



Police Service Commission

ANNUAL REPORT 2022

CONTENTS

List of Figures and Tables	iii
Preface	iv
Chairman's Report	v
List of Abbreviations	x
1 THE POLICE SERVICE COMMISSION	1
1.1 The Mandate	1
1.2 Chairman and Members	2
2 SERVICE COMMISSIONS DEPARTMENT	5
2.1 Police Service Commission Secretariat	5
2.2 Police Service Commission Secretariat Organization Chart (Figure 1)	7
3 PERFORMANCE HIGHLIGHTS	8
3.1 Meetings – Statutory and Special	8
3.1.1 Statutory meetings	8
3.1.2 Special meetings	8
3.1.3 Other meetings	8
3.1.4 Joint Select Committee Meetings	8
3.2 Legislative changes and their impact on the Commission	8
4 OUR MANDATE	9
4.1 Appointment of persons to act in the offices of Commissioner and Deputy Commissioner of Police	9
4.2 Performance appraisal of Commissioner and Deputy Commissioner of Police	10
4.3 Recruitment and selection process for the office of Commissioner of Police	10
4.4 Recruitment and selection process for the office of Deputy Commissioner of Police	11
4.5 Monitoring the performance of the Trinidad and Tobago Police Service	11
4.5.1 Monitoring of TTPS processes, systems and initiatives	11
4.5.2 Public Trust, Confidence and Satisfaction Survey	12
4.6 Hearing and determination of appeals in promotion and disciplinary matters	15
4.6.1 Status of appeals	15
4.7 Disciplinary matters against police officers	16
4.8 Freedom of Information requests	16
4.9 Court matters	16
5 INSTITUTIONAL STRENGTHENING	17
5.1 Police Service Commission Regulations	17
5.2 Staffing of the Police Service Commission Secretariat	17
6 BUDGETARY ALLOCATION AND EXPENDITURE OF THE POLICE SERVICE COMMISSION FOR THE PERIOD JANUARY – DECEMBER 2022	17
7 THE YEAR AHEAD	18

APPENDICES

- 1 The Constitution (Amendment) Act, No. 6 of 2006
- 2 The Commissioner of Police and Deputy Commissioner of Police (Acting Appointments) (Selection Process) (No. 2) Order, 2009
- 3 Police Service Commission (Appeal) Regulations – Legal Notice No. 270 of 3rd December 2009
- 4 The Commissioner of Police and Deputy Commissioner of Police (Selection Process) Order, 2015, Legal Notice No. 218 of 16th December 2015
- 5 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
- 6 The Appointment of the Commissioner of Police and Deputy Commissioner of Police (Qualification and Selection Criteria) (Amendment) Order, 2019, Legal Notice No. 339
- 7 The Commissioner of Police and Deputy Commissioner of Police (Selection Process) Order, 2021, Legal Notice No. 183 of 17th June 2021
- 8 The Commissioner of Police and Deputy Commissioner of Police (Selection Process) (No. 2) Order, 2021, Legal Notice No. 277 dated 25th November 2021
- 9 The Commissioner of Police and Deputy Commissioner of Police (Selection Process) (No. 2) (Amendment) Order, 2021, Legal Notice No. 278 dated 26th November 2021
- 10 The Deputy Commissioner of Police (Extension of Service) Order, 2022, Legal Notice No. 6 dated 18th January 2022
- 11 The Relevancy Policy for the offices of Commissioner and Deputy Commissioner of Police, Trinidad and Tobago Police Service, dated 22 March 2022
- 12 The Increasing Responsibility in Law Enforcement Policy for the offices of Commissioner and Deputy Commissioner of Police, Trinidad and Tobago Police Service, dated 7 June 2022

FIGURES AND TABLES

Figure 1	Police Service Commission Secretariat organizational chart	7
Figure 2	Reason for contact with the police in 2022	13
Figure 3	Level of customer service satisfaction/dissatisfaction based on interaction with police in 2022	13
Figure 4	Satisfaction with police performance	13
Figure 5	Public trust in the Police Service	14
Figure 6	Public confidence in the police's ability to address crime	14
Figure 7	Fear of crime	14
Figure 8	Number of FOI requests to the Police Service Commission January 2021 - December 2022	16
Figure 9	2022 Budget Allocation and Actual Expenditure	17
Figure 10	2022 Budget: Actual Expenditure versus Request	18
Table 1	Joint Select Committee Meetings	8
Table 2	Officers appointed to act as Commissioner of Police	9
Table 3	Officers appointed to act as Deputy Commissioner of Police	9
Table 4	TTPS processes, systems, and initiatives monitored	11
Table 5	Status of promotion and disciplinary appeals	15
Table 6	Status of outstanding promotion and disciplinary matters as of 31 December 2022	15
Table 7	High Court matters	17

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 2022 to 31 December 2022.

