appointments) (Selection Process) Order, 2009 is hereby revoked.

Dated this 14th day of May, 2009.

A. LEUNG WOO-GABRIEL
Secretary to Cabinet

Laid in the House of Representatives this day of , 2009.

Clerk of the House

Laid in the Senate this day of , 2009.

Clerk of the Senate

LEGAL NOTICE No. 270

REPUBLIC OF TRINIDAD AND TOBAGO

CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO, CHAP. 1:01

REGULATIONS

MADE WITH THE CONSENT OF THE PRIME MINISTER UNDER
SECTION 129 OF THE CONSTITUTION

POLICE SERVICE COMMISSION (APPEAL) REGULATIONS

1. These Regulations may be cited as the Police Service Citation
Commission (Appeal) Regulations.

2. In these Regulations— Interpretation

“appellant” means a police officer in respect of whom the Commissioner of Police or any person to whom the powers of the Commissioner of Police have been delegated makes a decision as a result of disciplinary proceedings brought against such officer or on promotion who files an appeal;

“the Constitution” means the Constitution set out in the Chap. 1:01
Schedule to the Constitution of the Republic of Trinidad and Tobago Act;

“exhibits” includes all papers, reports, records and other documents, matters and things used or prepared in connection with disciplinary proceedings or promotion;

“police officer” means a member of the Police Service;

“Police Service” means the Police Service established by section 4 of the Police Service Act; Chap. 15:01

“respondent” means the Commissioner of Police;

“the Commission” means the Police Service Commission as established by section 122(1) of the Constitution.

3. (1) The Commission shall meet at such times as may be Meetings of
necessary for the purpose of performing its functions stipulated in Commission
section 123(1)(f) of the Constitution.

(2) Hearings shall be held on such days and at such times and place as the Commission may determine.

(3) The Chairman or in his absence any member of the Commission with the consent of the Commission shall preside at any meeting of the Commission.

Composition of the Commission for hearing of appeals

4. In hearing and determining an appeal the Commission shall be comprised of no less than three members.

Procedure for notice of appeal

5. (1) Every disciplinary appeal to the Commission shall be by way of rehearing and shall be brought by a notice in the form set out as Form 1 in the First Schedule.

(2) Every promotion appeal shall be brought by notice in the form set out as Form 1 in the First Schedule.

(3) A notice under subregulation (1) or (2) shall—

- (a) set forth the grounds of appeal;
- (b) state whether the appeal is against the whole or part only of the decision of the respondent and where it is against part only, specify which part;
- (c) state the nature of the relief sought; and
- (d) be signed by the appellant or his legal representative.

(4) Where the grounds of appeal allege misdirection or error in law, particulars of the misdirection or error shall be clearly stated.

(5) The grounds of appeal upon which the appellant intends to rely at the hearing of the appeal shall be set out concisely and under distinct heads, without any argument or narrative and shall be numbered consecutively.

(6) No ground which is vague or general in terms or which discloses no reasonable grounds of appeal shall be permitted, save the general ground that the judgement is against the weight of the evidence, and any ground of appeal or any part thereof which is not permitted under this regulation may be struck out by the Commission of its own motion or on application by the respondent.

(7) No appellant may, without leave of the Commission, urge or be heard in support of any ground of objection not mentioned in the notice of appeal, but the Commission may in its discretion and upon conditions as it considers just, allow an appellant to amend the grounds of appeal specified in the notice.

(8) Notwithstanding the provisions of this regulation, the Commission in deciding the appeal—

- (a) shall not be confined to the grounds set forth by the appellant;

- (b) shall not rest its decision on any ground not set forth by the appellant unless the respondent has had sufficient opportunity of contesting the matter on that ground.

(9) Parties to an appeal shall be given notice of the date fixed for the hearing of an appeal in the Form set out as Form 2 of the First Schedule not less than seven days before the date fixed for hearing of an appeal.

6. (1) A notice of appeal shall be filed with the Commission within fourteen days of the date of the receipt by the appellant of the decision of the respondent. Time for filing appeal

(2) The Commission shall keep a record of and assign a number to each notice of appeal which is filed.

(3) Notwithstanding subregulation (1), the Commission may extend the period specified in that subregulation, in particular, in relation to matters decided prior to the coming into effect of these regulations.

