



POLICE SERVICE COMMISSION

ANNUAL REPORT 2021

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The Commissioner of Police and Deputy Commissioner of Police (Selection Process) Order, 2021, Legal Notice No. 183 of 17th June 2021

The Commissioner of Police and Deputy Commissioner of Police (Selection Process) (No. 2) Order, 2021, Legal Notice No. 277 dated 25th November 2021

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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 1 October 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 1 January 2021 to 31 December 2021.

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

2018 - 2021

Miss Bliss Seepersad - Chairman 28 March 2018 to 30 September 2021

Dr. Susan Craig-James - Member 8 June 2018 to 24 September 2021

Mr. Roger Kawalsingh - Member 11 June 2019 to 27 September 2021

Mr. Courtney Mc Nish - Member 17 June 2020 to 21 September 2021

16 November 2021 to present

Justice Judith Jones, Justice of Appeal (Retired) - Chairman

Ms. Maxine Attong - Member

Ms. Maxine King - Member

Mr. Rajiv Persad – Member

Mr. Ian Kevin Ramdhanie – Member

CHAIRMAN'S REPORT

In November 2021, the President of the Republic of Trinidad and Tobago swore in a new Police Service Commission following the resignation of the previous Commission. As the Chairman of this “new” Commission, I have the unenviable task of presenting a report on the operations of the Commission during a period the majority of which occurred during the tenure of a differently constituted Commission. Of necessity, therefore, this report will be brief.

It is appropriate here to thank the members of the Commission who demitted office in August to September 2021. Despite the adverse publicity that marked their later days in office, as seen in this report, they performed admirably in service to this country.

The events of August 2021 have placed the Commission under public scrutiny and have caused us, as a Commission and as a country, to examine closely the role of the Police Service Commission, its Constitutional mandate, and the manner in which it is to achieve this mandate. I anticipate that this is a topic to which we will return in future Annual Reports.

In her 2020 remarks, the Chairman noted the staffing constraints being experienced by the Commission. These comments are a matter of public record. The situation has not changed. The work of the Commission continues to be hampered by a lack of staff to perform its Constitutional functions adequately. The restructuring of the Commission's Secretariat to meet the functions as required by the 2006 amendments to the Constitution is still to be effected. To achieve any measure of success it is imperative that the Commission be given the tools to discharge its mandate under the Constitution.

I also wish to acknowledge and pay tribute to the members of the Commission's Secretariat. The failure to effect the restructuring referred to above has required the Secretariat to continue to function under very trying conditions. In addition we tend to forget that they too have been affected by the adverse publicity and comments that marred the last days of the previous Commission.

Unlike Commissions in the past this Commission has a completely new membership. While this poses some challenge to institutional continuity it also has its benefits. This Commission, of necessity, has had to view its Constitutional mandate and the events of 2021 with fresh eyes and new perspectives. The next few years will tell us whether this has made a difference in the ongoing fight against crime.

Judith Jones
Chairman

ABBREVIATIONS

CoP	Commissioner of Police
DCoP	Deputy Commissioner of Police
DPA	Director of Personnel Administration
FOIA	Freedom of Information Act
FOI	Freedom of Information
GoRTT	Government of the Republic of Trinidad and Tobago
ICT	Information Communications Technology
M&E	Monitoring and Evaluation Unit
PAF	Performance Appraisal Framework
PolSC	Police Service Commission
PolSCSec	Police Service Commission Secretariat
R&E	Research and Evaluation Unit
SCD	Service Commissions Department
TTPS	Trinidad and Tobago Police Service

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 The Mandate

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 Chairman and Members

Previous Commission who served over the period:

The Commission, headed by Ms. Bliss Seepersad, became inquorate as of 24 September 2021 due to the resignation of all members. The members that held office until their departure in 2021 are:

Miss Bliss Seepersad, Chairman



Miss Seepersad was appointed Chairman of the Police Service Commission on 28 March 2018. She graduated from The University of the West Indies and holds a master's degree in Urban Geography and Planning from Michigan State University. She also has a postgraduate diploma in Business Administration from Henley Brunel Management College.

Miss Seepersad brings to the Commission more than thirty years of experience in the public and financial sectors, providing services to individuals and local and regional companies.

She is a Chaguaramas Development Authority Board member and President of the Trinidad Building and Loan Association. She is also a member of the Trinidad and Tobago Chamber of Industry and Commerce, the Trinidad and Tobago Transparency Institute, The Art Society of Trinidad and Tobago, and the Queen's Park Cricket Club.

Dr. Susan Craig-James, Member



Dr. Susan Craig-James was appointed to the Police Service Commission on 8 June 2018. She holds a master's degree in Sociology and Politics from the University of Edinburgh, Scotland, and a Doctor of Philosophy Degree from the Department of Sociology of the London School of Economics and Political Science.

She was a senior lecturer in the Department of Sociology at The University of the West Indies, St. Augustine, where she designed, taught, and examined several courses. She also supervised numerous undergraduate and postgraduate theses over her 22-year career there.

She has provided consultancy services to local, regional, and international agencies, including the United Nations Development Programme. She is the founder and managing director of Cornerstone Press Limited and has written extensively on Caribbean history and sociology. She has considerable experience in copy-editing and publishing.

Dr. Craig-James was awarded the Chaconia Medal (Silver) in 2011 for long and meritorious service in the field of education, and in 2015 the Susan Craig-James Heritage Library in the Scarborough Library, Tobago, was named in her honour.

Mr. Roger Kawalsingh, Member



Mr. Kawalsingh was appointed as a member of the Commission on 11 June 2019. He holds a Bachelor of Laws degree from the Faculty of Law, The University of the

West Indies, and a Legal Certificate of Education from the Sir Hugh Wooding Law School. He was admitted to the Bar of Trinidad and Tobago in 1993.

A former tutor at the Sir Hugh Wooding Law School, Mr. Kawalsingh also served as a member of the National Insurance Appeals Tribunal and the National Appeals Tribunal of the Trinidad and Tobago Cricket Board.

He is a former Director of The National Commission for Self Help Limited and the South-West Regional Health Authority. He is currently a member of the Disciplinary Committee of the Law Association of Trinidad and Tobago.

Mr. Courtney McNish, Member



Mr. Courtney McNish was appointed to the Commission on 17 June 2020. An experienced Human Resource Consultant and

Industrial Relations Consultant/Advocate, Mr. McNish has been practising in the Caribbean Human Resource environment for thirty-five (35) years.

He holds a Bachelor of Laws Degree from the University of London and a Master of Laws from the University of the West Indies, Cave Hill. He also has an Associate Degree in Strategic Human Resource Management from Babson College, Boston, Massachusetts, USA, and a National Diploma in Personnel and Industrial Relations from Cipriani College of Labour and Cooperative Studies.