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

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

CHAIRMAN'S REPORT

Over the past year we have not seen the reduction in crime that, as a country, we all had hoped to see. This has caused the Commission to carefully examine its role. The Constitution requires that the Police Service Commission comprise “persons who are qualified and experienced in the disciplines of law, finance, sociology or management.” Given its mandatory composition the Commission is of the view that the time has come for it to have more meaningful oversight of the Trinidad and Tobago Police Service. In arriving at this conclusion the Commission is fully cognisant of and recognises the Constitutional requirement that the Commissioner of Police have the complete power to manage the Police Service. Indeed the purpose of these recommendations is not to interfere with the Commissioner’s managerial role but rather to provide strategic support to the Commissioner in this regard.

The Commission at present operates under the mandate established by amendments to the Constitution made in 2006 (the 2006 amendments). By these amendments the remit of the Police Service Commission is limited to: (i) the appointment, removal from office and the exercise of disciplinary control over the Commissioner and Deputy Commissioners of Police; (ii) preparing annual performance appraisals for and monitoring the efficiency and effectiveness of these officers in the discharge of their functions; and (iii) hearing and determining appeals from decisions of the Commissioner of Police or the Commissioner’s delegates with respect to decisions on promotions and disciplinary proceedings.

These 2006 amendments came on the heels of the establishment of the Trinidad and Tobago Police Service Transformation Project by the Government of Trinidad and Tobago in 2004. This project involved George Mason University and its partners working together to assist the Ministry of National Security to improve the quality of policing in Trinidad and Tobago. The Transformation Project was led by Stephen Mastrofski of the George Mason University.

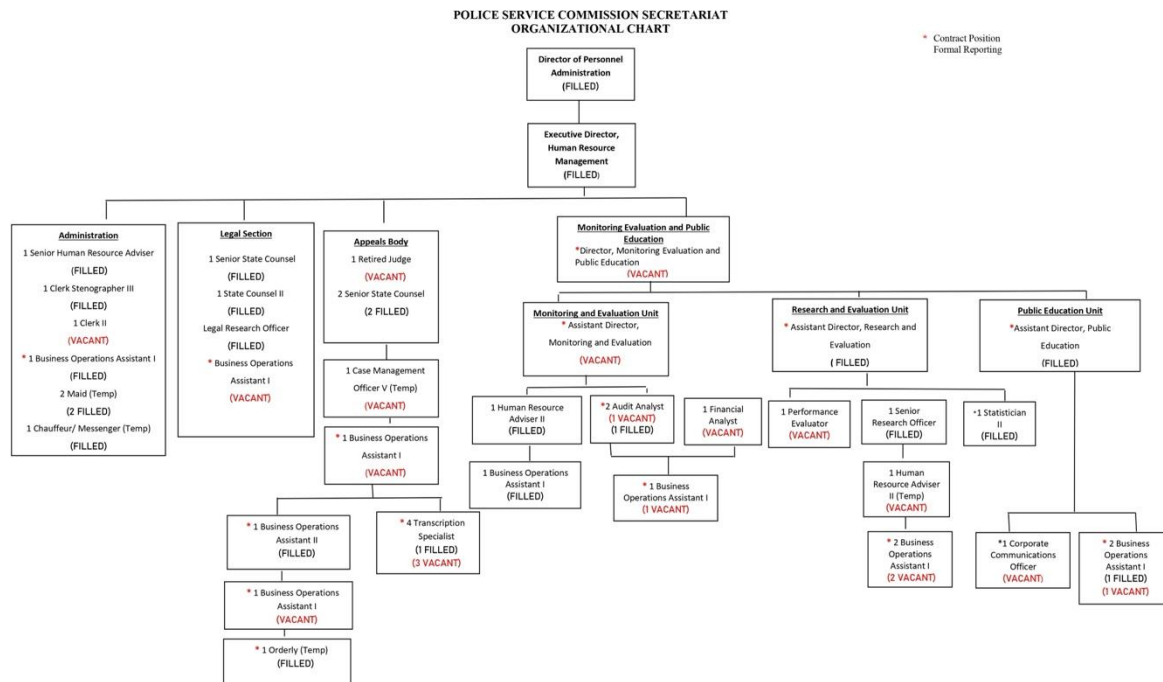
According to Mastrofski in his paper: *Introducing Service Policing to Trinidad and Tobago*:

“When the transformation project was initiated, the TTPS faced a crisis in public confidence. First, violent crime rates in Trinidad and Tobago were high and rising and the public held the police responsible for doing something about them. Between 1999 and 2005 the murder rate rose from 7 to nearly 30 per 100,000 persons. A 2005 public opinion survey found that 87 percent of T&T respondents listed crime as the most important problem facing the country and a 2003 survey found that only 60 percent of the respondents felt very or fairly safe walking in their neighbourhoods alone at night. 62 percent identified the police as the entity that should be most responsible for tackling crime but by early 2006 the detection (clearance) rate for homicides had dropped to a new low of about 13 percent.”¹

In keeping with the 2006 amendments and the recommendations of the Matroski Committee, in 2007, the Cabinet agreed on the creation of a new structure for the Commission. A review of the operations and staffing of the Secretariat of the Commission was to be undertaken after one year’s working experience¹. The present organisational structure is as a result of this Cabinet decision. In 2015, eight years afterwards, a review was commenced of this structure. The Commission is still awaiting the finalisation by the Public Management Consulting Division for submission to Cabinet of the proposals for revision of its organisational structure made by the Director of Personnel Administration on its behalf.

