



POLICE SERVICE  
COMMISSION  
ANNUAL  
REPORT 2023

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## **ABBREVIATIONS**

<b>CoP</b>	<b>Commissioner of Police</b>
<b>DCoP</b>	<b>Deputy Commissioner of Police</b>
<b>DPA</b>	<b>Director of Personnel Administration</b>
<b>FOI</b>	<b>Freedom of Information</b>
<b>M&amp;E</b>	<b>Monitoring and Evaluation Unit</b>
<b>PolSC</b>	<b>Police Service Commission</b>
<b>PolSCSec</b>	<b>Police Service Commission Secretariat</b>
<b>R&amp;E</b>	<b>Research and Evaluation Unit</b>
<b>SCD</b>	<b>Service Commissions Department</b>
<b>TTPS</b>	<b>Trinidad and Tobago Police Service</b>
<b>TTPSSWA</b>	<b>Trinidad and Tobago Police Service Social and Welfare Association</b>

## PREFACE

This is the Report of the Police Service Commission (the Commission), which is being submitted pursuant to Section 66B of the Constitution of the Republic of Trinidad and Tobago (the Constitution). The Constitution requires the Commission to submit to the President, before October 1 each year, a report 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.

The period under review is from January 1, 2023 to December 31, 2023.

On behalf of the Police Service Commission, we are pleased to present the 2023 Annual Report, which outlines the Commission's achievements, challenges, and strategic initiatives throughout the year.

2023 was a significant year for the Commission as we steadfastly pursued our constitutional requirements embracing collaborative initiatives coupled with a transformative approach to our activities aimed at modernizing and increasing efficiency in our operations.

This year, the Commission was faced with several challenges of increasing workload demands, increased challenges through the courts and the integration and application of new policies and processes. These challenges tested the agility and resilience of the Commission. We are proud to say that, through collective effort and strong individual leadership, we adapted to these demands while maintaining the core principles of transparency, fairness, accountability, and meritocracy.

As we reflect on the year's accomplishments, we remain focused on the goals set as a Commission with the view that 2024 and beyond will have a sound foundation to continue the responsibilities of the Commission.

The discoveries made in 2023 will guide the Commission as we continue to modernize our processes and meet the expectations of the public, the TTPS and the Commissioner and Deputy Commissioners of Police we support.

The Commission extends its gratitude to the Director of Personnel Administration and his staff, and its stakeholders for their dedication, support and hard work in ensuring that the Police Service Commission continues to meet the highest standards of service.

## CHAIRMAN'S REMARKS

It has become a tradition for the Annual Report submitted by the Police Service Commission (the Commission) to contain pertinent remarks by the Chairman on the activities of the Commission over the past year, its achievements and difficulties encountered during the year in meeting its mandate.

This year is no exception. What is different however is that this is the last Annual Report which we, as a Commission, will present to the President as the appointments of all five members come to an end on November 15, 2024. As usual the Annual Report will highlight our achievements over the past year, however, in recognition of the fact that this will be the last opportunity for me to express my concerns as Chairman of the Police Service Commission before hand over to a new Commission Chair my remarks will concentrate on the systemic difficulties encountered by this Commission in meeting the mandate given to it by the Constitution. This will, of necessity, encompass some issues and matters which may have arisen in the 2023-2024 period.

My report here is not a petition to change the focus and essential structure of the Commission. That has already been done in my report contained in our last Annual Report and in the Commission's presentation to the National Advisory Committee on Constitutional Reform. I remain hopeful that consideration will be given to the suggestions made to Parliament and to the Advisory Committee on the restructuring and refocusing of the Commission and that changes will come. For now it is sufficient to recognize that we cannot continue to do the same things in the same way and expect different results.

This year my report is directed towards clarifying some misunderstandings on the role and function of the Commission and identifying some of the difficulties encountered in achieving the Commission's existing Constitutional remit.

Before going into the core of this report I think it is important, and only fair to out-going members, to treat with a very public misconception. The Police Service Commission is not a crime fighting body. The duties and responsibility for fighting crime vest in the Trinidad and Tobago Police Service under the leadership of the Commissioner of Police. To blame the Commission for the state of crime in the country is to take the easy way out and to hide our collective heads in the sand. It is indicative of a refusal to full frontally face and recognize each of our individual responsibilities in the battle against crime.

That said the Commission has an important role in ensuring that the persons placed at the helm of the battle have the capacity and capability to meet the challenges presented.

The Constitution requires the Police Service Commission to perform three main functions:

1. Appoint persons to hold or act in the offices of Commissioner and Deputy Commissioners of Police and exercise disciplinary control, including removal from office, over these persons;
2. Monitor the performance and effectiveness of the officers in the discharge of their functions; and
3. Hear and determine appeals from decisions of the Commissioner of Police or the Commissioner's delegates with respect to appointments on promotion or as a result of disciplinary proceedings.

The first two functions relate directly to the establishment and maintenance of effective leadership for the Trinidad and Tobago Police Service.

The appointment of effective leaders requires firstly that there be a pool of persons qualified for the job from whom the best can be selected. No matter how rigorous and exacting a

recruitment or selection process is it is limited by the pool from which it draws its candidates. Save as to ensuring that the advertisement seeking applications gets the widest possible publicity the Commission has no control over the recruitment pool.

The Constitution requires nominations for appointment to the offices to be made in accordance with criteria prescribed by Order of the President subject to negative resolution of Parliament. This criterion is fixed by Cabinet, subjected to the scrutiny of Parliament and published by way of legal notice. These qualifications, specified Master's degrees, experience in law enforcement for a specified length of time and the requirement for Trinidad and Tobago nationality, together with the incentives attached to the offices determine the pool of candidates. The Commission plays no part in establishing any of these determinants.

Ultimately, and perhaps understandably so, the prescribed criteria and the incentives offered are skewed towards persons within the Police Service. Yet, save indirectly through the mechanism of the performance appraisal system, there is no process by which the Commission can ensure leadership training or succession planning, both of which feed into each other, within the Police Service. The existence of suitable candidates therefore remains "hit and miss" and dependent on the industry and determination of the individual candidates rather than a concerted effort to create effective leaders and allow for the transition of leadership responsibility from one generation of officers to the next. The upshot of this is that the existing pool of candidates remains the same with very few new inclusions.

The second requirement for appointing effective leaders is a recruitment process that is thorough and exacting. In this regard the Commission is guided by the legislation which includes a requirement that candidates be subjected to a security vetting. This poses a major problem for the Commission. Unlike, for example, the Police Complaints Authority the Commission is not vested with investigative powers. Under normal circumstances security vetting will be conducted by specialized units within the Police Service. For obvious reasons this is not a viable option. Further confidentiality provisions in the relevant legislation prohibit the Commission from accessing valuable information from bodies such as the Police Complaints Authority and the Financial Intelligence Unit. Natural justice, good administration and fairness prevent the Commission from acting on anecdotal information. Without the means to access pertinent information on candidates which would allow the Commission to assess that candidate's security risk level the Commission is at a disadvantage with respect to assessing the security risk posed by the candidate to the organization and to the nation at large.

The monitoring aspect of the Commission's functions is perhaps even more important in ensuring effective leadership. Monitoring not only provides feedback on performance but ideally it allows for an early warning of issues or problems before they reach crisis stage and permits a timely intervention.

There are two aspects to this process. The first is the ability to monitor. Contrary to popular belief the Commission does not have the power to monitor the operations of the Police Service as a whole. The monitoring function given the Commission by the Constitution is limited to monitoring the efficiency and effectiveness of the Commissioner and Deputy Commissioners of Police in the discharge of their functions. This is a small but an important difference.

To achieve this the Constitution requires the Commissioner provide six-monthly reports on the management of the Police Service, permits the Commission to call upon the Commissioner to provide documents pertaining to financial, legal and personnel matters in relation to the Police Service and requires the Commissioner, when requested by the Commission, to provide any special report relating to the management of the Police Service. The Commission supplements these monitoring tools by surveys administered by it from time to time. These surveys are limited in their scope and participation is voluntary.

The Commission's monitoring function therefore is limited to documents provided to it by the Commissioner of Police. The Commission does not have the power to independently check

the accuracy of the information received. Absent is the ability to obtain information on the performance of the officers in the discharge of their functions from sources other than the Commissioner of Police except by way of the surveys. Although useful the information received from the surveys has its own inherent weaknesses. It is imperative that if the Commission is to achieve its constitutional remit that it be provided with the means of independently verifying and investigating the efficiency and effectiveness of the officers under its purview.

The second aspect to monitoring is the means of ensuring that there are beneficial outcomes attached to the monitoring, that is, outcomes which are beneficial to the organization. In most cases this would be the employer. In the instant case it is the Trinidad and Tobago Police Service and ultimately the public of Trinidad and Tobago.

In this regard the use to which the Commission can put the information obtained by the monitoring process is limited by the Constitution. The Constitution links the monitoring function of the Commission to a performance appraisal system. The Constitution requires the Commission to prepare annual performance appraisal reports with respect to the Commissioner and Deputy Commissioners of Police. The use of these reports is prescribed by the Constitution. The Constitution permits the use of these reports for the information of the office holders and as a basis for the termination of services for inefficiency. There is no other stated outcome attached to the monitoring process in the Constitution. Nor do the functions and powers of the Commission allow it to use the information received in any other manner or for any other purpose. While the Constitution permits the Commission to prescribe the form the performance appraisal report may take it does not permit the Commission to determine the purpose or use to which it may put the information contained in the report.

It is not my intention here to debate the pros and cons of adopting a performance appraisal system to measure the efficiency and effectiveness of the officers under consideration in the discharge of their functions. It is sufficient to remind that a performance appraisal system is generally employed for goal setting, performance evaluation and employee development by the use of key performance indicators and constructive feedback.

Finally there is the question of the establishment of key performance indicators and standards of performance. The objective of any performance appraisal system is to ensure that persons are aligned with and perform within the ambit of the strategic objectives of the organization. The strategic objectives therefore not only determine the key performance indicators but also the standards of performance used to monitor the effectiveness and efficiency of the persons holding the relevant offices. The problem here is that the Commission has no control over the strategic objectives of the Trinidad and Tobago Police Service. This is solely the province of the Commissioner of Police who, in accordance with the Constitution, has the complete power to manage the Police Service. In accordance with convention within the Police Service the strategic objectives of the organization are arrived at by a consultative process within the Police Service. The upshot of this is that the Commission's monitoring function is, in accordance with performance appraisal practice, effectively limited to standards set by the Trinidad and Tobago Police Service. There is very limited scope for the Commission to establish its own key performance indicators or standards of performance.

The final function of the Commission is the appeal function. We have in other places indicated the inappropriateness of the Commission itself acting as an appeal tribunal. The failure to provide suitable staff to discharge the appeals function vested in the Commission by the Constitution, of necessity, has required the Commission to conduct these hearings itself.