Mr. McNish is the Chief Executive Officer and Principal Consultant of Human Resource Technologies Limited, managing a portfolio of large private and public sector clients. Prior to this, he held numerous strategic HR positions in the corporate sector in organizations such as Caribbean Airlines and the TCL Group of Companies.

He is a former President of the National Basketball Federation of Trinidad and Tobago. Currently, he is the Chairman of the Merikin Commission and a Director on the Boards of Analytical Testing and Services Limited, Abbytopia of Hope, and Marine Consultants (Trinidad) Limited.

1.3 Current Commission

On 16 November 2021, Her Excellency Paula-Mae Weekes O.R.T.T., President of the Republic of Trinidad and Tobago, appointed a new Police Service Commission comprising:

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 long-standing 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 and 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 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 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.



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 in finance, accounting, and treasury management, at several local organizations. 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, and a Council Member of the Gerson Lehrman Group.

MEMBER

Mr. Rajiv Persad

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).



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 B.Sc. (Hons.) and M.Sc. 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 and presented at many academic conferences in the USA, France, Spain, South Africa, and across the 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 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 (PoSCSec)

- 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 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 assists the Police Service Commission in developing and implementing the performance framework and criteria used by the Commission for the appraisal of 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.

The organisational chart of the Secretariat is at **Figure 1**.

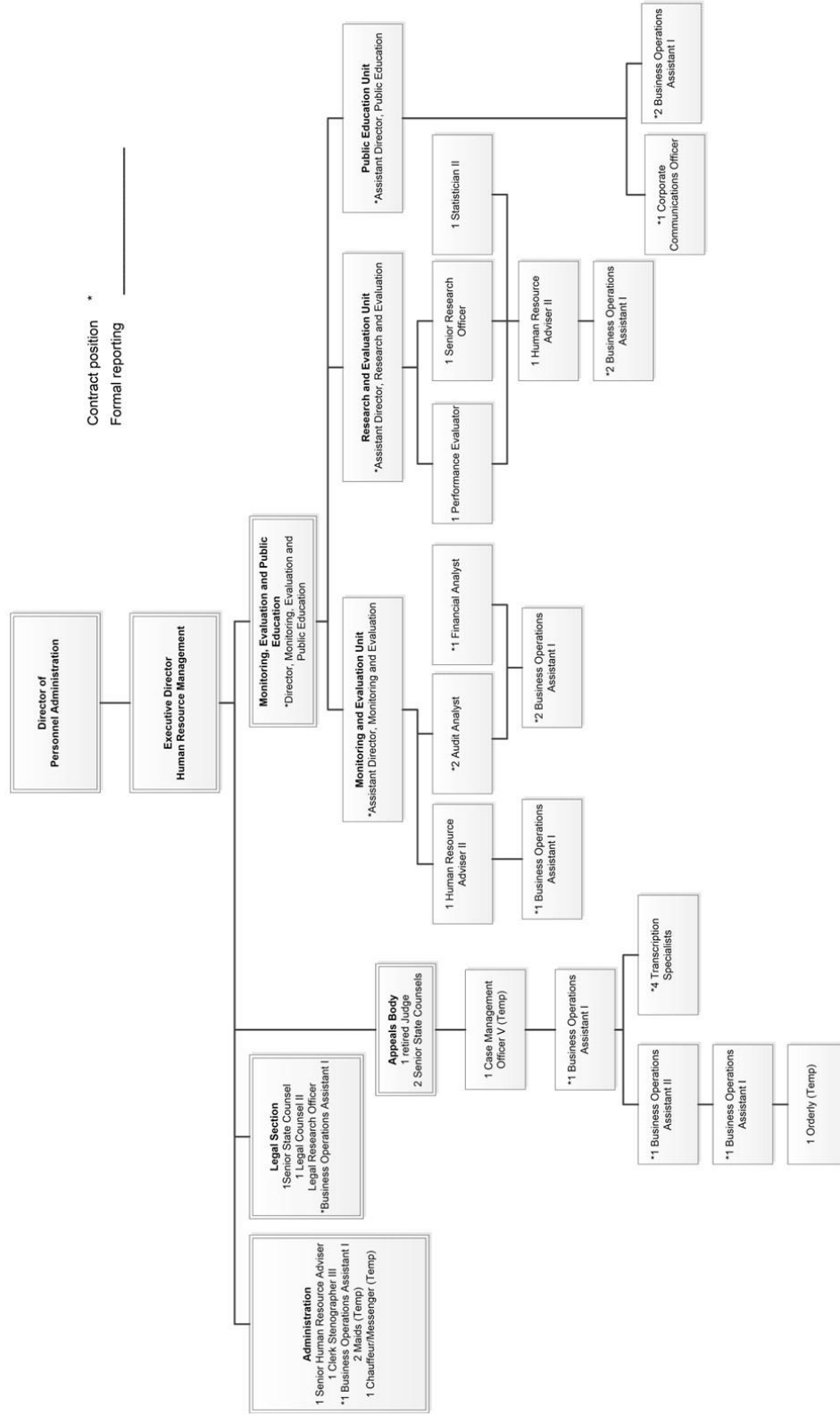
Executive Director, Human Resource Management

Mrs. Farya Basdaye-Mohammed served as Executive Director, Human Resource Management of the (Police Service Commission) and Secretary to the Commission for the period April 2019 to May 2021.

Ms. Dale Brizan served as Executive Director, Human Resource Management (Police Service Commission) and Secretary to the Commission for the period June 2021 to December 2021.

FIGURE 1

POLICE SERVICE COMMISSION SECRETARIAT ORGANIZATIONAL CHART



3. PERFORMANCE HIGHLIGHTS

3.1 Meetings— Statutory and Special

3.1.1 Statutory meetings

The Commission held ten (10) statutory meetings during the year under review.

Due to the impacts associated with COVID-19 and in keeping with public health protocols, the Commission conducted its statutory and special meetings virtually, using Microsoft Teams.

3.1.2 Special meetings

Thirteen (13) special meetings were held during the period under review. Nine (9) of these were held under the chairmanship of Ms. Bliss Seepersad and four (4) under the chairmanship of Justice Judith Jones (Ret'd).

3.2 Legislative changes and their impact on the work of the Commission

During the year 2021, several legislative changes impacted the operations of the Police Service Commission.

On 17 June 2021, Legal Notice 183 of 2021, The Commissioner of Police and Deputy Commissioner of Police (Selection Process) Order, 2021 was passed, and Legal Notice 218 of 2015, The Commissioner of Police and Deputy Commissioner of Police (Selection Process), which previously guided the recruitment and selection process in respect of the aforementioned, was revoked.

The impact of this Legal Notice was that the law no longer stipulated the engagement of a firm by the Commission for the Recruitment and Selection process for the offices of Commissioner of Police and Deputy Commissioner of Police.

As a result of the expiration of the contract of the incumbent in the office of Commissioner of Police, the Commission decided that the Director of Personnel Administration would proceed to conduct the recruitment and selection process in respect of the offices of Commissioner of Police and Deputy Commissioner of Police on its behalf. Accordingly, the Commission advertised the office, and the Service Commissions Department conducted the 2021 recruitment process for the office of the Commissioner of Police.