¹ Cabinet Minute 1564 of 2007.

The Organizational Chart shown here identifies the Commission’s position in the year under review with respect to the staffing of its Secretariat. To date this position remains the same.



In accordance with the Organisational Chart the Secretariat of the Commission comprises 43 offices of which, in the year under review and continuing, 20 are vacant. Of the members of staff fifteen (15) are public servants while eight (8) are contract officers who, in the period under review and continuing, are employed on month to month contracts. The reality of the present situation is that the Commission’s Secretariat is understaffed by almost half. Of equal importance is the fact, that despite being employed with the Commission since 2019, approximately one third of its staff have no security of tenure and no vacation or sick leave entitlement.

In January 2017 Cabinet appointed a Police Manpower Audit Committee (PMAC) to examine the extent to which the manpower strength of the Police Service was meeting its major objectives, whether its human resource capacity was sufficient and to make recommendations for reform².

With respect to the Police Service Commission PMAC concluded that there was a need for “a more relevant, representative efficient, accountable police oversight and inspection system for both the Police Executive and its lower ranks. With respect to the oversight body one of the proposals made by PMAC was that the oversight body be empowered to make regular managerial and operational proposals to the Commissioner.

At present we are faced with a crime situation has far surpassed that which applied in 2003-2004. A glaring example of this is the murder rate. By 2022 the murder rate moved from the 2005 figures of almost 30 per 100,000 and skyrocketed to approximately 44 per 100,000. In contrast the detection rate for murders has remained static at 12.9 percent³.

² Final Report of the Police Manpower Audit Committee – Volume I; page 13.

³ Commissioner of Police Periodic Report to the Police Service Commission for the period July to December 2022; p. 15.

The results of the 2022 Public Trust Confidence and Satisfaction Survey conducted by the Police Service Commission, contained later in this report, found that fear of crime had increased. Seventy-one (71%) percent of respondents reported that they were fearful or very fearful of being physically attacked/assaulted by a stranger in their community and 77 percent said that they were fearful or very fearful of being a victim of robbery/home invasion/house breaking. A further 73 percent of respondents said they felt unsafe or very unsafe leaving the entry and exit doors open when they were home. Moreover, the survey found that only 8 percent of respondents were satisfied or very satisfied with the job police are doing in this country. This represents a significant decline from the 48 percent who were satisfied with the job being done by the Police in 2003 and is a far cry from the 60 percent who felt safe or fairly safe walking alone in their neighbourhood at night.

The Commission recognises that crime is not a one-fix problem and requires intervention at many levels. The Commission is of the opinion that one of the ways to improve the present situation is to create a more effective oversight body which provides structured assistance to the Commissioner in the management of the Police Service. This requires giving the Commission the ability to be more effective in its existing mandate, increase the manner in which it can provide assistance to the Commissioner of Police and the provision of adequate staffing for the Commission to properly discharge its responsibilities.

With respect to its existing responsibility for the recruitment and selection of a Commissioner of Police and Deputy Commissioners of Police the Commission recognises that, ideally, a Commissioner of Police should be appointed from among the ranks of the Service. This provides a promotional path for career police officers, strengthens the organisation and builds morale. An input in the creation of policies for the development and training of officers generally and, in particular, for leadership positions will enhance the Commission's ability to recruit and select effective leaders from within the organisation.

It is crucial, if the Commission is expected to appoint the most effective leader from within the ranks of the Police Service, that it has a strategic role in establishing the training requirements for members of the Police Service. Further ensuring the alignment of the Police Service's promotion processes and criteria for promotion with those used by the Commission for appointment to the top offices will enhance the Commission's ability to appoint the best person for the job.

At present the pool of persons who are eligible for appointment to or to act in the posts of Commissioner and Deputy Commissioner of Police include Assistant Commissioners. These are the officers next in rank and are considered part of the Executive of the Police Service. The Commission is of the opinion that it should, at the very least, be monitoring the performance of these persons.

The Commission is cognisant of the Constitutional requirement that the criteria for the appointment of persons to the top offices of the Police Service is to be prescribed by Order of the President. In the Commission's opinion, however, it ought to be consulted on the criteria to be applied for appointment to these offices. While the Commission has no intention of usurping the role of the Government in determining the benchmarks for appointment to the leadership of the Police Service the Commission is of the view that, by virtue of its role and function, it is in a position to provide invaluable assistance in this regard.

The Commission is of the opinion that the retirement age for the office of Commissioner of Police should be extended from 60 to 65 years. Extending the retirement age to 65 will allow for continuity of service of persons holding the post of Commissioner of Police. It is clear that if a Commissioner of Police is to ascend to the post by promotion through the ranks, even in the situation where there is a perfect promotion system, in order to have the appropriate experience, except in the exceptional case, a candidate would be in the mid to late 50s.

Retirement at age 60 would not give such a person the time to establish their policies, make necessary fundamental changes and put their individual stamp on the organisation.