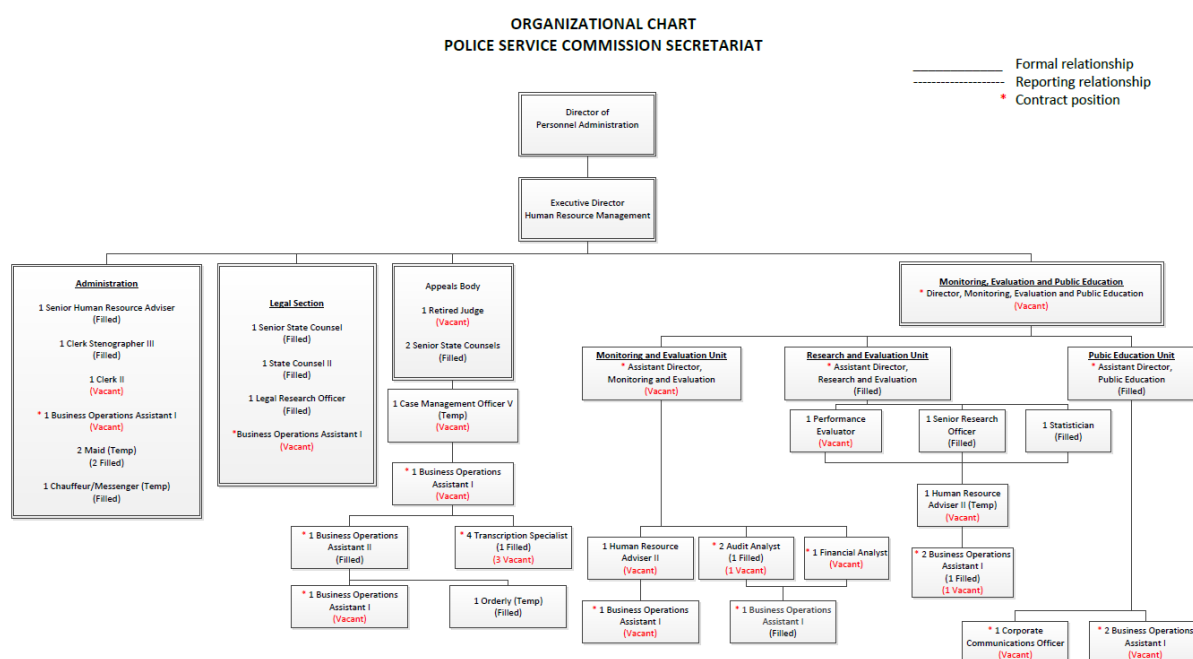
This brings us to the issue of staffing or rather the lack of adequate and appropriate staff to permit the Commission to discharge its mandate in an efficient and effective manner. This is a topic that has engaged the attention of Commissions over the years.

To meet the requirements of the 2006 amendments to the Constitution in 2007 Cabinet approved the creation of 6 temporary positions for a period of three years on the staff of the



Service Commissions Department for allocation to the Commission's Secretariat and for employment by the Service Commissions Department on three-year contracts 33 persons to be assigned to the Commission.

The existing Organizational Chart shown below represents the structure of the Commission established pursuant this Cabinet decision. At the same time Cabinet agreed to undertake a review of the operations and staffing of the Secretariat after one year's working experience. A review was eventually done in 2015. Despite the ongoing efforts of the Director of Personnel Administration almost 10 years later the Commission is still awaiting action on the proposals for restructuring.



While the chart identifies the positions that are filled and those that are vacant it must be noted that the Commission does not have the services of the Senior Human Resource Adviser and Clerk Stenographer III in Administration nor of the two State Counsel Appeals all have which have been reassigned from the Commission's Secretariat to the Service Commissions Department Head Office since prior to November 2021.

The function of recruitment and selection apart it is the Monitoring and Evaluation and the Research and Evaluation Units that provide the Commission with its technical expertise. As can be seen from the Organizational Chart these units, in the main, comprise staff on contract. This accords with the 2007 Cabinet decision. Since 2019 these persons have been on month-to-month contracts awaiting a determination of the restructuring proposals. Apart from the deleterious effect that month to month employment has on the moral of staff and on staff retention the existence of employees on continuous month to month contracts requires an unpaid contract break for each employee for one week every six months. This effectively cripples the operations of the Commission for two weeks every year. Further, for the employee, employment on month to month contracts means that these employees are not entitled to sick, casual or vacation leave and receive no contract gratuity.

Since 2023, as a result of the diligence and persistence of the Director of Personnel Administration, the staffing complement in the Units has been increased as shown in the table below.

<b>Officer</b>	<b>Date of Assumption</b>	<b>Assigned Unit</b>
Human Resource Assistant	July 2024	Monitoring and Evaluation
Human Resource Assistant	September 2024	Monitoring and Evaluation
Clerical Assistant	June 2024	Administration
Research Assistant	August 2023	Research and Evaluation
Data Research Assistant	January 2024	Research and Evaluation

In actuality therefore, despite the technical expertise which in 2007 was determined by Cabinet necessary to meet the Commission's mandate, the Commission continues to function without a Director, Monitoring, Evaluation and Public Education. The Monitoring and Evaluation Unit has no Assistant Director or Financial Analyst and operates with an Audit Analyst and two Human Resource Assistants. The Research and Evaluation Unit operates with an Assistant Director, a Senior Research Officer, Statistician, a Data Research Assistant, a Research Assistant and a Business Operations Assistant I. The Public Education Unit comprises the Assistant Director.

The Appeal Unit, referred to in the Chart as the Appeals Body, comprises three persons whom, with the assistance of the Executive Director, perform the administrative functions attached to the hearing of appeals. In the absence of the required legal personnel hearings of appeals are conducted by panels comprising Commission members.

Prior to 2021 the Commission was required by legislation to employ a firm to conduct the recruitment and selection process. In 2021, as a result of a change in the law, the Commission assumed the responsibility of itself conducting the recruitment and selection process. This has been undertaken with no change in the complement of staff to meet this function save that in 2004 the clerical assistant referred to in the chart above was assigned to Administration. Consequently the responsibility of administering and managing the recruitment and selection process has fallen on the Director of Personnel Administration with various members of the Secretariat being co-opted from time to time from their existing duties to assist in the process. During the lifetime of this Commission it has completed two recruitment and selection exercises resulting in the appointment of a Commissioner of Police and three Deputy Commissioners of Police and is now actively engaged in the conduct of another.

The Constitution requires each Commission annually to provide to the President for transmission to Parliament a report on its administration, the manner of the exercise of its powers, its method of functioning and any criteria adopted by it in the exercise of its powers and functions. While the primary intention of this provision is to require the independent Service Commissions to give an account of their stewardship over the past year the Annual Report also provides information to Parliament which will allow it to make or canvass appropriate changes to improve the effectiveness of the Service Commissions.

As this Commission, as presently constituted, makes its exit it is my fervent hope that the matters and sentiments brought to the fore in my report for Parliament's attention fall on fertile ground.

## **1. THE POLICE SERVICE COMMISSION**

The Police Service Commission is an independent body established in accordance with Section 122 of the Constitution of the Republic of Trinidad and Tobago. It is one of the four Service Commissions established under the Constitution.

### **1.1 ROLE AND FUNCTION OF THE POLICE SERVICE COMMISSION**

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 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
- 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 promotion or as a result of disciplinary proceedings brought against a police officer appointed by the Commissioner of Police.

For the purpose of subsection 1 (d):

- 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.

## 1.2 MEMBERSHIP

The members of the Police Service Commission shall be appointed by the President and 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.

During the period, the undermentioned persons comprised the Police Service Commission:

- |   |          |
|---|----------|
| ▪ Justice Judith Jones, Justice of Appeal (Retired) - | Chairman |
| ▪ Ms. Maxine Attong                                   | Member   |
| ▪ Ms. Maxine King                                     | Member   |
| ▪ Mr. Rajiv Persad, SC                                | Member   |
| ▪ Mr. Ian Kevin Ramdhanie                             | Member   |

### ***1.2.1 Profile of the Members of the Police Service Commission***

#### **CHAIRMAN Justice Judith Jones, Justice of Appeal (Retired)**



Retired Justice of Appeal Judith Jones graduated from The University of the West Indies Cave Hill with a Bachelor of Laws degree and from the Hugh Wooding Law School, where she received her Legal Education Certificate. She is a trained civil and family mediator.

For twenty-six years of her career, she served as an attorney at law in private practice. During that time, she was a longstanding member of the Council of the Law Association and the Disciplinary Committee of the Law Association. Justice Jones held positions as the Director and Chair of the Board of Legal Aid and Advisory Authority of Trinidad and Tobago and, in that capacity, served as a member of the National Family Service Coordinating Council. She was a member of a Cabinet-

appointed Committee to investigate the operations of the Blind Welfare Association. She served on the Cabinet-appointed Committee to revise and update the Domestic Violence Legislation and on the Committee to establish police protocols for handling Domestic Violence complaints. Justice Jones also served as a member of the Firearms Appeal Board.

In 2004, she was appointed a High Court Judge in the Judiciary of Trinidad and Tobago. In 2015, she took her seat as a Justice of the Court of Appeal in the Judiciary of Trinidad and Tobago. She was a Member of the Board of the Judicial Education Institute of Trinidad and Tobago and is a Fellow of the Commonwealth Judicial Education Institute. She is the holder of a certificate in Judicial Training from the University College of London Judicial Training Institute.

Justice Jones retired from the Judiciary of Trinidad and Tobago in 2020. In 2021, she was appointed by the Cabinet to Chair an investigation into the abuse of children at Children's Homes, Rehabilitation Centres, and Child Support Centres in Trinidad and Tobago.

### **MEMBER Ms. Maxine Attong**

Ms. Attong is a Certified Professional Executive Coach, a Certified Professional (Management) Accountant, and an Organisational and Leadership Specialist. She holds a Bachelor of Science Degree in Accounting from The University of the West Indies St Augustine and a Master of Science degree in Organisational Development from Middlesex University in the United Kingdom.

Ms. Attong held senior executive positions at local, regional, and international organizations such as BG (now Shell), Guardian General Insurance Company Limited, and Aon Energy Caribbean Limited. She is the founder and lead consultant of Maxine Attong Consulting and has facilitated leadership and organizational development interventions in many local organizations.

She is also the founder of Gestalt Caribbean Leadership Seminars, Call to Creativity-Leadership Development for Professional Women, and Enhance U-Life skills for teenagers. She is the producer and host of radio and television programmes that focus on leadership and the author of two business books.



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### **MEMBER Ms. Maxine King**

Ms. King holds a Bachelor of Science Degree in Management Studies and a Master of Science in Accounting from The University of the West Indies St Augustine. She also has a Master's in Business Administration from the Heriot-Watt University, Scotland.



Ms. King brings to the Commission more than thirty years of experience at the management and executive leadership levels at several local organisations in finance, accounting, and treasury management. These include Firstline Securities Limited, First Citizens Bank Limited, CLICO Investment Bank Limited, BWIA West Indies Airways Limited, Caribbean Airlines Limited, ANSA Merchant Bank Limited, and the Diego Martin Credit Union. She has also worked in the Public Service for several years, auditing many state enterprises and statutory bodies.

Ms. King has presented at several local, regional, and international conferences hosted by entities such as Eurofinance and the Caribbean Confederation of Credit Unions.

Ms. King is a member of the Institute of Chartered Accountants of Trinidad and Tobago, a past member of the Audit and Accounting Standards Committee, a past member of the Queen's Hall Board and a Network Member of the Gerson Lehrman Group.