In the interim, in accordance with Legal Notice 103 of 2009 and Legal Notice 183 of 2021, the Commission appointed an acting incumbent in the office. This appointment was challenged in court in the matter of CV 2021-03106 Ravi Balgobin Maharaj v the Attorney General of Trinidad and Tobago and Police Service Commission (First Interested Party) and Gary Griffith (Second Interested Party).

By a decision delivered on 14 October 2021, Legal Notice 183 of 2021, The Commissioner of Police and Deputy Commissioner of Police (Selection Process) Order, 2021 was revoked. In accordance with the decision the procedure for the appointment of persons as Commissioner and Deputy Commissioner of Police as set out in sections 123(2) to (5) of the Constitution also applies to the appointment of persons to act in those offices. The judgement also declared the Commissioner of Police and Deputy Commissioner of Police (Acting Appointments) (Selection Process) (No. 2) Order, 2009 Legal Notice No. 103 of 2009 unconstitutional and void and that paragraph 4 of the Commissioner of Police and Deputy Commissioner of Police (Selection Process) Order, 2021 was superfluous and struck out.

Thereafter, Legal Notices No 277 of 2021, as amended by Legal Notice No 278 of 2021, The Commissioner of Police and Deputy Commissioner of Police (Selection Process) (No. 2) Order, 2021, were passed revoking Legal Notice 183 of 2021. The procedures outlined in these Legal Notices removed the criterion of seniority for acting appointment in the offices of Commissioner of Police and Deputy Commissioner of Police and specifically required the Commission to establish Order-of-Merit Lists for the respective offices in accordance with the procedure set out in section 123 of the Constitution. The Legal Notices also made changes to the procedure to be used in the recruitment and selection process for the Commissioner and Deputy Commissioners of Police.

As a result of these legislative changes, in December 2021, the Commission established Order-of-Merit Lists for the purpose of making acting appointments in respect of the offices of Commissioner of Police and Deputy Commissioner of Police and following the procedure outlined in section 123 of the Constitution officers were appointed to act in the respective offices from 17 December 2021.

4. OUR MANDATE

As we continued to navigate through the impact of COVID-19 and respond to the constantly changing needs of our environment, the Police Service Commission ensured that it met its mandate.

4.1 Appointment of persons to act in the offices of Commissioner and Deputy Commissioner of Police

During the period under review, the Commission has made the following acting appointments to the offices of Commissioner of Police and Deputy Commissioner of Police: -

Table 1: Officers appointed to act as Commissioner of Police

Name	Start date	End Date
Mr. Mc Donald Jacob	31.7.2021	5.8.2021
	6.9.2021	20.9.2021
	17.12.2021	To a date to be determined by the Commission.

Table 2: Officers appointed to act as Deputy Commissioner of Police

Name	Start date	End Date
Ms. Beverly Lewis	1.1.2021	24.3.2021
Mrs. Joanne Archie	1.1.2021	31.3.2021
Mr. Mc Donald Jacob	13.1.2021	31.1.2021
Mr. Mc Donald Jacob	1.2.2021	1.4.2021
Mrs. Pamela Schullera-Hinds	24.2.2021	28.2.2021
Mr. Mc Donald Jacob	2.4.2021	30.4.2021
Mrs. Joanne Archie	1.4.2021	31.8.2021
Mrs. Earla Harewood-Christopher	1.9.2021	31.12.2021
Mrs. Joanne Archie	1.9.2021	31.12.2021
Mrs. Pamela Schullera-Hinds	6.9.2021	20.9.2021
Mrs. Earla Harewood-Christopher	17.12.2021	To a date to be determined by the Commission
Mr. Wendell Williams	17.12.2021	To a date to be determined by the Commission

4.2 Performance Appraisals of Commissioner of Police and Deputy Commissioner of Police

In accordance with Section 123 (1) (e) of the Constitution Amendment Act, No 6 of 2006, the Police Service Commission is required to prepare an Annual Performance Appraisal Report for the Commissioner of Police and Deputy Commissioner of Police.

Between 27 March and 8 April 2021 each member of the Commission considered and signed off on the 2020 Performance Appraisal Report for Mr. Gary Griffith, the Commissioner of Police, who himself considered and signed the report on 14 April 2021.

As at 24 September 2021, when the Commission became inquorate, the 2021 Performance Reports in respect of the incumbents of the offices of Commissioner of Police and Deputy Commissioner of Police were not yet completed. The Commission as at that time, however:

- had agreed on the completed Performance Appraisal Framework, which contained the standards, targets, and competencies that would be used to monitor and appraise the performance of the Commissioner for the period 01 January to 16 August 2021, and the Deputy Commissioners of Police;
- met virtually with the Commissioner of Police (CoP) to present and discuss the performance standards, targets, and competencies for the 2021 Performance Appraisal Framework;
- considered the comments submitted by the Commissioner of Police on the standards, targets, and competencies; revised the weights of the framework and established a new weighting system that would be used; and
- commenced the data collection process.

Following the appointment of the newly formed Police Service Commission, at its statutory meeting in December 2021, the Commission established a Performance Appraisal Report Sub-Committee for the purpose of considering the existing Performance Appraisal Framework in respect of the incumbents in the office of Deputy Commissioner of Police who would have served for one year or more.

4.3 Recruitment and Selection process for the office of Deputy Commissioner of Police

In 2021, the Commission commenced the recruitment and selection process for the office of Deputy Commissioner of Police. In accordance with the legal requirements at the time, through the Office of the Director of Personnel Administration, the Commission contracted by way of open tender a local executive recruitment firm, Odyssey CONSULTinc, to assist in the conduct of the recruitment process for the three (3) offices of Deputy Commissioner of Police.

The Commission placed an advertisement for the office of Deputy Commissioner of Police position in the daily newspapers for three (3) weeks beginning 8 October 2020, with a closing date of 29 October 2020 for receipt of applications.

The advertisement was also circulated regionally via the Association of Caribbean Commissioners of Police, which has Caribbean-wide representation and membership, and internationally through the Ministry of Foreign and CARICOM Affairs to the overseas Missions.

Candidates for the position of Deputy Commissioner of Police for the Trinidad and Tobago Police Service participated in interviews, assessment center exercise, professional and security vetting, background checks, and medical examination to determine their suitability for the role.

Based on the outcome of these activities, the Commission, at its meeting of 9 March 2021, established the Order of Merit List for the office in accordance with the procedure as set out in Section 123(2) and (3) of the Constitution and submitted same to Her Excellency the President of the Republic of Trinidad and Tobago.

On 9 April 2021, the House of Representatives approved the Notification of the nomination of the Police Service Commission in respect of only one candidate, Mr. Mc Donald Jacob. Subsequently, the Police Service Commission appointed Mr. Jacob as Deputy Commissioner of Police, Trinidad and Tobago Police Service and he assumed duty on 1 May 2021.