(4) An application under subregulation (3) shall be made in the form set out as Form 3 in the First Schedule and shall be supported by an affidavit as to the facts contained in the application.

7. A true copy of the notice of appeal shall be served upon the respondent by the Commission within seven days after the original notice of appeal has been filed. Service of notice of appeal

8. (1) Where an appeal against the decision of the Respondent in a disciplinary matter has been filed, the respondent shall, within three weeks of the service of notice of appeal or within such extended time as may be granted by the Commission, file with the Commission ten copies (or such greater number as the Commission may require) of the record of the disciplinary proceedings upon which the decision of the Respondent was based. Procedure on notice of appeal

(2) After receiving the notice of appeal in a promotion matter the respondent shall within three weeks of the service of notice of appeal or within such extended time as may be granted by the Commission forward to the Commission ten copies of all documents relevant to the decision appealed.

(3) When the provisions of subregulations (1) and (2) have been complied with, the Commission shall—

- (a) give to the appellant notice of the filing of the record in the form set out as Form 4 in the First Schedule together with a copy of that record; and

Procedure on
withdrawal of
appeal

Entitlement to
representation
by Attorney-at-
law

Production of
exhibits
Commission
may require

Power of
Commission
to dismiss
appeals

Non-appear-
ance of
respondent
at hearing

(b) keep for the use of the Commission six copies (or such greater number as may be required) of the record and of any notice or other document received by it after the record has been filed.

9. An appellant who desires to withdraw his appeal shall—

(a) file with the Commission a notice in the form set out as Form 5 in the First Schedule; and

(b) serve on the respondent a copy of the notice of withdrawal.

10. (1) A police officer is entitled on an appeal to be represented—

(a) by an Attorney-at-law or an officer of the Police Service selected by him; or

(b) by a member of his staff association.

(2) On an appeal the respondent may appear in person or may be represented by a legal or other representative.

11. On an appeal the Commission may at any time require the production of any exhibit which in its opinion is relevant to the proceedings before it.

12. (1) Where after filing a notice of appeal, an appellant—

(a) fails to comply further with any other requirement of these Regulations; or

(b) fails to appear on the date of the hearing, the Commission may dismiss the appeal.

(2) An appellant whose appeal has been dismissed under subregulation (1) may apply for the restoration of his appeal in the form set out as Form 6 in the First Schedule, supporting such application by an affidavit as to the facts contained therein.

(3) Where an application is made pursuant to subregulation (2), the Commission may, if it is satisfied that the justice of the case so demands, order that the appeal should be restored on such terms as it thinks fit.

(4) No application may be made under this regulation after the expiration of twenty-one days from the date of the dismissal of the appeal.

13. (1) Where the respondent fails to appear on the date of the hearing of an appeal, the Commission may proceed to hear the matter *ex parte*.

[Regulation 5(9)]

FORM 2

BEFORE THE POLICE SERVICE COMMISSION

NOTICE OF HEARING OF APPEAL

Appeal No. of 20.....

BETWEEN

..... *Appellant*

And

..... *Respondent*

TAKE NOTICE that the above-mentioned Appeal will come on for hearing before the Police Service Commission at on day of, 20..... a.m./p.m. and continuing thereafter as the Commission may direct

(Address)

Dated this day of, 20.....

.....
Police Service Commission

To:

.....

.

.....

.....

[Regulation 6(4)]

FORM 3

BEFORE THE POLICE SERVICE COMMISSION

APPLICATION FOR EXTENSION OF TIME TO FILE APPEAL

In the Matter of
(Name of Applicant)

And

The Respondent (Commissioner of Police)

In the Matter of an Application for an Extension of Time to File an Appeal

I, of
 occupation hereby apply for an extension of
 time to file an appeal against the decision of the
 Commissioner of Police given on the day of, 20..... I was unable
 to file the appeal within the period specified by the Police Service Commission Appeal
 Regulations because

 (State reason why appeal was not filed within the specified period)

Dated this day of, 20.....

.....
Applicant

[Regulation 8(3)]

FORM 4

BEFORE THE POLICE SERVICE COMMISSION

NOTICE THAT RECORD HAS BEEN FILED

Appeal No. of 20.....