## **MEMBER Mr. Rajiv Persad SC**

Mr. Persad holds a Bachelor of Arts degree in History and Law from The University of the West Indies, Cave Hill, Barbados; a Bachelor of Laws degree from the University of Buckingham; and a Certificate of Legal Education from the Hugh Wooding Law School. He was called to the Trinidad and Tobago Bar in 1997 and the Bars in Antigua & Barbuda and Grenada in 2003 and 2007, respectively.

Mr. Persad has extensive practice at all levels in Criminal Law, Public Law (Constitutional Law, Human Rights, and Judicial Review), Law of Tort, Contract, and Commercial Law.

He has served as an Acting High Court Judge of the Supreme Court in several jurisdictions, including Montserrat, British Virgin Islands, St Vincent & the Grenadines, Grenada, and Trinidad and Tobago, and as an international expert with the United Nations Development Programme to review Draft Criminal Procedure Bill of Sierra Leone.

Mr. Persad was also a former Chairman of the Legislative Review Committee (Law Association), Deputy Chairman of the Integrity Commission of Trinidad and Tobago, Member of the Board of the University of West Indies Development and Endowment Fund, and Tutor at the Hugh Wooding Law School (Law of Evidence/criminal practice and procedure).



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## **MEMBER Mr. Ian Kevin Ramdhanie**

Mr. Ramdhanie has over twenty years of experience teaching, researching, and developing public policy and senior academic administration in tertiary-level educational institutions in Trinidad and Tobago (Caribbean Institute for Security and Public Safety, The University of the West Indies, and The University of Trinidad and Tobago). He obtained his Bachelor of Science Degree (Hons.) and Masters of Science from UWI, St. Augustine Campus Trinidad and Tobago, and is presently completing his Ph.D.

Mr. Ramdhanie was a member of several Cabinet-appointed Committees to deal with crime, parole, and crime policies in Trinidad and Tobago. He is a member of the Private Security Network Commission of the Ministry of National Security and has been a member since its inception.

Mr. Ramdhanie has written and published many scholarly papers on crime statistics, prison reform and rehabilitation, policing, white-collar crime, and youth crime in journals. He has presented at many academic conferences in the USA, France, Spain, South Africa, and Caribbean. He has worked jointly with other scholars on projects with the United Nations Office of Drug Control and the Inter-American Development Bank. Mr. Ramdhanie has significant experience developing and implementing academic and training programmes in the criminology, security, and public safety fields.





## **2. SERVICE COMMISSIONS DEPARTMENT**

The primary function of the Service Commissions Department (SCD) is to provide advisory and support services to enable the Service Commissions to discharge their constitutional responsibilities of staffing and disciplinary control over the respective services.

The Department is headed by the Director of Personnel Administration, Mr. Corey Harrison, who is the principal adviser to all the Service Commissions. He is the Accounting Officer and has financial responsibility (including the management of budgetary allocation) for all the Service Commissions.

As the Administrative Head, the Director of Personnel Administration is responsible for the efficient conduct and work of the SCD. He is also tasked with ensuring that the Department is adequately resourced and has the capacity and capability to support the Commission in successfully realizing its goals and objectives.

### **2.1 POLICE SERVICE COMMISSION SECRETARIAT**

The Police Service Commission Secretariat (PolSCSec):

- i. provides logistical, administrative, and technical support to ensure the efficient operationalizing of decisions taken by the Commission;
- ii. supports the 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, functions, workforce use, and operations, using predetermined and agreed indicators and targets;
- iii. provides administrative and clerical services to the Commission's Appeal Tribunal and
- iv. assists in the dissemination of information and the conduct of the Commission's public education programmes

The Secretariat comprises the following Units:

#### **Administration Unit**

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

#### **Monitoring and Evaluation Unit**

The Monitoring and Evaluation Unit (M&E) periodically reviews programmes, projects, initiatives, and processes undertaken by the Trinidad and Tobago Police Service on behalf of the Police Service Commission. The resulting findings generated from these reviews are significant factors used by the Police Service Commission in preparing annual performance appraisal reports on the Commissioner of Police and Deputy Commissioners of Police.

#### **Research and Evaluation Unit**

The Research and Evaluation Unit (R&E) assists the Police Service Commission in developing and implementing the performance framework and criteria used by the Commission to appraise the CoP and DCoPs. Implementing the framework involves data collection, research, and analysis, which the Unit undertakes to prepare the annual appraisal reports on the performance of the CoP and DCoPs. The Unit conducts public surveys to determine their levels

of trust and confidence in the police and members of the TTPS to determine their job satisfaction, well-being, and conditions of work. The Unit also organizes focus groups and meetings with stakeholders to assess the quality of service they receive from the TTPS.

### **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 promotion decisions of the Commissioner of Police.

### **Public Education Unit**

The Public Education Unit is responsible for developing and guiding the Commission's public education strategy. Its activities include providing communication advice, proactive media relations, media monitoring, managing internal communications, public relations, and outreach.

### **Legal Unit**

The Legal Unit of the Service Commissions Department (SCD) provides legal services to the Commission. These services include providing legal advice, legal interpretation of relevant Acts and Regulations, reviewing documents, and assisting the Commission through extensive legal research on issues relevant to its constitutional functions.

### **Executive Director, Human Resource Management**

Ms. Dale Brizan served as Executive Director, Human Resource Management (Police Service Commission) and Secretary to the Commission for the period January 2023 to December 2023.

## **3. MEETINGS**

### **3.1 STATUTORY AND SPECIAL**

#### ***3.1.1 Statutory meetings***

The Commission held twelve (12) statutory meetings during the year under review.

The Commission conducted its statutory and special meetings virtually utilizing Microsoft Teams. At these meetings, the Commission considered and decided upon matters in relation to its constitutional remit.

#### ***3.1.2 Special meetings***

Sixteen (16) special meetings were held during the period under review.

The decisions taken at the Commission's statutory and special meetings were recorded in Minutes which were confirmed at its subsequent meetings. These Minutes now form part of the Commission's permanent records.

#### ***3.1.3 Other meetings***

During the period under review, the Commission held one (1) quarterly meeting with the Commissioner of Police and members of the TTPS Executive.



The Commission held three (3) other meetings, two (2) with the Commissioner of Police and the other with the Trinidad and Tobago Police Service Social and Welfare Association (TTPSSWA).

## 4. PERFORMANCE IN THE DELIVERY OF THE COMMISSION'S MANDATE

### 4.1 APPOINTMENT OF PERSONS TO HOLD OR ACT IN THE OFFICES OF COMMISSIONER AND DEPUTY COMMISSIONER OF POLICE

During the period under review, the Commission did not make any new acting appointments to the offices of Commissioner of Police and Deputy Commissioner of Police. The Commission in 2022 had appointed the undermentioned officers to act in the offices of CoP and DCoP and these incumbents continued in an acting capacity pending the conclusion of the Commission's recruitment and selection process in respect of both offices:

**Table 1: Acting incumbents**

Commissioner of Police:	Deputy Commissioner of Police:
<p>Mrs. Erla Harewood-Christopher -</p> <ul style="list-style-type: none"> <li>⇒ October 16, 2022 to October 21, 2022;</li> <li>⇒ December 9, 2022 to a date to be determined by the Commission</li> </ul>	<ul style="list-style-type: none"> <li>▪ Mr. Curt Simon <ul style="list-style-type: none"> <li>⇒ December 6, 2022 to a date to be determined by the Commission</li> </ul> </li> <li>▪ Mr. Ramnarine Samaroo <ul style="list-style-type: none"> <li>⇒ December 6, 2022 To a date to be determined by the Commission.</li> </ul> </li> </ul>

### 4.2 MAKE APPOINTMENTS ON PROMOTION AND TO CONFIRM APPOINTMENTS

The Commission must conduct the recruitment and selection process pursuant to the provisions of the Constitution and the specified Legal Notices in order to make appointments to the offices of CoP and DCoP.



*Justice Judith Jones (Retired) Chairman, Police Service Commission, presents Mrs. Erla Harewood-Christopher with her letter of promotion on Friday February 10, 2023*

The Commission commenced recruitment and selection processes as a necessary prelude to the creation and establishment of an Order-of-Merit List.

#### 4.2.1 Recruitment and selection process for the office of Commissioner of Police

The Commission completed the recruitment and selection process for the office of Commissioner of Police which commenced in June 2022, in January 2023 with the establishment of an Order-of-

Merit List on January 30, 2023. The List was valid for one (1) year as required by Legal Notice 277 of 2021.

Pursuant to the provisions of the Constitution, the Commission nominated persons for appointment to the office of CoP in accordance with the criteria and procedure prescribed by Order of the President, subject to negative resolution of Parliament and submitted to the President a list of the names of the persons nominated for appointment to the offices of Commissioner of Police.

A positive resolution was received from the House of Representatives on February 3, 2023 in respect of the nomination of Mrs. Erla Harewood-Christopher and the Commission subsequently promoted Mrs. Harewood-Christopher to the office of Commissioner of Police with effect from February 3, 2023.

#### ***4.2.2 Extension of Service of Mrs Erla Harewood-Christopher in the office of Commissioner of Police***

Mrs Erla Harewood-Christopher attained the compulsory retirement age of 60 years on May 15, 2023.

Cabinet in May of 2023 agreed to the extension of service of Mrs. Erla Harewood-Christopher for a period of one year from May 15, 2023 to May 14, 2024 in accordance with the provisions of Section 75 of the Police Service Act Chapter 15:01.

#### ***4.2.3 Recruitment and selection process for the offices of Deputy Commissioner of Police***

In accordance with Legal Notice No. 277 of 2021 as amended by Legal Notice 278 of 2021, the Commission advertised the office of the Deputy Commissioner of Police and placed advertisements in three daily newspapers beginning on February 16, 2023 with a closing date for receipt of application on March 8, 2023.

Advertisements were uploaded to the Service Commissions Department's website and the websites of the Ministry of National Security, Ministry of Foreign Affairs and CARICOM, and the Trinidad and Tobago Police Service. The Advertisement was also forwarded to the Association of Caribbean Commissioners of Police, Barbados, to circulate amongst its members. The Commission utilised its Secretariat to conduct the recruitment process.

Applicants were required to electronically submit their application forms, curriculum vitae, birth certificate, qualifications and any other relevant documents.

The selection process for the position of Commissioner of Police involved a series of exercises geared towards assessing the suitability of persons for the offices:

- ⇒ The conduct of Assessment Centre Exercises including Psychometric Assessments;
- ⇒ The conduct of Security and Professional Vetting;
- ⇒ The medical examination of all candidates; and
- ⇒ An Interview by the Police Service Commission.

The Commission completed the recruitment and selection process for the office of Deputy Commissioner of Police and established the Order-of- Merit List for the office on November 27, 2023. The names of those candidates were submitted to the President of the Republic of Trinidad and Tobago in keeping with Section 3 (f) of Legal Notice No. 277 of 2021 as amended by Legal Notice 278 of 277 dated November 25, 2021 which states that *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.*

As at December 31, 2023 no resolution was made by the House of Representatives with respect to the nominations submitted.