Expenditure for the recruitment process totaled eight hundred and sixty-four thousand, five hundred and fifty-one dollars and twenty-five cents (TT\$864,551.25).

4.4 Recruitment and Selection process for the office of Commissioner of Police

During the year under review Mr. Gary Griffith held the office of Commissioner of Police until 5 September 2021. The Commission appointed Mr. Gary Griffith as Commissioner of Police for three (3) years, commencing 17 August 2018 and ending 16 August 2021. Therefore, the Office of the Commissioner of Police became vacant effective 17 August 2021. Subsequently, the Commission appointed Mr. Griffith to act from 17 August 2021 to 5 September 2021.

In accordance with Legal Notice 183 dated 17 June 2021, the Commission, at its meeting on 7 July 2021, decided to advertise the office of the Commissioner of Police. Advertisements were placed in the three daily newspapers beginning on 12 July 2021, with a closing date of 20 July 2021 for the receipt of applications.

The Commission also uploaded the advertisement 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. It was also forwarded to the Association of Caribbean Commissioners of Police, Barbados, to circulate amongst its members. In accordance with the change in the law, the Commission utilized its Secretariat to conduct the recruitment process.

The Information Communications Technology (ICT) Unit of the Service Commissions Department developed an 'in-house' online platform, allowing applicants to submit their application forms, CVs, Birth Certificates, Training/Academic Certifications, and other relevant documents electronically.

The selection process for the position of Commissioner of Police involved a series of exercises geared towards assessing the candidates who were shortlisted to advance to the following stages of the process.

- Assessment Centre Exercise
- Security and Professional Vetting
- Medical Examination
- Interview by the Police Service Commission

The selection process was completed on 9 August 2021 and an Order-of-Merit list was prepared for submission to the President in accordance with the requirements of section 123 of the Constitution. The 2021 recruitment and selection process for the Commissioner of Police incurred a cost of a hundred and twenty-four thousand, seven hundred and twenty-five dollars, and twenty cents (\$124,725.20).

The President was informed on 11 August 2021 of the Order of Merit list. On 17 October 2021, the President issued a statement that advised that the Order-of-Merit list had been presented to her and immediately withdrawn.

On 24 September 2021, the Commission, headed by its Chairman, Ms. Bliss Seepersad, became inquorate. Her Excellency Paula-Mae Weekes ORTT, President of the Republic of Trinidad and Tobago, appointed a new Commission on 16 November 2021. The first meeting of that Commission was held on 2 December 2021.

As a result of the circumstances outlined in the President's statement and the enactment of Legal Notices No. 277 and 278 of 2021, the Commission began deliberations as to whether further action would be taken with respect to the 2021 selection process for the office of Commissioner of Police.

4.5 Monitoring the performance of the Trinidad and Tobago Police Service

4.5.1 Monitoring of TTPS processes, systems, and initiatives

The COVID-19 pandemic posed numerous challenges to the Monitoring and Evaluation Unit of the Police Service Commission Secretariat. This Unit undertakes data collection activities to monitor the performance of the Commissioner and Deputy Commissioner and, by extension, the TTPS on behalf of the Police Service Commission.

The Unit could not carry out the activities of physically inspecting and verifying records and resources in the Police Service and, as a result, adapted its operations to monitor the progress of those processes, systems, and initiatives established in the Police Service's Strategic Plan 2019-2021. Much of the activities undertaken in 2021 by the Unit commenced in 2020. These are detailed in **Table 3**.

Table 3: TTPS processes, systems, and initiatives monitored

Performance Category	Areas Reviewed
Strategic Leadership, Management, and Communication	<ul style="list-style-type: none"> Reviewed the implementation of systems applicable to the Police Service with respect to the Sexual Offenders (Amendment) Act, 2019, to determine if the statutory systems were developed and maintained in keeping with the Act. Monitored the use of Body Worn Cameras to determine the efficiency and effectiveness of the applicable systems and procedures regarding the use of the cameras, how they are maintained, and secured Monitored the Management of Firearms and Ammunition procedures to determine whether there were any improvements in
	<p>the compliance of the care, maintenance, and record-keeping of firearms and ammunition</p> <ul style="list-style-type: none"> Reviewed the Preventive Maintenance of Motor Vehicles system to ensure compliance with record keeping and maintenance schedules.

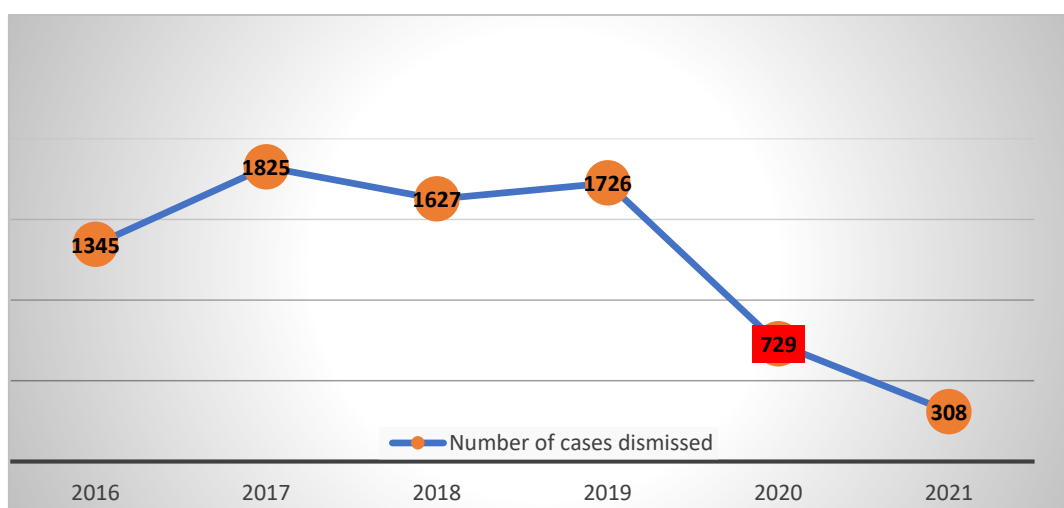
Performance Category	Areas Reviewed
Maintenance of Law and Order	<ul style="list-style-type: none"> Conducted an analysis of the number and types of requests for information from external agencies, e.g., the Police Complaints Authority, Minister of National Security, Committees of Parliament, and requests made under the Freedom of Information Act, to determine the Police Service's efficiency in processing these requests
Human Resource Management	<ul style="list-style-type: none"> Audited the Recruitment Process for civilians on contract to assess compliance with the employment of civilians on contract in the Police Service in 2020. Audited the Selection and Recruitment processes for new police recruits to determine compliance with the Police Service Act, Regulations, and the Recruitment and Selection of Applicants

4.5.2 Non-appearance of Police Complainants in court

The Monitoring and Evaluation Unit of the Police Service Commission Secretariat, on behalf of the Police Service Commission, continued to monitor the non-appearance of Police Complainants in court and to report on the systems implemented by the Commissioner of Police and the progress in this matter.