BETWEEN

..... Appellant

And

Commissioner of Police

Respondent

TAKE NOTICE that the Respondent has filed the record of the Proceedings (a copy of which
 is enclosed) pursuant to Regulation 8 of the Police Service Commission (Appeal)
 Regulations.

Dated this day of, 20.....

.....
Police Service Commission

To the Appellant

.....

[Regulation 9(a)]

FORM 5

BEFORE THE POLICE SERVICE COMMISSION

NOTICE OF WITHDRAWAL OF APPEAL

Appeal No. of 20.....

BETWEEN

..... *Appellant*

And

Commissioner of Police *Respondent*

TAKE NOTICE that the Appellant hereby withdraws his appeal against the Respondent in the above-named appeal.

Dated this day of, 20.....

.....
Appellant

[Regulations 12(2)]

FORM 6

BEFORE THE POLICE SERVICE COMMISSION

NOTICE OF APPLICATION FOR RESTORATION OF APPEAL

Appeal No. of 20.....

BETWEEN

..... *Appellant*

And

Commissioner of Police *Respondent*

TAKE NOTICE that Ithe Appellant in the above-named Appeal which was dismissed on the..... day of, 20..... hereby apply for the restoration of the said appeal on the grounds that—

(a)

(b)

(c)

(d)

(e)

(State grounds on which application is based)

Dated this day of, 20.....

.....
Applicant/Appellant

[Regulation 13(2)]

FORM 7

BEFORE THE POLICE SERVICE COMMISSION

**NOTICE OF APPLICATION FOR SETTING ASIDE DECISION
IN APPEAL TAKEN *EX PARTE***

Appeal No. of 20.....

BETWEEN

..... *Appellant*

And

Commissioner of Police

Respondent

TAKE NOTICE that the Commissioner of Police the Respondent in the above-named appeal which was decided *ex parte* on the day of, 20..... hereby applies for a setting aside of that decision on the grounds that—

(a)

(b)

(c)

(d)

(e)

(State grounds on which application is based)

Dated this day of, 20.....

.....
*Applicant / Respondent***SECOND SCHEDULE***Documents**Fees*

\$ c.

1. For a copy of judgement after trial	25.00
2. For a copy of a judgement by default of appearance or defence ...	25.00
3. For a copy of reasons for judgement of a Court per each page or part thereof	5.00
but not to exceed	75.00
4. For a photographic copy of all or any part of any document whether or not issued as an office copy—for each photographic sheet ...	5.00
5. For a typewritten copy of any document per folio of 100 words or part thereof	5.00
6. For each folio of 100 words or part thereof of any additional carbon copy, be spoken	5.00

Dated this day of, 2009

C. R. THOMAS
Chairman of the
Police Service Commission

S. JAIRAM
Member of the
Police Service Commission

J. CHEESMAN
Member of the
Police Service Commission

C. DOTTIN
Member of the
Police Service Commission

J. SINGH
Member of the
Police Service Commission

Consented.

P. MANNING
Prime Minister

Dated this 7th day of October, 2009.

LEGAL NOTICE NO. 218

REPUBLIC OF TRINIDAD AND TOBAGO

THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO, CHAP. 1:01

ORDER

MADE BY THE PRESIDENT UNDER SECTION 123(2) OF THE
CONSTITUTION AND SUBJECT TO NEGATIVE RESOLUTION OF PARLIAMENTTHE COMMISSIONER OF POLICE AND DEPUTY COMMISSIONER
OF POLICE (SELECTION PROCESS) ORDER, 2015

1. This Order may be cited as the Commissioner of Police and Deputy Commissioner of Police (Selection Process) Order, 2015. Citation

2. In this Order, “Commission” means the Police Service Commission established under section 122 of the Constitution. Interpretation
Constitution

3. The selection process for appointment to the offices of Commissioner of Police and Deputy Commissioner of Police shall be conducted in the following manner: Selection process

- (a) the Commission on request of the Minister of National Security shall, in accordance with section 20A(1)(c) of the Central Tenders Board Act, contract an appropriate local firm (hereinafter referred to as “the Firm”) to conduct a recruitment process including inviting applications for the positions;
- (b) the Firm shall select, from the applications received, the most suitable candidates for the assessment process;
- (c) the Firm shall ensure that the candidates referred to in paragraph (b) are subjected to the best practice security vetting and recent professional vetting;
- (d) the Firm shall submit to the Commission–
 - (i) the results of its assessment process in the form of a short list of candidates;
 - (ii) a report on its assessment of the entire assessment process; and