#### **4.3 PERFORMANCE APPRAISAL OF COMMISSIONER AND DEPUTY COMMISSIONER OF POLICE**

Mrs. Harewood-Christopher was promoted within the period whilst the other officers mentioned at 4.1 of this Report continued to act in the respective offices during 2023. The Performance Appraisal Report in respect of Mrs Erla Christopher-Harewood was not completed since the reporting period was from March, 2023 to February, 2024. Notwithstanding, the Commission met with Mrs. Harewood-Christopher to present and discuss the draft Performance Appraisal Framework that would be used to monitor and appraise her performance as Commissioner of Police for the period March 1, 2023 to February 29, 2024.

Mr Ramnarine retired compulsorily from the Police Service and demitted office before his performance appraisal process could commence. Mr Simon's 2023 Performance Appraisal Report was not completed within the reporting year.

#### **4.4 REMOVE FROM OFFICE AND EXERCISE DISCIPLINARY CONTROL OVER PERSONS HOLDING OR ACTING IN THE OFFICES**

The Commission did not exercise these functions during the period as no matters received met the threshold to initiate any disciplinary action in respect of any of the officers.

#### **4.5 MONITORING THE PERFORMANCE OF THE CoP AND DCoPs**

##### ***4.5.1 Monitoring of TTPS processes, systems and initiatives***

The Monitoring and Evaluation Unit of the Police Service Commission Secretariat undertakes data collection activities required for the Commission to monitor the performance of the Commissioner and Deputy Commissioner and on behalf of the Police Service Commission. The Commission, during the year 2023, in the execution of its mandate and in accordance with Section 123, requested and received reports/plans from the Commissioner of Police as outlined hereunder.

- Biannual Periodic Reports for the Trinidad and Tobago Police Service.
- Internal Audit Plan
- National Crime Plan

During 2023, the Commission through the PolSC Secretariat monitored several processes, systems, and initiatives in the Police Service. These included: -

- Examining the revenue collection procedures to determine compliance with rules and regulations;
- Examining the warrant execution process to determine whether the process was compliant with established rules and to determine the warrants' execution rate in the Police Service;
- Monitoring strategies implemented to improve sharing of information between crime detection units;
- Monitoring strategies implemented to improve the public reporting process in the TTPS;
- Monitoring the detection rates to determine whether targets were being met;
- Monitoring the reduction in serious crimes to determine whether targets were being met.

### **4.5.2 Employee Satisfaction Survey**

During the period October 30 to November 24, 2023, the Commission undertook the 2023 Employee Satisfaction Survey. This survey is used as a monitoring tool to assist the Commission in carrying out its mandate based on the provisions of Section 123(1) (d) and (e) of the Constitution.

### **4.5.3 Public Trust, Confidence and Satisfaction Survey**

During the period November 27 to December 15, 2023, the Commission undertook the 2023 Public Trust, Confidence and Satisfaction Survey of the Trinidad and Tobago Police Service (TTPS), to determine the extent to which policing services in Trinidad and Tobago had an impact on the citizenry.

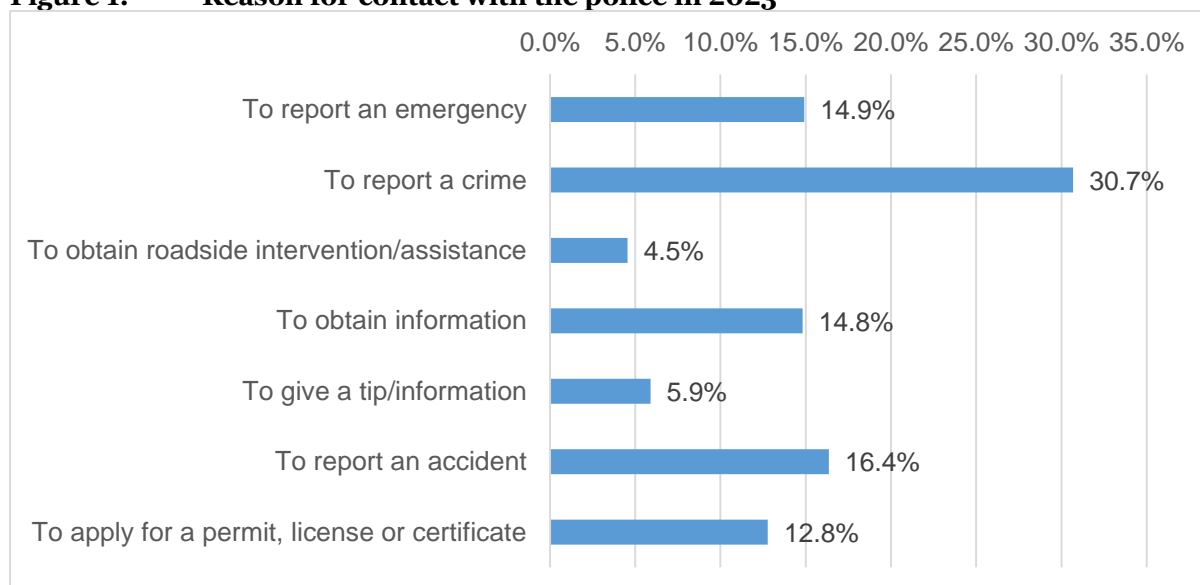
The Commission utilized the results in the determination of the extent to which the police service meets its goals and targets in accordance with the Commission's mandate to monitor the efficiency and effectiveness of the discharge of the Commissioner and Deputy Commissioners of Police functions.

The survey was conducted using a 43-item questionnaire and was administered electronically through emails to stakeholder organizations, as well as shared via social media platforms such as WhatsApp and community bulletin boards on Facebook. Government ministries and departments were also asked to assist by posting the survey link on their respective websites and social media platforms. The survey was also administered in-person during field interviews by designated staff of the Service Commissions Department.

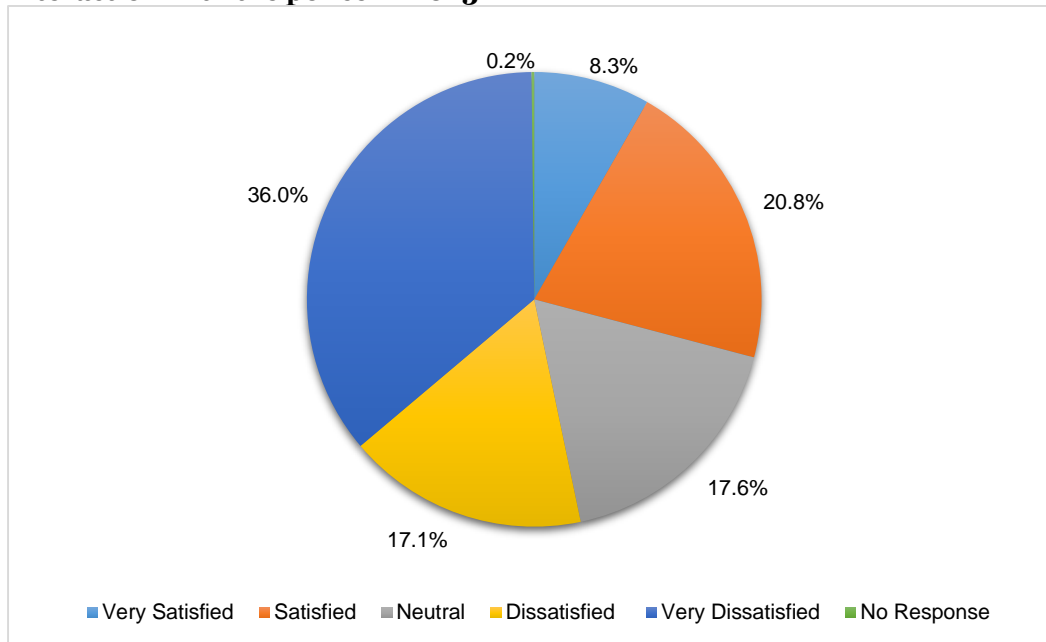
Two thousand and fifty-one (2,051) responses to the survey were received and as in previous years, the participation rate of females was significantly higher than males (57.7% vs. 41%).

Overall, the study provided insightful data on the levels of trust and confidence citizens have in the police service, and their fear of crime. The findings are used to determine the extent to which the police service meets its goals and targets in accordance with the Commission's mandate to monitor the efficiency and effectiveness of the discharge of the Commissioner and Deputy Commissioners of Police functions. **Figures 1 to 6 refer.**

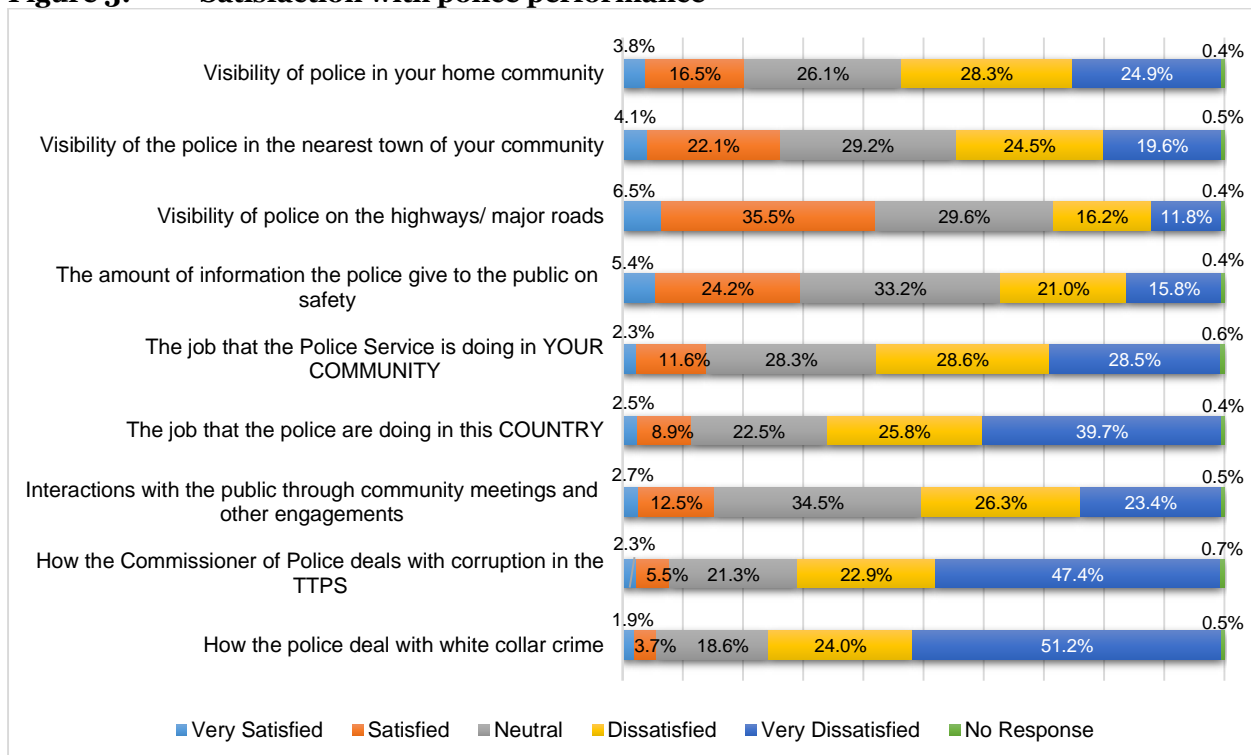
**Figure 1: Reason for contact with the police in 2023**