For the period under review, the number of court matters dismissed due to the non-appearance of police complainants continued to decline. Interim data from the Police Service showed that **308** court matters were dismissed due to the non-appearance of police complainants. **Figure 2 refers.**

Figure 2: Number of cases dismissed due to non-appearance of Police Complainants in court for the period 2016 – 2021

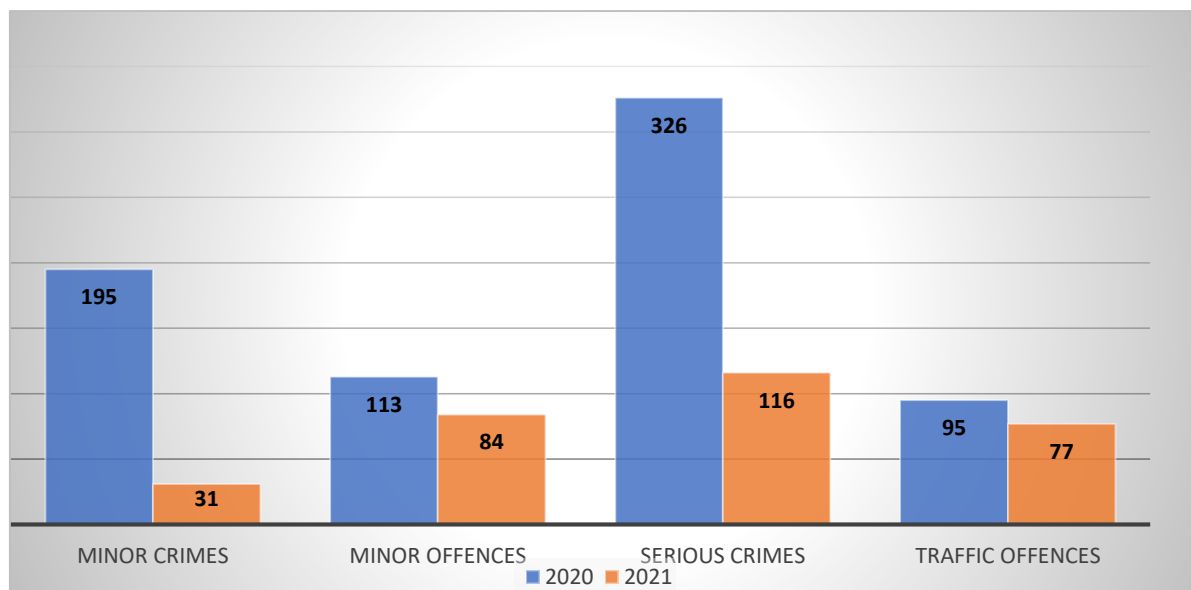


It should be noted that in the Commission's 2020 Annual Report, it was stated that three hundred and eighty-five (385) cases were dismissed, however subsequent to its publishing, the TTPS updated its 2020 data to reflect the figure of seven hundred and twenty-nine (729) cases and not the three hundred and eighty-five (385) as previously stated. Nevertheless, this updated data still

reflected a decrease in court matters dismissed due to the non-appearance of police complainants compared to 2019.

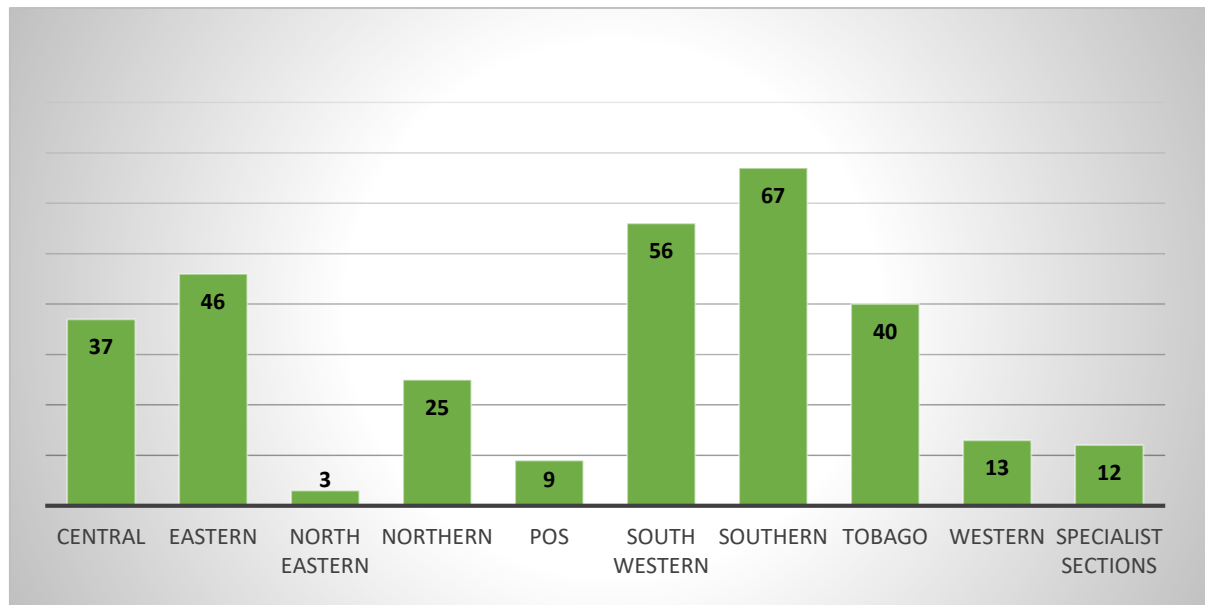
Of the 308 dismissed for the period under review, 116 were for serious crimes such as possession of firearms and ammunition, arson, rape, and other sexual offences, forgery and other fraud offences, larceny of motor vehicle, robbery, breaking and entering, malicious damage, possession of cocaine and other illegal substances. **Figure 3** refers.

Figure 3: Classification of offences of cases dismissed for the period 2020 and 2021



The majority of dismissals were from the Southern and South Western police divisions. **Figure 4** details the number of cases dismissed by the courts due to the non-appearance of Police Complainants in the various police divisions.

Figure 4: Breakdown of cases dismissed by police divisions/sections in 2021



4.5.3 Police Service Commission Survey

The Commission did not undertake the annual **Public Trust, Confidence, and Satisfaction Survey of the TTPS** and the **Employee Satisfaction Survey of the TTPS** during the period under review. This was because of the impacts of the COVID-19 pandemic and the Commission itself becoming inquorate during the fourth quarter of 2021 when data collection activities were scheduled.

The **Public Trust, Confidence, and Satisfaction Survey of the TTPS** survey seeks to collect information on a wide range of critical issues related to public perception of the Police Service. These include citizens' satisfaction with policing services, trust and confidence in the police, police legitimacy, and fear of crime.