As we have seen since 2008, with the exception of one person, all of the persons appointed from the ranks of the Police Service to the post or to act in the post were appointed at the age of 59. Indeed in the recent past the Government has been required to use section 75 of the Police Service Act, which allows for an extension of the retirement age for a maximum of three years, in three instances.

To meet its present mandate the Commission requires full audit powers. At present the Constitutional provisions only require the Commissioner to provide a six-monthly report to the Commission and gives the Commission the ability to call upon the Commissioner to produce documents pertaining to financial, legal, and personnel matters. The effect of these provisions is that the Commission's ability to monitor the performance of the top offices is limited to these documents produced by the Police Service. The Commission does not have the capability to verify the information produced. Its ability to gather information independent of these documents is contingent on the good graces of the person holding the office of Commissioner.

As an adjunct to this requirement, and to assist the Commission in its recruitment and selection process, the Commission also requires the power to compel organisations, for example, the Financial Intelligence Unit, the Auditor General, the Integrity Commission, the Police Complaints Authority and the Office of Procurement Regulation to provide it with relevant information to assist it in meeting its mandate. The Commission recognises that the vetting of candidates, and in particular security vetting, is a key factor in the selection of persons to lead the Trinidad and Tobago Police Service. Giving the Commission the power to compel these organisations to provide information on candidates will assist in ensuring the integrity of candidates. In addition information obtained from organisations, such as the Office of Procurement Regulation and the Auditor General's Department, will provide support to the Commission its function of monitoring of the efficiency and effectiveness of the relevant officer holders in the performance of their functions and the monitoring of the Police Service as a whole.

The model of management adopted by the 2006 amendments is management through the monitoring of the efficiency and effectiveness of the persons holding leadership positions in the Trinidad and Tobago Police Service, namely, the Commissioner and the Deputy Commissioners of Police. To be more effective in its oversight role the Commission is of the opinion that it ought to be in a position to assist in determining the strategic direction of the Trinidad and Tobago Police Service. At present there is no requirement for consultation or for the Commission to have any input in the strategic direction adopted by the Police Service. The Commission is of the opinion that its expertise, garnered from its composition as mandated by the Constitution and the historical and other information available to it, could assist the Commissioner in determining the strategic direction to be taken by the Police Service at any given time. In addition it is the current strategic plan that is used to determine some of the areas and targets adopted by the Commission in its appraisals of the officers under its purview. It is in this context that the Commission proposes that there be mandatory consultation with the Commission before the approval of the strategic plan by the Trinidad and Tobago Police Service.

Section 123(7) of the Constitution hints at the Commission having a wider role with respect to the management of the Police Service. The sub-section gives the Commission the power to demand a special report from the Commissioner with respect to any matter relating to the management of the Police Service. The Constitution is, however, silent as to what use the Commission can make of this special report. The Commission proposes that the legislation requires that, where it considers appropriate arising from the contents of the report, the Commission make recommendations to the Commissioner relating to the management of the

Police Service and the Commissioner be required to action or, at the very least, consider such recommendations.

To meet its Constitutional mandate it is important for the Commission to have the ability to perform its present and, as proposed here, its increased functions. The restructuring of the Secretariat commenced in 2007 must be completed and the Commission be given the additional staff to meet its present and any additional functions. Staffing considerations must take into account the uniqueness of this Commission as compared to the other Service Commissions.

For example one of the functions of the Research and Evaluation Unit recognised by Cabinet in its Minute 1564 of 2007 was to evaluate not only the performance of the persons holding offices under the purview of the Commission but of the Police Service as a whole. Inherent in its exercise of this function is the ability to conduct and produce independent evaluations of the Commissioner, Deputy Commissioners, and Police Service. This would require that, from time to time, the Commission conduct surveys to ascertain the public's view on such performance. At present the Commission is hard pressed to meet its existing obligation of two surveys a year. The employment of staff specifically for such purpose would facilitate a more efficient discharge of this responsibility. Another example arises in circumstances where, in the exercise of its disciplinary function with respect to the officers under its purview, the Commission is required to investigate complaints. In these circumstances it may be appropriate for the Commission to have the power and the financial resources to appoint such independent investigators.

Further for the Commission to properly meet its responsibilities, it needs a loyal and dedicated staff. While there is no doubt that this is the case the continuation of the practice of employment of staff on month to month contracts not only tests the loyalty of the staff to the organisation but results in quick staff turnover resulting in loss of expertise and burnout. It is essential that the contracts of employment of non- public service staff be regularised.

Finally if the Commission is to meet its increased remit, consideration must be given to extending the life of Commission from three years to five years. This, in the Commission's view, is necessary to ensure continuity of service and stability in the performance of its functions. While the Constitution provides that the office of a member of a Service Commission shall become vacant upon the expiration of 5 years from the date of appointment or such shorter period as may be specified at the time of appointment the Commission notes that, in the main, appointments have been for three years. The Commission proposes that appointments to the Commission should be for a minimum of five years. This would allow stability, establish continuity with ongoing initiatives and allow the Commission sufficient time to build better relationships with its stakeholders.