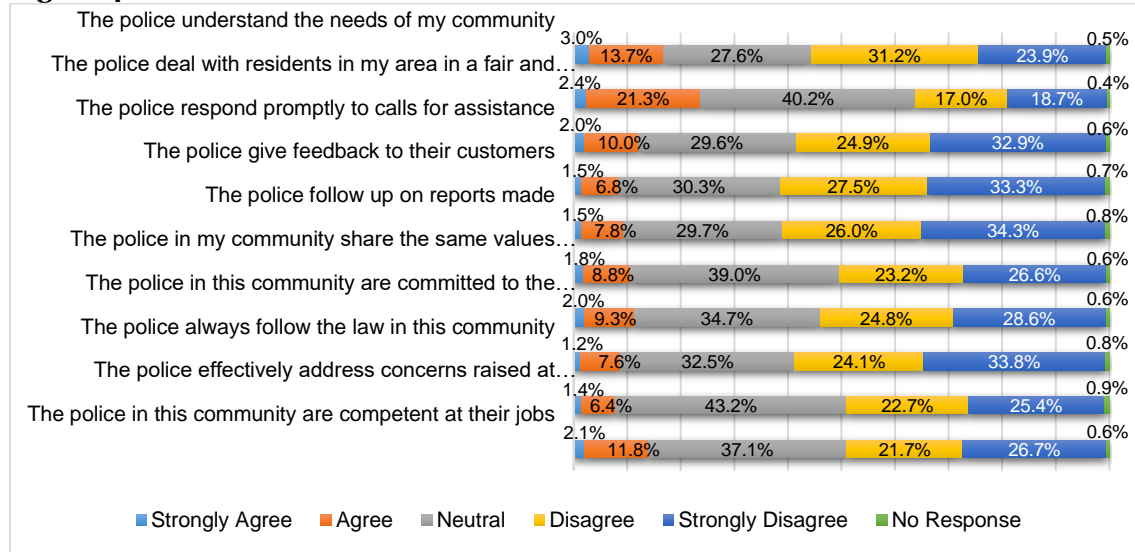
**Figure 2: Level of customer service satisfaction/dissatisfaction, based on interaction with the police in 2023**



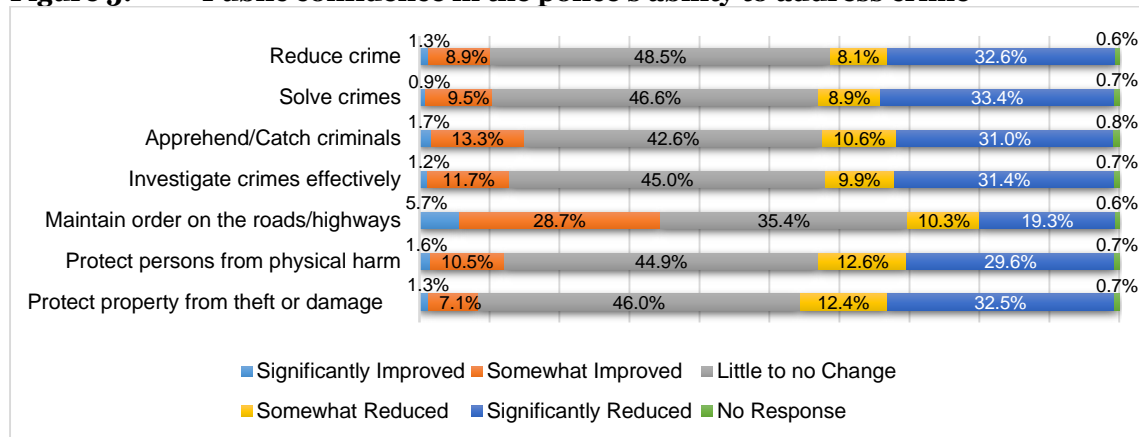
**Figure 3: Satisfaction with police performance**



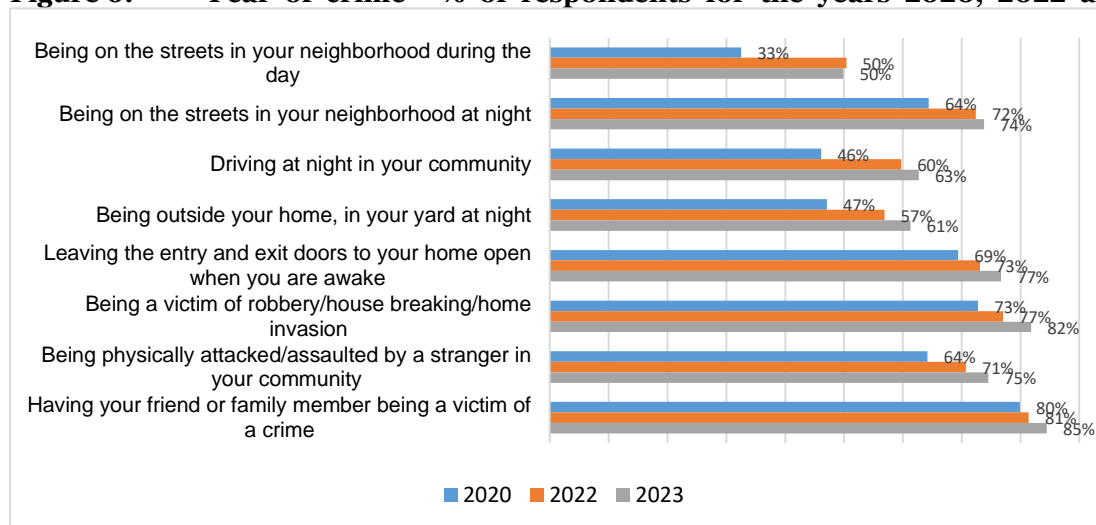
**Figure 4: Public trust in the Police Service**



**Figure 5: Public confidence in the police's ability to address crime**



**Figure 6: Fear of crime - % of respondents for the years 2020, 2022 and 2023**





## 4.6 HEARING AND DETERMINATION OF APPEALS IN PROMOTION AND DISCIPLINARY MATTERS

### 4.6.1 Status of appeals

In accordance with Section 123 (1) (f) of the Constitution, the Police Service Commission is empowered to 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 promotion or as a result of disciplinary proceedings brought against a police officer appointed by the Commissioner of Police.

The Police Service Commission (Appeal) Regulations, Legal Notice No. 270 of 2009, outline the procedure for the hearing and determination of appeals.

During the period under review, the Commission continued to conduct case management conferences, hear appeals, and deliver judgments by electronic means. As of December 31, 2023 nineteen (19) appeals were outstanding before the Police Service Commission. There were twelve (12) sessions of Case Management Conferences and eight (8) Appeal Hearings. **Table 2** provides a status of the activities undertaken by the Commission during the period under review.

**Table 2: Status of promotion and disciplinary appeals**

Total No. of Appeals brought forward in 2023	No of New Appeals received in 2023	Total Appeal Matters in 2023	No of Appeals Completed in 2023	Outstanding Appeal Matters as at December 31, 2023
<b>Discipline</b>	Discipline	28	Discipline	Discipline
<b>21</b>	5		5	21
<b>Promotion</b>	Promotion		Promotion	Promotion
<b>2</b>	0		2	0

## 4.7 DISCIPLINARY MATTERS AGAINST POLICE OFFICERS

Prior to the Constitution (Amendment) Act, No. 6 of 2006, the Commission had the authority to discipline all police officers. Section 123B (2) of the Constitution provides that: *123B(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 (i.e. 1<sup>st</sup> January 2007) or the said person or authority, as the case may require.*

In accordance with 123B (2) of the Constitution, as stated above, the Commission has before it **twelve (12) matters**, all of which are before the courts of Trinidad and Tobago. The Commission awaits the completion of these matters in the outcome which continues to be a challenge to the finalisation of these long outstanding matters. In this regard, the Commission completed **two (2) matters** following the judgment of the courts during the period under review. In both matters, the Commission lifted the orders of interdiction that had been imposed on the officers and allowed them to resume duty.

## 4.8 FREEDOM OF INFORMATION (FOI) REQUESTS

The Freedom of Information Act (1999) gives members of the public a general right (with exceptions) of access to official documents held by public authorities.

The Police Service Commission received nineteen (19) requests for access to information under the Freedom of Information Act (FOIA) of 1999 Chap 22:02 during the 2023 reporting period. **Figure 7** refers. This represents a 47% increase in requests made to the Commission for the year under review compared to 2022 where 10 requests were received.

**Figure 7: Number of FOI requests to the PolSC: January 2023- December 2023**

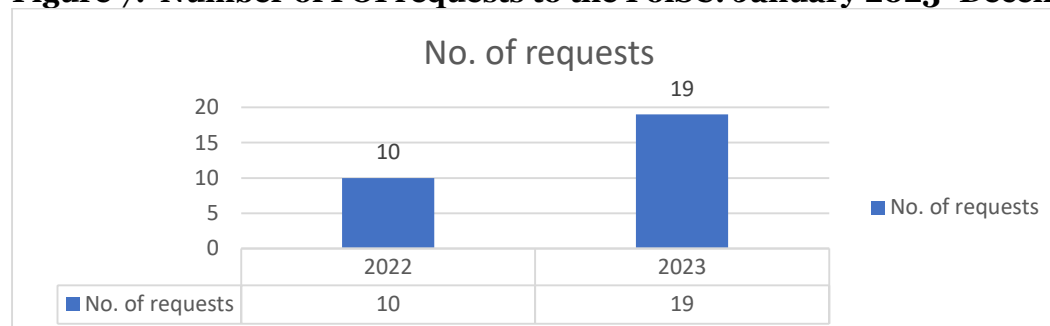


Table 3 below gives a summary of the nature of requests received in 2023.

**Table 3: Nature of FOI requests**

Nature of FOI Requests	No. of matters
Information/Copy of Documents	11
Position on Seniority List/Order of Merit List	1
Qualifications of Officers	4
Results from assessments	1
View Confidential File	2
<b>Total</b>	<b>19</b>

All requests received within 2023 were finalized. It is noted that none of the responses to applicants were subject to challenge by way of Judicial Review in accordance with the Freedom of Information Act.. However, one applicant from 2022 exercised the right pursuant to Section 38A of the FOIA and sought the intervention of the Ombudsman. The matter was finalised in 2023.

#### 4.9 COURT MATTERS

Four (4) court matters involving/relevant to the Police Service Commission were filed in 2023. The status of one High Court Matter filed in 2021 involving the Police Service Commission is ongoing, as outlined in **Table 4**.