The annual **Employee Satisfaction Survey for members of the TTPS** seeks to provide all sworn police officers, civilians, public officers, and contract and short-term employees of the TTPS with an opportunity to give their feedback to the Commission on issues such as job satisfaction, leadership, communication, and overall performance of the organization.

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 **only**. As of 31 December 2020, thirty-four (34) appeals were outstanding before the Police Service Commission. Twenty-three (23) appeals arose from disciplinary matters, and eleven (11) are appeals challenging promotions. Subsequently, six (6) appeals were filed before the Commission in 2021.

There were sixteen (16) sessions of Case Management Conferences, from which four (4) Appeal Hearings were scheduled. **Table 4** provides a status of the activities undertaken by the Commission during the period under review.

Table 4: Status of promotion and disciplinary appeals

Appeals carried forward to 2021	Matters filed		Matters heard		Matters adjourned	Matters determined	Matters outstanding
34	Promotion	Disciplinary	Promotion	Disciplinary	6	13	27
	Nil	6	9	9			

An overview of the status of promotion and disciplinary matters that are outstanding is provided in **Table 5**.

Table 5: Status of outstanding promotion and disciplinary matters as of 31 December 2021

MATTERS OUTSTANDING		
Year	Promotion matters	Disciplinary matters
2011	Nil	1
2012	2	2
2013	0	0
2014	Nil	1
2015	Nil	2
2016	Nil	Nil
2017	Nil	1
2018	Nil	3
2019	Nil	2
2020	2	5
2021	Nil	6
TOTAL	4	23

4.7 Disciplinary matters against police officers

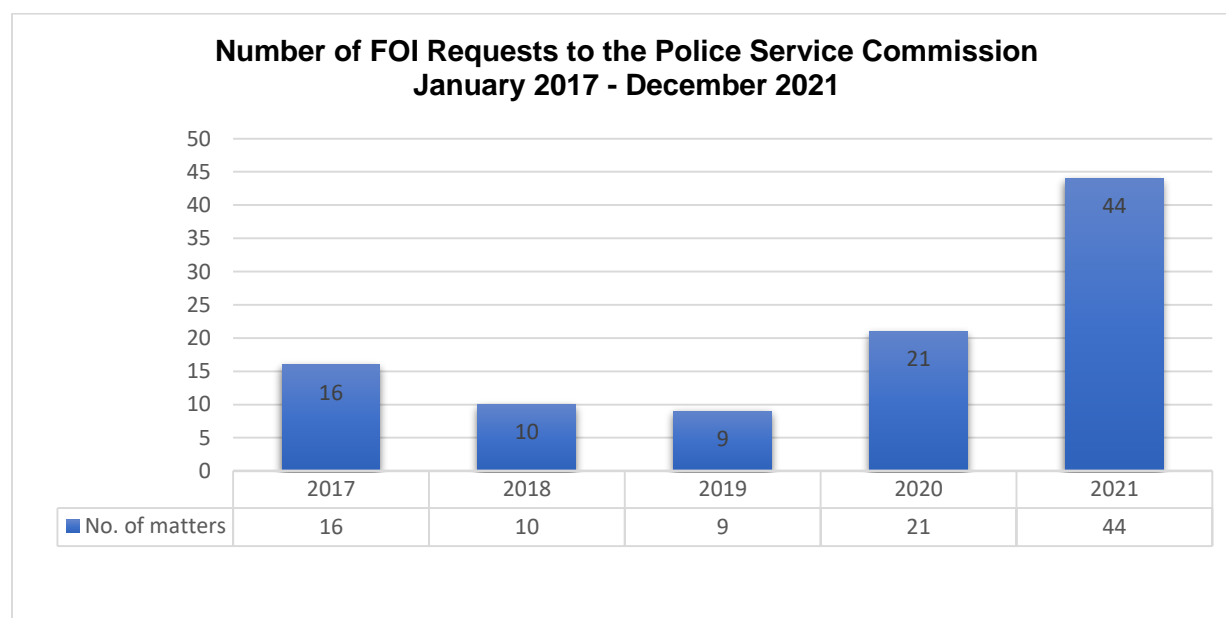
Prior to the Constitution (Amendment) Act, No. 6 of 2006, the Commission had the authority to discipline all police officers. Section 123B (2) of the Constitution provides:

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., 1st January 2007) or the said person or authority, as the case may require.

In accordance with 123B (2) of the Constitution, as stated below, the Commission has before it **fourteen (14) matters**, all of which are before the courts of Trinidad and Tobago. The Commission awaits the completion of these matters in the courts.

4.8 Request for Freedom of Information under the Freedom of Information Act of 1999
Figure 5 below shows the number of FOIA requests received by the Police Service Commission for 2017 to 2021. Overall, it showed that the highest number of requests was received in 2021.

Figure 5: Freedom of Information Requests



4.9 Court matters

In 2021, three High Court Matters were filed involving the Police Service Commission. These matters are outlined in **Table 6**.

Table 6: High Court Matters

Matter	Action	Decision
<i>CV 2021-03106 Ravi Balgobin Maharaj v The Attorney General of Trinidad and Tobago</i>	Service of interpretation claim Interpretation claim to determine whether the correct legal procedure was followed in appointing Mr. Gary Griffith to act in the office of CoP	Judgment dated 14 October 2021 of the Honourable Madam Justice Kangaloo in the matter of CV 2021-03106 Ravi Balgobin Maharaj v the Attorney General of Trinidad and Tobago and Police Service Commission (First Interested Party) and Gary Griffith (Second Interested Party) Order - It is declared that the appointment of Mr. Gary Griffith to act as Commissioner of Police from 18 August 2021 is void and unconstitutional as being contrary to Section 123 of the Constitution.
<i>CV2021-03153 Gary Griffith v The Police Service Commission</i>	Filed for Judicial Review	Order - that permission is granted to the Applicant/Intended Claimant to withdraw the Notice of Application filed on 20 September 2021 with no order to costs.
<i>CV2021-02670 Anand Ramesar v The Police Service Commission</i>	Filed for Judicial Review	During the period under review, there was no determination in this matter.

5. INSTITUTIONAL STRENGTHENING

5.1 Police Service Commission Regulations

The Commission met with the Chief Parliamentary Counsel on two occasions in September 2021 to discuss its recommended revisions to the Regulations. The proposed modifications to the Regulations will enable the Commission to keep pace with the substantial changes to the legal framework, guiding how it undertakes its mandate.

5.2 Staffing of the Police Service Commission Secretariat

During the period under review, the Service Commissions Department continued its discussions with the Public Management Consultancy Division of the Ministry of Public Administration on proposals for restructuring the Police Service Commission Secretariat.