ABBREVIATIONS

CoP	Commissioner of Police
DCoP	Deputy Commissioner of Police
DPA	Director of Personnel Administration
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
TTPSSWA	Trinidad and Tobago Police Service Social and Welfare Association

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

CHAIRMAN Justice Judith Jones, Justice of Appeal (Retired)



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

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

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

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

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

MEMBER Ms. Maxine Attong

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

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



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

MEMBER Ms. Maxine King

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



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

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

Ms. King is a member of the Institute of Chartered Accountants of Trinidad and Tobago, a past member of the Audit and Accounting Standards Committee, and a Council Member of the Gerson Lehrman Group.

MEMBER Mr. Rajiv Persad SC

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

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

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

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



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. He has presented at many academic conferences in the USA, France, Spain, South Africa, and Caribbean. He has worked jointly with other scholars on projects with the United Nations Office of Drug Control and the Inter-American Development Bank. Mr. Ramdhanie has significant experience developing and implementing academic and training programmes in the criminology, security, and public safety fields.



2. SERVICE COMMISSIONS DEPARTMENT

The primary function of the Service Commissions Department (SCD) is to provide 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 to appraise the CoP and DCoPs. Implementing the framework involves data collection, research, and analysis, which the Unit undertakes to prepare the annual appraisal reports on the performance of the CoP and DCoPs. The Unit conducts public surveys to determine their levels of trust and confidence in the police and members of the TTPS to determine their job satisfaction, well-being, and conditions of work. The Unit also organizes focus groups and meetings with stakeholders to assess the quality of service they receive from the TTPS.

Appeals Unit

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

Public Education Unit

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

Legal Unit

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

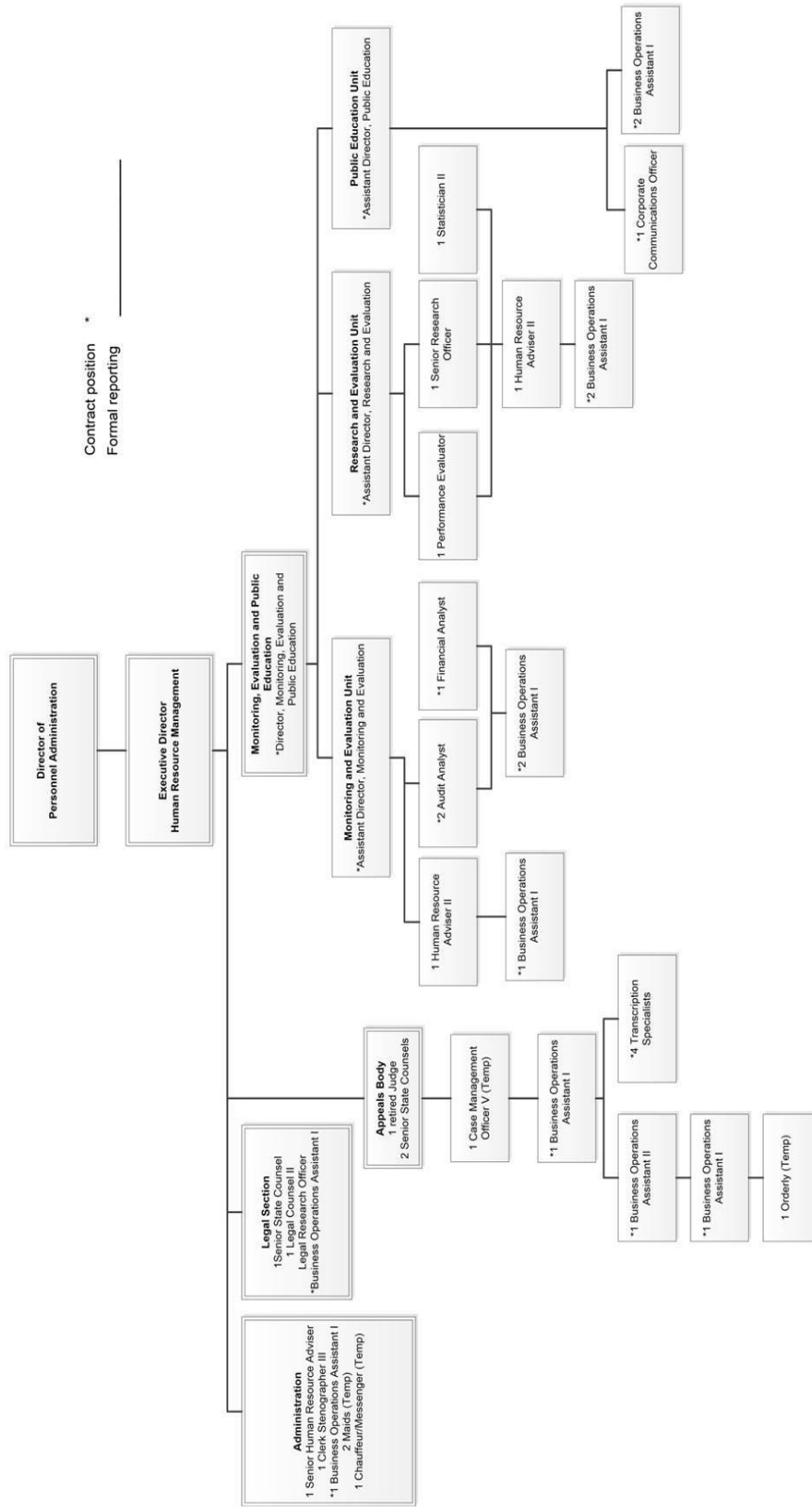
The organisational chart of the Secretariat is in Figure 1.