**Table 4: High Court matters**

MATTER	Action	Decision
CV 2023 – 00461 of 2023  In the High Court of Justice between GLEN DILLON and THE POLICE SERVICE COMMISSION and the ATTORNEY GENERAL OF TRINIDAD AND TOBAGO	<b>Filed for Judicial Review:</b>  A declaration that the decision of the First Defendant made on November 16, 2022, whereby the First Defendant failed to nominate the Claimant for the acting position of Deputy Commissioner of Police on the purported basis that the Claimant failed to meet the requirements for the said position in accordance with	No decision on this matter during the period of review



MATTER	Action	Decision
	the First Defendant's policy entitled "Relevancy Policy for Offices Of Commissioner and Deputy Commissioner of Police, Trinidad and Tobago" is unlawful in that it was made in breach of the rules of natural justice and the principles of procedural fairness.	
CV 2023 – 03004 of 2023  In the High Court of Justice between ZAHEER ALI and THE POLICE SERVICE COMMISSION and the Attorney General of Trinidad and Tobago	<b>Filed for Judicial Review</b>  -in the matter of the violation of the Constitutional Rights of Zaheer Reaz Ali to protection of the law under Section 4(b) and right to equality of treatment from a public authority in the exercise of its functions under section 4(d) of the Constitution of Trinidad and Tobago Act No. 4 of 1976	No decision on this matter during the period of review
CV 2023 – 04152 of 2023  In the High Court of Justice between GIDEON DICKSON and THE POLICE SERVICE COMMISSION and the Attorney General of Trinidad and Tobago	<b>Filed for Judicial Review</b>  - to challenge action/conduct whereby it was advised that he did not satisfy the criteria for eligibility or consideration for promotion to the office of Deputy Commissioner of Police as he did not possess the requisite qualifications for the office , in the form of any other relevant Master's Degree	No decision on this matter during the period of review
CV 2023 – 02275 of 2023  In the High Court of Justice between RAVI BALGOBIN MAHARAJ and The Cabinet of the Republic of Trinidad and Tobago and the Attorney General of Trinidad and Tobago  The Police Service Commission (Interested Party)	<b>Mixed Claim for Judicial Review and relief pursuant to the Constitution:</b>  -in the matter of the extension of the Service of Erla Harewood –Christopher in the office of Commissioner of Police  AND  -in the matter of the interpretation of the Constitution of the Republic of Trinidad and Tobago including Section 123 thereof and the Police Serve Act Chapter 15:01 including Section 75 thereof	No decision on this matter during the period of review
CV 2021 - 02670  In the High Court of Justice between ANAND RAMESAR and THE POLICE SERVICE COMMISSION	<b>Filed for Judicial Review (Matter commenced in 2021)</b>  -in the matter of the decision of the Police Service Commission to deem the application of Anand Ramesar for the position of Commissioner of Police ineligible to proceed to the next phase of the recruitment and Selection process in	No decision on this matter during the period of review

MATTER	Action	Decision
	the appointment of the Commissioner of Police	

## 5. POLICIES OF THE POLICE SERVICE COMMISSION

During the year under review, the Commission established two policies to guide the process for the making of acting appointments to the offices of Commissioner and Deputy Commissioner of Police: -

1. Establishment and Utilization of Order-of-Merit list for the purpose of making acting appointments to the offices of Commissioner of Police and Deputy Commissioner of Police Policy (**Acting OML Policy**); and
2. Acting appointments to the office of Commissioner of Police and Deputy Commissioner of Police policy (**Acting Policy**).

The **Acting OML policy** was created on June 2, 2023 and revised on September 8, 2023. The purpose of this policy is to set out the methodology to be followed in establishing Order-of-Merit Lists for the purpose of making acting appointments to the offices of Commissioner of Police and Deputy Commissioner of Police, Trinidad and Tobago Police Service, Ministry of National Security by the Police Service Commission. The objective of the policy is to have a transparent and standardized methodology to be followed by the Commission in establishing Order-of-Merit Lists for the appointment of persons to act in the offices of Commissioner of Police and Deputy Commissioner of Police to ensure that the most suitably qualified, experienced and competent persons are appointed to act in the offices.

During the period under review the Commission applied the processes outlined in the Acting OML Policy to establish Order-of-Merit Lists for the purpose of making acting appointments to the offices of Commissioner and Deputy Commissioner of Police.

The Commission also established the **Acting Appointment Policy** for the offices of Commissioner of Police and Deputy Commissioner of Police on October 5, 2023; the purpose of which is to set out the methodology to be followed in effecting acting appointments to the offices of Commissioner of Police and Deputy Commissioner of Police, by the Police Service Commission and provide clear guidelines and procedures for the appointment of officers to act in the aforementioned offices in such a manner to avoid unnecessary delays during the process of making acting appointments and to manage stakeholders' expectations.

The objective of this policy is to set out a fair, transparent and standardized methodology to be followed by the Commission in appointing the most suitably qualified, experienced and competent persons to act in the offices of Commissioner of Police and Deputy Commissioner of Police. The creation of these policies formalised the Commission's process for making acting appointments based on merit instead of seniority in keeping with the change in legislation.

### 5.1 PROCEDURE FOR ESTABLISHMENT OF AN ORDER OF MERIT LIST

Legal Notice 277 of 2021 as amended by Legal Notice 278 of 2021 states that for the purpose of acting appointments to the office of Commissioner and Deputy Commissioner of Police the Commission shall establish and maintain Order of Merit Lists of officers who are holding or acting in the office of Assistant Commissioner of Police /Deputy Commissioner of Police and

Assistant Commissioner of Police respectively. The officers are also required to possess the qualifications and experience requirements of the offices as outlined in Legal Notice 219 of 2015 as amended by Legal Notice 339 of 2019.

The procedure adopted by the Commission in selecting an officer to act in the offices is contained and outlined in the aforementioned policies.

The aforementioned policies are available on the Service Commissions Department's website at [www.scd.org.tt](http://www.scd.org.tt)

## 6. INSTITUTIONAL STRENGTHENING

### 6.1 POLICE SERVICE COMMISSION REGULATIONS

The Commission continued the process of revising the Police Service Commission Regulations in consultation with the Chief Parliamentary Counsel. The Commission anticipates that it will complete the review and update of the Police Service Commission Regulations in 2024.

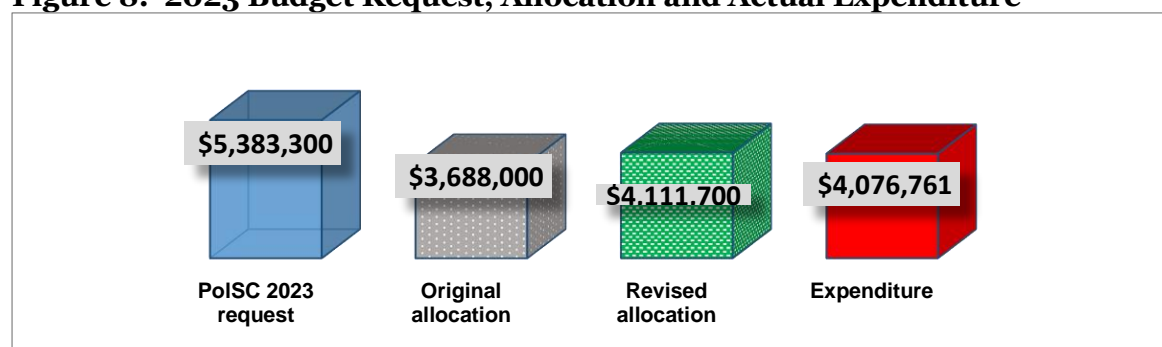
### 6.2 STAFFING OF THE POLICE SERVICE COMMISSION SECRETARIAT

During the period under review, the Service Commissions Department continued its discussions with the Public Management Consulting Division of the Ministry of Public Administration on proposals for restructuring the Police Service Commission Secretariat. The Secretariat is currently not operating with the required staff nor the full staff complement, which continues to be challenged to carry out the Commission's mandate. The approval of the new structure and subsequent staffing to carry out the directions of the Commission will enable it to achieve its constitutional mandate.

## 7. BUDGETARY ALLOCATION AND EXPENDITURE OF THE POLICE SERVICE COMMISSION FOR THE PERIOD JANUARY – DECEMBER 2023

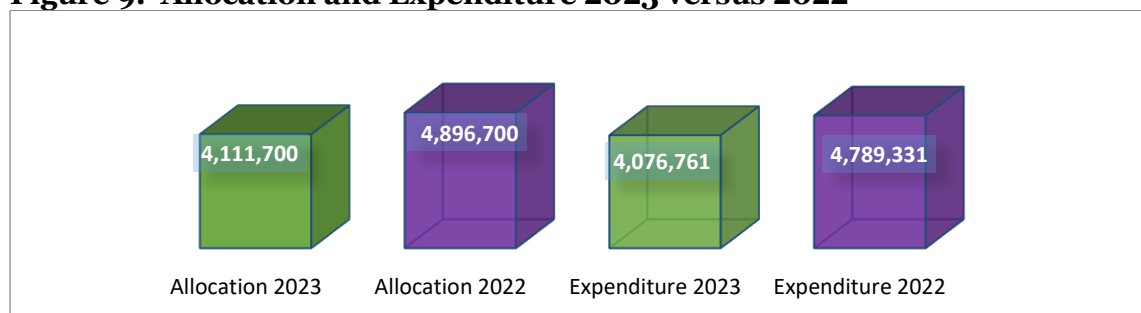
During 2023, the Service Commissions Department submitted a budget request of \$5,383,300 to finance the Police Service Commission's activities for the fiscal year 2023. In response to this request, \$3,688,000 was initially allocated, with a revision to \$4,111,700 as depicted in **Figure 8**. While the latter amount exceeded the initial allocation, this revised allocation remained lower than requested, showing a net shortfall of \$1,271,600.