6. COVID-19 PANDEMIC

6.1 Impact of the restrictions as a consequence of the Pandemic

In keeping with the Government of the Republic of Trinidad and Tobago (GoRTT) COVID 19 protocols, the Commission, in collaboration with the Service Commissions Department, continued to ensure access to its services and the well-being of staff and the public and undertook the following activities:

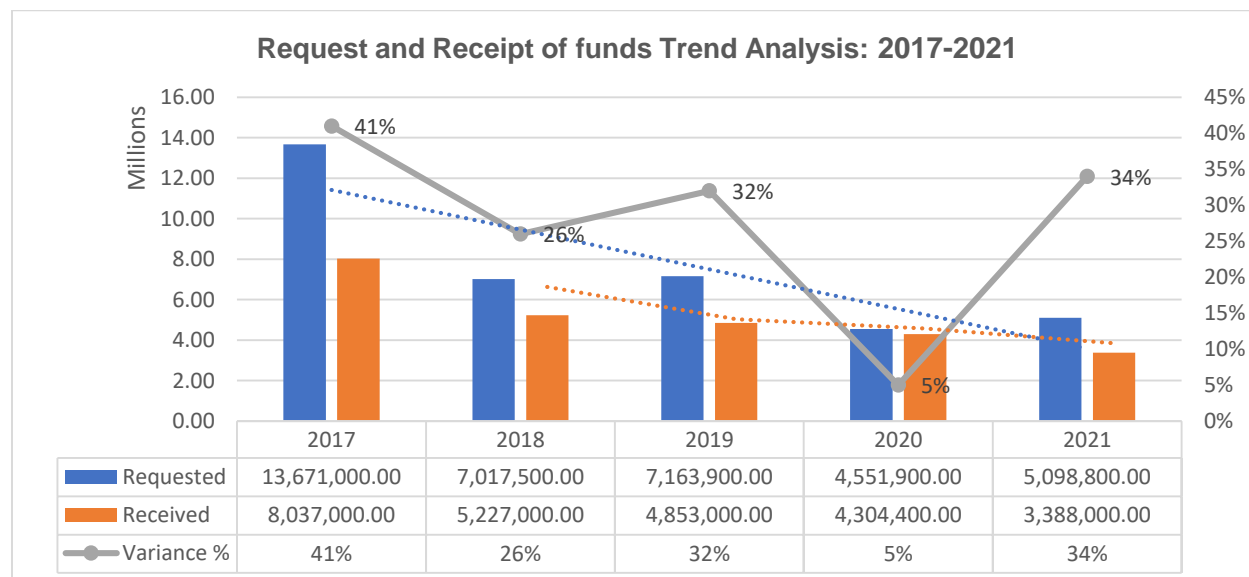
1. conducted case management conferences, hearing appeals, and delivering judgments by electronic means only;
2. conducted interviews and assessments for the position of Commissioner of Police using a virtual platform
3. conducted Statutory and Special meetings virtually;
4. conducted virtual meetings with various stakeholders such as the Commissioner of Police and the executive of the Trinidad and Tobago Police Service Social and Welfare Association;
5. utilized an online service for the submission, screening, and shortlisting of applications for the position of Commissioner of Police;
6. utilized E-signature for the signing of documents; and
7. utilized remote Auditing methodologies to perform the monitoring functions of the Commission.

The Police Service Commission Secretariat continued the rotation of staff and work-from-home arrangements utilizing information and communication technology provided by the Service Commissions Department.

7. BUDGETARY ALLOCATION AND EXPENDITURE OF THE POLICE SERVICE COMMISSION FOR THE PERIOD 2017 TO 2021

Figure 6 below represents the requests for funds made by the Police Service Commission and the funds that were received over the years prior to 2021 (2017 to 2021):

Figure 6: 2017 – 2021 Request and receipt of funds trend analysis



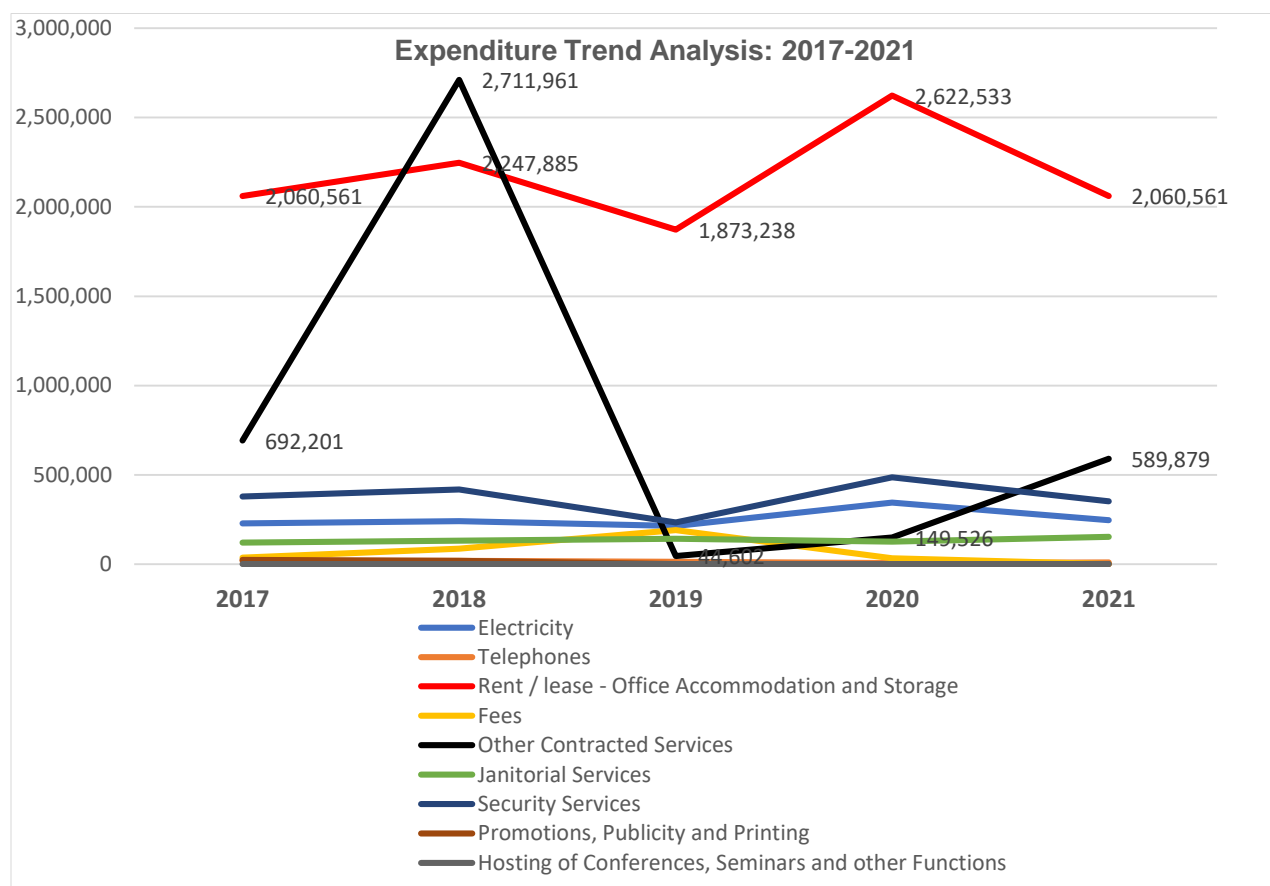
The chart represents a comparative and trend analysis of funding requested versus funding received by the Police Service Commission from 2017 to 2021 and shows that in each year, the actual funds received were less than requested by an average of twenty-eight percent.