Executive Director, Human Resource Management

Ms. Dale Brizan served as Executive Director, Human Resource Management (Police Service Commission) and Secretary to the Commission for the period January 2022 to December 2022.

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

The Commission conducted its statutory and special meetings virtually, using Microsoft Teams.

3.1.2 Special meetings

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

3.1.3 Other meetings

During the period under review, the Commission held two quarterly meetings with the Acting Commissioner of Police and members of the TTPS Executive.

The Commission also held two meetings, one with the Acting Commissioner of Police (CoP) and the other with the Trinidad and Tobago Police Service Social and Welfare Association (TTPSSWA).

3.1.4 Joint Select Committee Meetings

The Commission attended two Joint Select Committees of Parliament meetings during the period under review. **Refer to Table 1** below.

Table 1: Joint Select Committee Meetings

Date	Activity	Purpose
4 May 2022	The Joint Select Committee on Local Authorities, Service Commissions and Statutory Authorities (including THA)	To examine the Institutional Strengthening initiatives of the Service Commissions Department
18 May 2022	The Joint Select Committee on National Security.	This meeting was a single evidence session to obtain an appreciation of the operations of the Police Service Commission with a special focus on its strategies to improve the management and performance of the Trinidad and Tobago Police Service (TTPS).

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

During the year under review, the Commission sought to provide greater clarity to the provisions stipulated in Legal Notice No. 219 of 2015 as amended by Legal Notice No. 339 of 2019 regarding

1. the qualification and experience required for the offices of Commissioner of Police and Deputy Commissioner of Police and
2. the criteria to be used to determine what constitutes increasing responsibility in law enforcement in respect of the office of Commissioner of Police and Deputy Commissioner of Police.

On 22 March 2022, the Commission established the **Relevancy Policy** to assist in determining the suitability of qualification and experience of officers/persons vying for the offices of Commissioner of Police and Deputy Commissioner of Police.

This Policy seeks to ensure a fair, efficient, standardized, and transparent procedure in assessing whether officers meet the educational qualifications for the “other relevant degree” stipulation as stated in Legal Notice No. 219 of 2015 as amended by Legal Notice No. 339 of 2019 when

- selecting officers to act in the offices of Commissioner of Police and Deputy Commissioner of Police and
- shortlisting applicants during the recruitment process for the offices of Commissioner of Police and Deputy Commissioner of Police.

On 7 June 2022, the Commission also established the **Increasing responsibility in law enforcement Policy**. This policy identifies the criteria used to determine whether

- applicants being appointed to the offices of Commissioner of Police and Deputy Commissioner of Police or
- officers being selected to act in the offices of Commissioner of Police and Deputy Commissioner of Police

demonstrate increasing responsibility in law enforcement in accordance with Legal Notice 219 of 2015 as amended by Legal Notice 339 of 2019 and Legal Notice 277 of 2021 as amended by 278 of 2021.

4. OUR 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 2: Officers appointed to act as Commissioner of Police

Name	Start date	End Date
Mr. McDonald Jacob	17 December 2021	8 December 2022
Mrs. Erla Harewood-Christopher	16 October 2022	21 October 2022
	9 December 2022	To a date to be determined by the Commission

Table 3: Officers appointed to act as Deputy Commissioner of Police

Name	Start date	End Date
Mr. Curt Simon	16 October 2022	To a date to be determined by the Commission
Mr. Ramnarine Samaroo	16 October 2022	To a date to be determined by the Commission

4.2 Performance Appraisal of Commissioner of Police and Deputy Commissioner of Police

The Commission completed the outstanding Performance Appraisal Report on former Commissioner of Police Gary Griffith for the period 1 January 2021 to 5 September 2021.

The Commission deferred the finalisation of Performance Appraisals on the officers who were serving in the offices for over one year until the completion of the recruitment and selection process for the office of the Commissioner of Police.

4.3 Recruitment and selection process for the office of Commissioner of Police

At its meeting on 7 January 2022, the Commission decided no further action would be taken with respect to the 2021 selection process for the office of Commissioner of Police.

The Commission issued a media release on 12 January 2022, indicating that no further action would be taken with respect to the 2021 selection process for the office of Commissioner of Police. The media release also advised that the Commission would commence a new selection process in accordance with the process and procedures outlined in the applicable law currently enacted and governing the process for compiling the list of nominees to comprise an Order-of-Merit List for the Office of Commissioner of Police.

In accordance with Legal Notice No. 277 of 2021 as amended by Legal Notice 278, the Commission advertised the office of the Commissioner of Police and placed advertisements in three daily newspapers beginning on 9 June 2022 with a closing date for receipt of application on 30 June 2022.

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

Applicants were required to submit their application forms, CVs, Birth Certificate, Training Academic Certification 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

On 8 July 2022, the Commission advised via a public notice that it expected to complete the selection process by December 2022.