**Figure 8: 2023 Budget Request, Allocation and Actual Expenditure**

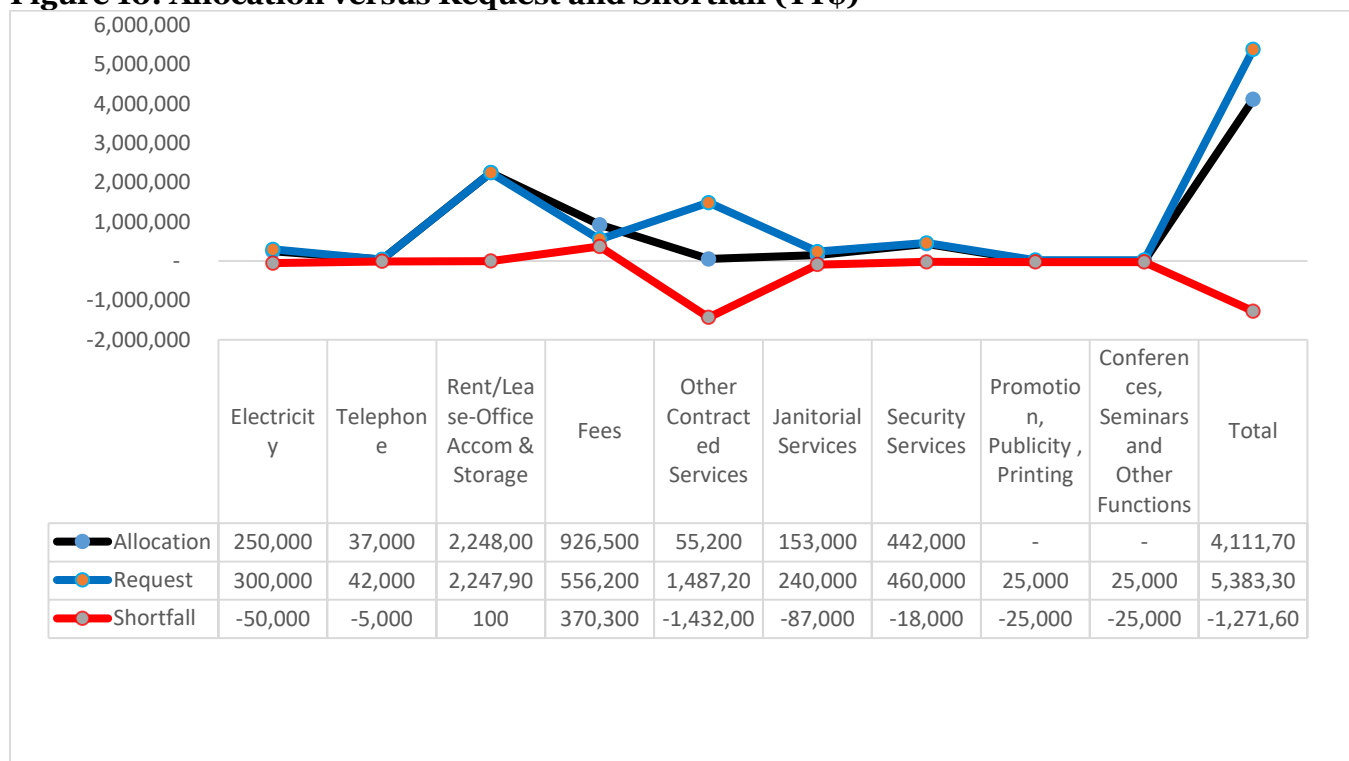


A comparison between 2023 and 2022 showed a net decline (\$712,570) in expenditure, moving from \$4,789,331 in 2022 to \$4,076,761 in 2023. The decrease is primarily in the category of Rent/Lease - Office Accommodation and Storage which incurred a total cost of \$1,873,238 in 2023 versus \$2,622,533 in 2022. A summary of the revised allocation and expenditure is highlighted in **Figure 9**.

**Figure 9: Allocation and Expenditure 2023 versus 2022**



**Figure 10: Allocation versus Request and Shortfall (TT\$)**



Actual expenditure for 2023 totalled \$4,076,761, a mere \$34,939 below the revised allocation of \$4,111,700 as detailed in **Figure 10**. The main area of expenditure as shown in **Figure 10** is Rent/Lease - Office Accommodation and Storage, with a positive variance \$374,762. Actual Expenditure (\$436,886) on Other Contracted Services is above the revised allocation (\$55,200), resulting in a variance (\$381,686) which offset the lower than allocated spend for the year in review.

## 8. CHALLENGES

2023 presented several not-so unique challenges that required adaptive strategies and innovative problem-solving. One of the key hurdles was the receipt of legal challenges and resulting court actions. These required the Commission to temporarily pause its statutory business to address them promptly and avoid any breach of court orders.

In 2023, the Commission encountered an increase in legal challenges from applicants and members of the public. These cases primarily centered around decisions of the Commission related to recruitment decisions. While the Commission strives to maintain transparency, fairness, and adherence to established legal frameworks and policies, these challenges

underscored the complexities involved in balancing procedural correctness with the evolving expectations of the public.

Legal challenges arose from shortlisting and recruitment outcomes, where applicants questioned the merit-based principles underpinning appointment and acting appointment decisions. These challenges, while anticipated to some extent, highlighted areas for improving communication around the Commission's selection criteria and decision-making processes. The Commission responded by continuing to enhance transparency in recruitment communications, providing clearer documentation/policies on its process.

In addition to recruitment-related challenges, the volume of FOI requests and the complexity of the FOI legislation consumed a vast amount of the Commission's time and resources. These requests largely focused on recruitment practices, policies and the Commission's overall decision-making processes. While FOI requests are a vital tool for ensuring public accountability, the volume and complexity of these requests presented some challenge for the Commission.

The increased demand for detailed information required significant administrative resources, particularly as many requests sought access to sensitive or confidential personnel records. Balancing the public's right to information with the need to protect individual privacy and adhere to legal restrictions on data disclosure is and continues to be a persistent challenge. In some cases, requests for detailed records required careful review by legal advisers to ensure compliance with both the FOI Act and applicable privacy laws.

The above challenges significantly impacted the Commission's more high-level plans. One such area that was impacted was the finalization of the Police Service Commission Regulations. The importance of having these Regulations in place was underscored in 2023.

While these legal challenges presented obstacles, they also provided valuable lessons for the Commission. The need for clearer guidelines, greater transparency, and enhanced communication with stakeholders has been acknowledged. Moving forward, the Commission is committed to reviewing its procedures, reinforcing legal compliance, and minimizing the risk of future challenges by adopting a more proactive approach to addressing concerns before they escalate into legal challenges.

## **9. THE YEAR AHEAD**

In 2024, the Commission will continue its mission and promote excellence through effective and efficient leadership in the TTPS through ensuring the existence of robust regulations, effective recruitment practices and procedures, stakeholder engagements, process improvements and transparent communication, while building on the successes of 2023. These strategic priorities will guide the Commission in delivering even greater value to the TTPS and the citizens it serves.

## **10. 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 3<sup>rd</sup> December 2009
- ☐ The Commissioner of Police and Deputy Commissioner of Police (Selection Process) Order, 2015, Legal Notice No. 218 of 16<sup>th</sup> December 2015
- ☐ The Appointment of the Commissioner of Police and Deputy Commissioner of Police (Qualification and Selection Criteria) Order, 2015, Legal Notice No. 219 of 16<sup>th</sup> December 2015
- ☐ The Appointment of the Commissioner of Police and Deputy Commissioner of Police (Qualification and Selection Criteria) (Amendment) Order, 2019, Legal Notice No. 339 dated 4<sup>th</sup> November 2019
- ☐ The Commissioner of Police and Deputy Commissioner of Police (Selection Process) Order, 2021, Legal Notice No. 183 of 17<sup>th</sup> June 2021
- ☐ The Commissioner of Police and Deputy Commissioner of Police (Selection Process) (No. 2) Order, 2021, Legal Notice No. 277 dated 25<sup>th</sup> November 2021
- ☐ The Commissioner of Police and Deputy Commissioner of Police (Selection Process) (No. 2) (Amendment) Order, 2021, Legal Notice No. 278 dated 26<sup>th</sup> November 2021
- ☐ The Deputy Commissioner of Police (Extension of Service) Order, 2022, Legal Notice No. 6 dated 18<sup>th</sup> January 2022

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

*Legal Supplement Part A to the "Trinidad and Tobago Gazette", Vol. 45,  
No. 61, 18th April, 2006*

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Fourth Session Eighth Parliament Republic of  
Trinidad and Tobago

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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]*



Preamble	<p>WHEREAS it is enacted by subsection (1) of section 54 of the Constitution that Parliament may alter any of the provisions thereof:</p> <p>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:</p> <p>And whereas it is intended by this Act to alter the Constitution:</p>
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	<p>4. The Constitution is amended in section 122 by repealing subsections (2), (3) and (4) and substituting the following subsections:</p> <p>“ (2) The members of the Police Service Commission shall be appointed by the President in accordance with this section.</p> <p>(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.</p>

(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.”.

Section 123  
repealed and  
substituted

**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

(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.

Act No. 7 of  
2006

(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.

(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 123 the following section:

Section 123A  
inserted

“Powers of the  
Commissioner  
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. <sup>Transitional and savings</sup>

(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.



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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. Citation

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 Com-  
mission 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 <sup>Time for filing</sup> fourteen days of the date of the receipt by the appellant of the decision <sup>appeal</sup> of the respondent.

(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 <sup>Service of</sup> respondent by the Commission within seven days after the original <sup>notice of appeal</sup> notice has been filed.

8. (1) Where an appeal against the decision of the Respondent in a <sup>Procedure on</sup> disciplinary matter has been filed, the respondent shall, within three <sup>notice of appeal</sup> 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.

(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

	(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.
Procedure on withdrawal of appeal	<p>9. An appellant who desires to withdraw his appeal shall—</p> <p>(a) file with the Commission a notice in the form set out as Form 5 in the First Schedule; and</p> <p>(b) serve on the respondent a copy of the notice of withdrawal.</p>
Entitlement to representation by Attorney-at-law	<p>10. (1) A police officer is entitled on an appeal to be represented—</p> <p>(a) by an Attorney-at-law or an officer of the Police Service selected by him; or</p> <p>(b) by a member of his staff association.</p> <p>(2) On an appeal the respondent may appear in person or may be represented by a legal or other representative.</p>
Production of exhibits Commission may require	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.
Power of Commission to dismiss appeals	<p>12. (1) Where after filing a notice of appeal, an appellant—</p> <p>(a) fails to comply further with any other requirement of these Regulations; or</p> <p>(b) fails to appear on the date of the hearing, the Commission may dismiss the appeal.</p> <p>(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.</p> <p>(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.</p> <p>(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.</p>
Non-appearance of respondent at hearing	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 <i>ex parte</i> .

(2) The respondent may, where an appeal is heard *ex parte*, apply by notice in the form set out as Form 7 in the First Schedule to set aside the decision.

(3) The Commission may, where an application is made pursuant to subregulation (2), and if it is satisfied that the justice of the case so demands, order a rehearing of the appeal.

(4) No application may be made under this regulation after the expiration of twenty-one days from the date when the appeal was heard *ex parte*.

14. (1) Where in any proceedings before the Commission a vacancy occurs in the membership in relation to such proceedings by reason of the inability from any cause of any member to continue to function, the remaining members shall continue to hear and determine those proceedings notwithstanding such vacancy and no act, proceedings or determination of the Commission shall be called in question or invalidated by reason of such. Powers of Commission

15. The Commission may require evidence or argument to be presented in writing and may decide the matters upon which it will hear oral evidence or argument. Presentation of evidence

16. In the hearing and determination of any matter before it, the Commission may act without regard to technicalities and legal form and shall not be bound to follow the rules of evidence stipulated in the Evidence Act, but the Commission may inform itself on any matter in such manner as it thinks just and may take into account opinion, evidence and such facts as it considers relevant and material, but in any such case the parties to the proceedings shall be given the opportunity, if they so desire, of adducing evidence in regard thereto. Commission not bound by rules of evidence

17. The Commission may generally give such directions and do such things as are necessary or expedient for the expeditious and just hearing and determination of the appeal before it. Functions of Commission

18. (1) Upon the conclusion of the hearing of an appeal in a disciplinary matter the Commission may dismiss, affirm or modify the decision appealed against. Powers of Commission on appeal

(2) Upon the conclusion of the hearing of an appeal in a promotion matter, the Commission may dismiss the appeal or set aside the decision taken and refer the matter back to the respondent for further consideration.