Commissioner of Police and Deputy Commissioner of Police (Selection
Process) Order, 2015

(iii) in respect of the candidates referred to in subparagraph (i), the following documents:

- (A) application of the candidate;
- (B) biography or résumé of the candidate;
- (C) assessor’s scores;
- (D) assessor’s feedback;
- (E) medical examination report; and
- (F) Security and Professional Vetting Report;

(e) the Commission shall then take into account all information on the candidates and thereafter establish an Order of Merit List; and

(f) the Commission shall select the highest graded candidate on the Order of Merit List and submit that candidate’s name to the President in accordance with the procedure set out in section 123 of the Constitution.

Use of Order of
Merit List in
certain
circumstances

4. (1) Where, in relation to clause 3(f), the House of Representatives does not approve of the highest graded candidate on the Order of Merit List pursuant to section 123 of the Constitution, subsequent nominations in order of merit may be submitted to the House of Representatives from the Order of Merit List only in accordance with the procedure set out in the Constitution.

(2) Where the Order of Merit List is exhausted, the process set out in this Order shall be recommenced.

(3) With respect to the nominations submitted in accordance with the procedure set out in section 123 of the Constitution, the Commission shall also submit a dossier in respect of each candidate so nominated.

(4) The dossier referred to in subclause (3) shall contain the following:

- (a) application of the candidate; and
- (b) the biography or résumé of the candidate.

Validity of
Order of Merit
List

5. For the purposes of this Order, the Order of Merit List shall be valid for a period of one year.

6. Notwithstanding this Order, if, for whatever reason, the office of Commissioner of Police or Deputy Commissioner of Police becomes vacant, the Commission may nominate a candidate who was previously assessed in accordance with clause 3, if the Order of Merit List is still valid.

7. The Commissioner of Police and Deputy Commissioner of Police (Selection Process) Order, 2009 is revoked.

Dated this 14th day of December, 2015.

L. RODRIGUEZ
Secretary to Cabinet

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LEGAL NOTICE No. 219

REPUBLIC OF TRINIDAD AND TOBAGO

THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO, CHAP. 1:01

ORDER

MADE BY THE PRESIDENT UNDER SECTION 123(2) OF THE
CONSTITUTION AND SUBJECT TO NEGATIVE RESOLUTION OF PARLIAMENT

THE APPOINTMENT OF THE COMMISSIONER OF POLICE AND
DEPUTY COMMISSIONER OF POLICE (QUALIFICATION AND
SELECTION CRITERIA) ORDER, 2015

1. This Order may be cited as the Appointment of the
Commissioner of Police and Deputy Commissioner of Police
(Qualification and Selection Criteria) Order, 2015.

2. (1) A candidate for the office of Commissioner of Police shall be a
national of Trinidad and Tobago and shall have—

(a) a degree from a University recognized by the Ministry
responsible for higher education in any of the following:

- (i) law;
- (ii) criminal justice;
- (iii) criminology;
- (iv) police service management; or
- (v) any other relevant degree; and

(b) no less than fifteen years' experience of increasing
responsibility in law enforcement.

(2) A candidate for the office of Deputy Commissioner of Police
shall be a national of Trinidad and Tobago and have—

(a) the qualifications stipulated in subclause (1)(a); and

(b) no less than ten years' experience of increasing
responsibility in law enforcement.

*Appointment of the Commissioner of Police and Deputy Commissioner of
Police (Qualification and Selection Criteria, Order, 2015*

Candidate
not to be a
bankrupt or
convicted of
a criminal
offence

3. A candidate for the post of Commissioner of Police or Deputy Commissioner of Police shall not be a bankrupt and shall not have a conviction for a criminal offence.

L.N. No. 101
of 2009
revoked

4. The Appointment of the Commissioner of Police and Deputy Commissioner of Police (Qualification and Selection Criteria) Order, 2009 is revoked.

Dated this 14th day of December, 2015.

L. RODRIGUEZ
Secretary to Cabinet