In a subsequent public notice dated 15 November 2022, the Commission informed that the in-depth vetting process of the candidates was not completed. As such, it anticipated it would complete the selection process by 31 January 2023.

4.4 Recruitment and selection process for the offices of Deputy Commissioner of Police

During the year under review, the Commission focused its efforts on completing the recruitment for the office of Commissioner of Police.

The Commission intends to undertake and complete the recruitment and selection process for the offices of Deputy Commissioner of Police in 2023.

4.5 Monitoring the performance of the Trinidad and Tobago Police Service

4.5.1 Monitoring of TTPS processes, systems and initiatives

The Monitoring and Evaluation Unit of the Police Service Commission Secretariat undertakes data collection activities to monitor the performance of the Commissioner and Deputy Commissioner and, by extension, the TTPS on behalf of the Police Service Commission. The Commission, during the year 2022, in the execution of its mandate and in accordance with Section 123, requested and received several reports from the Commissioner of Police as outlined hereunder.

- Report on the strategies being adopted by the Trinidad and Tobago Police Service to address the escalating murders in the nation.
- Report on the Cases dismissed due to the non-appearance of Police Complainants in Court.
- Biannual Periodic Reports for the Trinidad and Tobago Police Service.
- Ministry of Finance Central Audit Committee's Final Report on the Audit of Procurement of Goods and Services and Hiring of Staff on Contract undertaken by TTPS from 2017-2021.
- Report on the dismantling of the Special Operations Team (SORT) and the establishment of a National Operational Task Force (NOTF).

For the year under review, the Unit monitored several processes, systems, and initiatives and physically inspected and verified records and resources in the Police Service. These are detailed in **Table 4**.

Table 4: TTPS processes, systems, and initiatives monitored

Performance Category	Areas Reviewed
Strategic Leadership, Management, and Communication	<ul style="list-style-type: none"> • Monitored and reported on the management of TTPS motor vehicles assigned to the various Branches/Sections/Units of the TTPS to determine whether they were used, maintained and secured efficiently and effectively in accordance with the applicable standing order and vehicle maintenance policy • Monitored and reported on the management of speed measuring devices assigned to the various Divisions, Branches, Sections and Units of the TTPS to determine whether they were used, maintained and secured in an efficient and effective manner in accordance with the applicable departmental order • Monitored and reported on the management of the breathalysers assigned to the various Divisions/Branches/Sections/Units of the TTPS to ascertain whether they were used, maintained and secured in an efficient and effective manner in accordance with the applicable departmental order and maintenance guidelines

Performance Category	Areas Reviewed
Financial Management Human Resource Management	<ul style="list-style-type: none"> • Monitored and reported on the timely renewal of software licenses used by the TTPS (AFIS, RMS, Intelligence and Forensic Tools, FTR, Servers, Network Equipment, Server Room Environment and CCTV) • Inspections of physical resources • Record keeping for police firearms and ammunition • Monitored budget process • Monitored the performance appraisal process to determine whether appraisal reports for staff were being completed on time • Monitored disciplinary process to determine compliance with regulations and policies • Monitored promotion process to determine whether promotions and appointments were made in accordance with the Police Service Act, Regulations, Standing Orders and other legal standards • Monitored whether the TTPS was fulfilling requests for information in accordance with the FOI Act.

4.5.2 Public Trust, Confidence and Satisfaction Survey

The Police Service Commission undertook its 2022 edition of the Public Trust, Confidence and Satisfaction Survey, which was open to the public over three weeks from 1 – 22 November 2022.

The survey provided members of the public with an opportunity to share their views on a range of issues, including satisfaction with Police performance as well as trust and confidence in the Police Service. It was conducted using a 40-item questionnaire and was administered electronically through emails to stakeholder organizations and hosted on several Government social media and electronic platforms.

The survey was last conducted in 2020.

Two thousand eight hundred and fifty-five (2,855) persons responded to the survey. This represents a 47% increase in respondents when compared to 2020. Forty-three per cent of the respondents were male, while 55 per cent were female. Most of the respondents were between 35 and 44 years old.

The survey incorporated standards and targets from the Police Service’s Strategic Plan 2022-2024 and Operating Plan 2021 and 2022, as well as the approved Performance Appraisal Framework for the Commissioner of Police for 2022.

The survey findings are used to determine the extent to which the police service meets its goals and targets in accordance with the Commission’s mandate to monitor the efficiency and effectiveness of the discharge of the Commissioner and Deputy Commissioners of Police functions. **Figures 2 to 7 refer.**