19. Every person whether or not a party to an appeal before the Commission shall upon payment of the prescribed fee be entitled to a copy of any judgement order or other document in accordance with the Second Schedule. Copies of appeal documents Second Schedule



[Regulations 1 and 2]

## FIRST SCHEDULE

FORM 1

BEFORE THE POLICE SERVICE COMMISSION

## NOTICE OF APPEAL

Appeal No. .... of 20.....

BETWEEN

..... *Appellant*

And

..... *Respondent*

TAKE NOTICE that the Appellant being dissatisfied with the decision or part thereof of the  
 ..... Commissioner of Police given on the  
 ..... day of ....., 20..... and more particularly  
 stated in paragraph 2 hereby appeals against such decision or part thereof to the Police  
 Service Commission on the grounds set forth in paragraph 3 and will at the hearing of the  
 appeal seek the relief set out in paragraph 4.

2. ....

.....

.....

*(Insert here the decision or the part thereof against which the notice of appeal is filed)*

3. State grounds of appeal and particulars of the misdirection or error in law on which  
 the decision was based:

(a) .....

(b) .....

(c) .....

(d) .....

4. ....

.....

.....

*(Insert here the relief sought from the Police Service Commission)*

Dated this ..... day of ....., 20.....

..... *Appellant or his Legal Representative*

FORM 2

Appeal No. .... of 20.....

..... *Appellant*

..... Respondent

(Address)

.....  
*Police Service Commission*

.....

.....

.....

.....

.....

[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)(a)]

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 I .....the 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

<i>Documents</i>	<i>Fees</i>
	\$ 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 PARLIAMENT

THE 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

(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.

Nomination of  
candidate in  
particular  
circumstances  
  
L.N. No. 102 of  
2009 revoked

Dated this 14th day of December, 2015.

L. RODRIGUEZ  
*Secretary to Cabinet*

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 <sup>Citation</sup>  
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 <sup>Qualification</sup>  
national of Trinidad and Tobago and shall have— <sup>and experience</sup>

(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.

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*

LEGAL NOTICE NO. 339

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) (AMENDMENT) ORDER, 2019

1. This Order may be cited as the Appointment of the <sup>Citation</sup>  
Commissioner of Police and Deputy Commissioner of Police  
(Qualification and Selection Criteria) (Amendment) Order, 2019.

2. The Appointment of the Commissioner of Police and Deputy <sup>L.N. No. 219 of</sup>  
Commissioner of Police (Qualification and Selection Criteria) Order, 2015 <sup>2015 amended</sup>  
is amended in clause 2(1)(a) by inserting the word “Master’s” before the  
word “degree”.

Dated this 4th day of November, 2019.

C. HEMLEE  
*Acting Secretary to Cabinet*

LEGAL NOTICE No. 183

REPUBLIC OF TRINIDAD AND TOBAGO

THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

ORDER

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

THE COMMISSIONER OF POLICE AND DEPUTY COMMISSIONER  
OF POLICE (SELECTION PROCESS) ORDER, 2021

1. This Order may be cited as the Commissioner of Police and Deputy Commissioner of Police (Selection Process) Order, 2021. Citation

2. In this Order, “Commission” means the Police Service Commission established under section 122 of the Constitution. Interpretation  
Chap. 1:01

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 shall conduct a recruitment process including inviting applications for the positions;
- (b) the Commission, from the applications received, shall select the most suitable candidates for the assessment process;
- (c) the Commission shall ensure that the candidates referred to in paragraph (b) are subjected to security vetting and recent professional vetting;
- (d) the Commission shall conduct the assessment referred to in paragraph (b), and shall have regard to:
  - (i) the qualifications of the candidate;
  - (ii) a medical examination report; and
  - (iii) the 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 indicating the highest graded candidate, followed by the other candidates in descending order of merit; and

- (f) the Commission shall submit to the President the names of the persons listed on the Order of Merit List in accordance with the procedure set out in section 123 of the Constitution.

Submission of  
list of  
qualified  
persons to act

4. Where either the post of Commissioner of Police or Deputy Commissioner of Police is vacant or is about to become vacant, the Commission may submit to the President a list of suitably qualified persons from amongst the ranks of the Police Service, including those on contract or previously on contract, as nominees to act in the offices of Commissioner of Police or Deputy Commissioner of Police, pending the conclusion of the procedure prescribed in paragraph 3.

L.N. No 218  
of 2015  
revoked

5. The Commissioner of Police and Deputy Commissioner of Police (Selection Process) Order, 2015 is revoked.

Dated this 17th day of June, 2021.

C. HEMLEE  
*Secretary to Cabinet*



LEGAL NOTICE No. 277

REPUBLIC OF TRINIDAD AND TOBAGO

THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

ORDER

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

THE COMMISSIONER OF POLICE AND DEPUTY COMMISSIONER  
OF POLICE (SELECTION PROCESS) (NO. 2) ORDER, 2021

1. This Order may be cited as the Commissioner of Police and <sup>Citation</sup> Deputy Commissioner of Police (Selection Process) (No. 2) Order, 2021.
2. In this Order, “Commission” means the Police Service <sup>Interpretation</sup> Commission established under section 122 of the Constitution.
3. (1) The selection process for appointment to the offices of <sup>Selection</sup> Commissioner of Police and Deputy Commissioner of Police shall be <sup>process</sup> conducted in the following manner:
  - (a) the Commission shall conduct a recruitment process, including inviting applications for the positions by advertising each vacancy—
    - (i) in at least two daily newspapers circulating in Trinidad and Tobago; and
    - (ii) on at least three days within a period of seven days;
  - (b) the Commission, from the applications received, shall select the most suitable candidates for the assessment process;
  - (c) the Commission shall ensure that the candidates referred to in paragraph (b) are subjected to security vetting and recent professional vetting;
  - (d) the Commission shall conduct the assessment referred to in paragraph (b), and shall have regard to—
    - (i) the qualifications and experience of the candidate;
    - (ii) a medical examination report; and
    - (iii) the 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 indicating the highest graded candidate, followed by the other candidates in descending order of merit; 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.

(2) Where, in relation to subclause (1)(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.

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

(4) 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.

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

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

(6) For the purposes of this clause, the Order of Merit List shall be valid for a period of one year.

(7) In this clause, "Order of Merit List" means the list established under subclause (1)(e).

Selection  
process for  
acting  
appointments  
as  
Commissioner  
of Police

4. (1) Notwithstanding clause 3, the selection process for acting appointments to the office of Commissioner of Police shall be as provided in this clause.

(2) For the purposes of acting appointments to the office of Commissioner of Police, the Commission shall establish and maintain an Order of Merit List which shall list, in descending order of seniority, the officers who—

- (a) are holding or acting in the office of Deputy Commissioner of Police or Assistant Commissioner of Police; and
- (b) possess the qualifications and experience required for appointment to the office of Commissioner of Police.

(3) Where—

- (a) the Commissioner of Police is or is likely to be—
  - (i) absent from Trinidad and Tobago;
  - (ii) on vacation leave; or
  - (iii) 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 or is likely to become vacant,

the Commission shall select the most senior officer on the Order of Merit List and submit that officer's name to the President in accordance with the procedure set out in section 123 of the Constitution.

(4) Where, in relation to subclause (3), the House of Representatives does not approve of the most senior officer 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.

(5) In this clause, "Order of Merit List" means the list established and maintained under subclause (2).

5. (1) Notwithstanding clause 3, the selection process for acting appointments to the office of Deputy Commissioner of Police shall be as provided in this clause.

Selection  
process for  
acting  
appointments  
as Deputy  
Commissioner  
of Police

(2) For the purposes of acting appointments to the office of Deputy Commissioner of Police, the Commission shall establish and maintain an Order of Merit List which shall list, in descending order of seniority, the officers who—

- (a) are holding or acting in the office of Assistant Commissioner of Police; and
- (b) possess the qualifications and experience required for appointment to the office of Deputy Commissioner of Police.

(3) Where—

- (a) a Deputy Commissioner of Police is or is likely to be—
  - (i) absent from Trinidad and Tobago;
  - (ii) on vacation leave; or
  - (iii) unable by reason of illness or any other reason to perform the functions of Deputy Commissioner of Police; or
- (b) an office of Deputy Commissioner of Police is or is likely to become vacant,

the Commission shall select the most senior officer on the Order of Merit List and submit that officer's name to the President in accordance with the procedure set out in section 123 of the Constitution.

(4) Where, in relation to subclause (3), the House of Representatives does not approve of the most senior officer 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.

(5) In this clause, "Order of Merit List" means the list established and maintained under subclause (2).

L.N. Nos. 103  
of 2009 and  
183 of 2021  
revoked

6. The Commissioner of Police and Deputy Commissioner of Police (Acting Appointments) (Selection Process) (No. 2) Order, 2009 and the Commissioner of Police and Deputy Commissioner of Police (Selection Process) Order, 2021 are revoked.

Dated this 25th day of November, 2021.

C. HEMLEE  
*Secretary to Cabinet*

LEGAL NOTICE No. 278

REPUBLIC OF TRINIDAD AND TOBAGO

THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

ORDER

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

THE COMMISSIONER OF POLICE AND DEPUTY COMMISSIONER  
OF POLICE (SELECTION PROCESS) (NO. 2) (AMENDMENT)  
ORDER, 2021

1. This Order may be cited as the Commissioner of Police and Deputy Commissioner of Police (Selection Process) (No. 2) (Amendment) Order, 2021. Citation

2. In this Order, “the Order” means the Commissioner of Police and Deputy Commissioner of Police (Selection Process) (No. 2) Order, 2021. Interpretation  
L.N. No. 277 of  
2021

3. Clause 4 of the Order is amended—

Clause 4  
amended

- (a) in subclause (2), by deleting the words “, in descending order of seniority,”;
- (b) in subclause (3), by deleting the words “the most senior officer on the Order of Merit List” and substituting the words “an officer from the Order of Merit List to act in the office of Commissioner of Police”; and
- (c) in subclause (4), by deleting the words “most senior officer on” and substituting the words “officer nominated by the Commission from”.

4. Clause 5 of the Order is amended—

Clause 5  
amended

- (a) in subclause (2), by deleting the words “, in descending order of seniority,”;
- (b) in subclause (3), by deleting the words “the most senior officer on the Order of Merit List” and substituting the words “an officer from the Order of Merit List to act in the office of Deputy Commissioner of Police”; and

- (c) in subclause (4), by deleting the words “most senior officer on” and substituting the words “officer nominated by the Commission from”.

Dated this 26th day of November, 2021.

C. HEMLEE  
*Secretary to Cabinet*

LEGAL NOTICE No. 6

REPUBLIC OF TRINIDAD AND TOBAGO

THE POLICE SERVICE ACT, CHAP. 15:01

ORDER

MADE BY THE PRESIDENT UNDER SECTION 75(a) OF THE  
POLICE SERVICE ACT

THE DEPUTY COMMISSIONER OF POLICE  
(EXTENSION OF SERVICE) ORDER, 2022

1. This Order may be cited as the Deputy Commissioner of Police Citation (Extension of Service) Order, 2022.
2. The service of Mr. Mc Donald Jacob in the office of Deputy Extension of Commissioner of Police is hereby extended for a period of one year with service effect from 22nd January, 2022.

Dated this 18th day of January, 2022.

F. NOEL  
*Acting Secretary to Cabinet*