In 2020, there was a convergence between requested funding and actual funding received, as indicated by a variance of only 5%. Notably, in 2020, the Commission requested the least funds of \$4.5 million.

With respect to trends, over the period (2017-2021), there were downward trends in both funds requested and funds received. These are represented by the blue and orange dotted lines, respectively.

Figure 7 below represents the PoISC's expenditure trend from 2017 to 2021.

Figure 7: 2017 – 2021 Expenditure trend



With the exception of the year 2018, Rent/Lease (red line) represented the largest expenditure, averaging around 2.1 million per annum. It peaked at 2.6 million in 2020 but declined to just over 2 million the following year.

Other Contracted Services (Black line) was the most volatile. It accounted for the highest expenditure of 2.7 million in 2018 but sharply declined to just over \$44,000 the following year. In

2020, it increased by over 300% (to \$149,000) and increased significantly, by almost 400%, in 2021 to \$589,000. The following is notable in relation to Other Contracted Services: -

1. The recruitment and selection process in respect of the offices of Commissioner of Police and Deputy Commissioner of Police was conducted in the years 2017-2018 and 2020-2021 utilizing the services of Firms.
2. Prior to 2017, surveys were administered in person to households in Trinidad and Tobago by private institutions that incurred some costs. However, surveys were not conducted in 2017 and 2018 due to the unavailability of internal resources. In 2019 and 2020, the surveys were administered electronically.

Security Services represented the third highest cost over the period, averaging around \$361,000. All other expenditure items were minor and flat.

8. THE YEAR AHEAD

Our goals for the upcoming year 2022 are ambitious as the Commission anticipates that the offices under its remit will be filled and the restructuring exercise completed. A Commission guided by clear policies and documented procedures that will sustain beyond is envisioned. The PolSC is committed to continuing to support the delivery of premium service for the people of Trinidad and Tobago and will work towards developing its strategic direction.

APPENDICES

The Constitution (Amendment) Act, No. 6 of 2006

The Commissioner of Police and Deputy Commissioner of Police (Acting Appointments) (Selection Process) (No. 2) Order, 2009

Police Service Commission (Appeal) Regulations – Legal Notice No. 270 of 3rd December 2009

The Commissioner of Police and Deputy Commissioner of Police (Selection Process) Order, 2015, Legal Notice No. 218 of 16th 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 16th 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 4th November 2019

The Commissioner of Police and Deputy Commissioner of Police (Selection Process) Order, 2021, Legal Notice No. 183 of 17th June 2021

The Commissioner of Police and Deputy Commissioner of Police (Selection Process) (No. 2) Order, 2021, Legal Notice No. 277 dated 25th November 2021

The Commissioner of Police and Deputy Commissioner of Police (Selection Process) (No. 2) (Amendment) Order, 2021, Legal Notice No. 278 dated 26th November 2021

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*

Fourth Session Eighth Parliament Republic of
Trinidad and Tobago



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 6 of 2006

[L.S.]

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

[Assented to 13th April, 2006]

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. ^{Transitional and savings}

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

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

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

J. SAMPSON
Clerk of the House

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

J. SAMPSON
Clerk of the House

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

J. SANDY
Acting Clerk of the Senate

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

J. SANDY
Acting Clerk of the Senate

LEGAL NOTICE NO. 103

REPUBLIC OF TRINIDAD AND TOBAGO

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

ORDER

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

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

1. This Order may be cited as the Commissioner of Police and Deputy Commissioner of Police (Acting Appointments) (Selection Process) (No. 2) Order, 2009. 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 ^{Time for filing} fourteen days of the date of the receipt by the appellant of the decision ^{appeal} 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 ^{Service of} respondent by the Commission within seven days after the original ^{notice of appeal} notice has been filed.

8. (1) Where an appeal against the decision of the Respondent in a ^{Procedure on} disciplinary matter has been filed, the respondent shall, within three ^{notice of appeal} 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 9. An appellant who desires to withdraw his appeal shall—
- (a) file with the Commission a notice in the form set out as Form 5 in the First Schedule; and
- (b) serve on the respondent a copy of the notice of withdrawal.
- Entitlement to representation by Attorney-at-law 10. (1) A police officer is entitled on an appeal to be represented—
- (a) by an Attorney-at-law or an officer of the Police Service selected by him; or
- (b) by a member of his staff association.
- (2) On an appeal the respondent may appear in person or may be represented by a legal or other representative.
- 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 12. (1) Where after filing a notice of appeal, an appellant—
- (a) fails to comply further with any other requirement of these Regulations; or
- (b) fails to appear on the date of the hearing, the Commission may dismiss the appeal.
- (2) An appellant whose appeal has been dismissed under subregulation (1) may apply for the restoration of his appeal in the form set out as Form 6 in the First Schedule, supporting such application by an affidavit as to the facts contained therein.
- (3) Where an application is made pursuant to subregulation (2), the Commission may, if it is satisfied that the justice of the case so demands, order that the appeal should be restored on such terms as it thinks fit.
- (4) No application may be made under this regulation after the expiration of twenty-one days from the date of the dismissal of the appeal.
- 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 *ex parte*.

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

(a)

(b)

(c)

(d)

(e)

(State grounds on which application is based)

Dated this day of, 20.....

.....
Applicant/Appellant

[Regulation 13(2)]

FORM 7

BEFORE THE POLICE SERVICE COMMISSION

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

Appeal No. of 20.....

BETWEEN

..... *Appellant*

And

Commissioner of Police

Respondent

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

(a)

(b)

(c)

(d)

(e)

(State grounds on which application is based)

Dated this day of, 20.....

.....
Applicant/Respondent

SECOND SCHEDULE

<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 ^{Citation}
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 ^{Qualification}
national of Trinidad and Tobago and shall have— ^{and experience}

(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 ^{Citation}
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 ^{L.N. No. 219 of}
Commissioner of Police (Qualification and Selection Criteria) Order, 2015 ^{2015 amended}
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 ^{Citation} Deputy Commissioner of Police (Selection Process) (No. 2) Order, 2021.
2. In this Order, “Commission” means the Police Service ^{Interpretation} Commission established under section 122 of the Constitution.
3. (1) The selection process for appointment to the offices of ^{Selection} Commissioner of Police and Deputy Commissioner of Police shall be ^{process} 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