Figure 2: Reason for contact with the Police in 2022

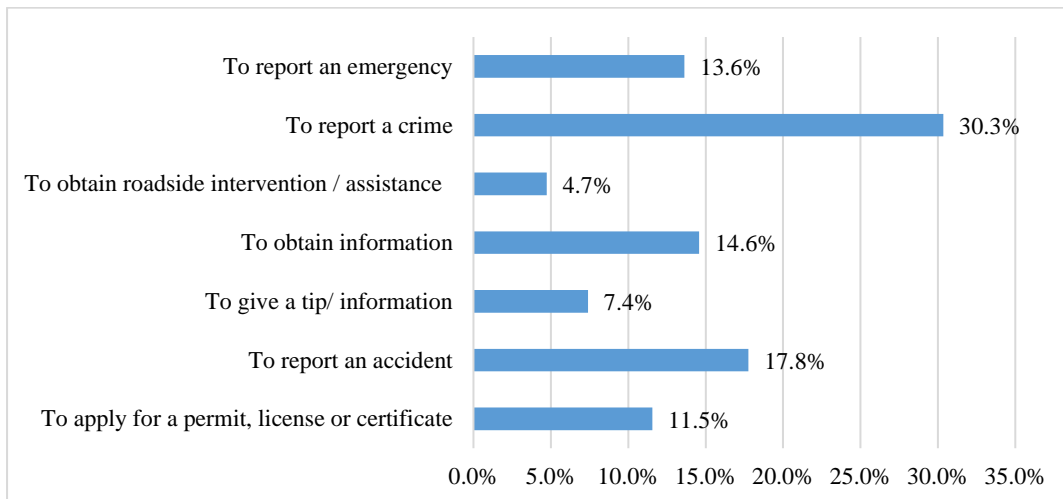


Figure 3: Level of customer service satisfaction/dissatisfaction, based on interaction with the police in 2022

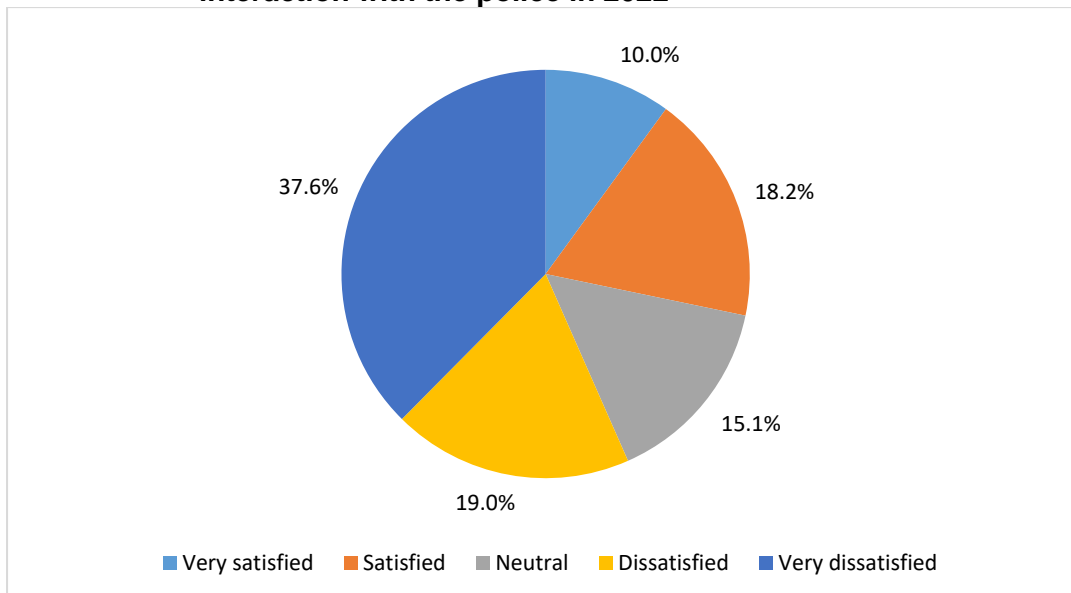


Figure 4: Satisfaction with Police Performance

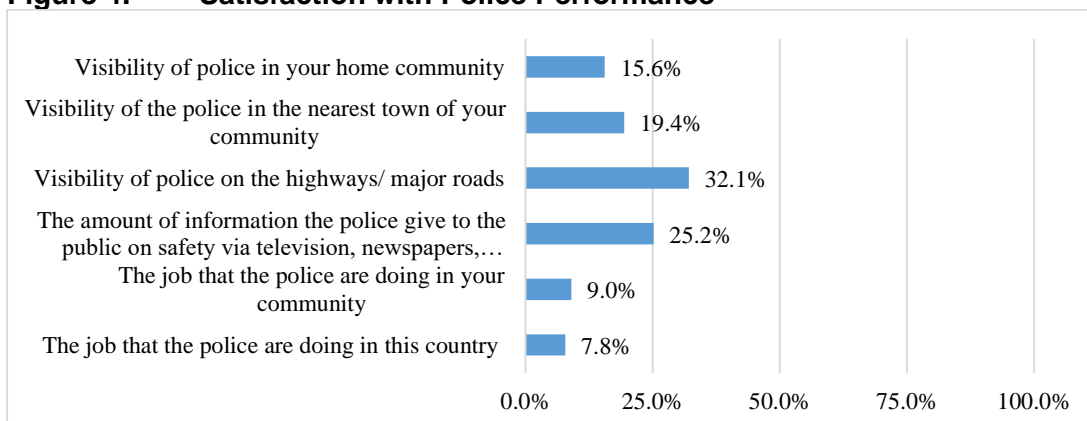


Figure 5: Public trust in the Police Service

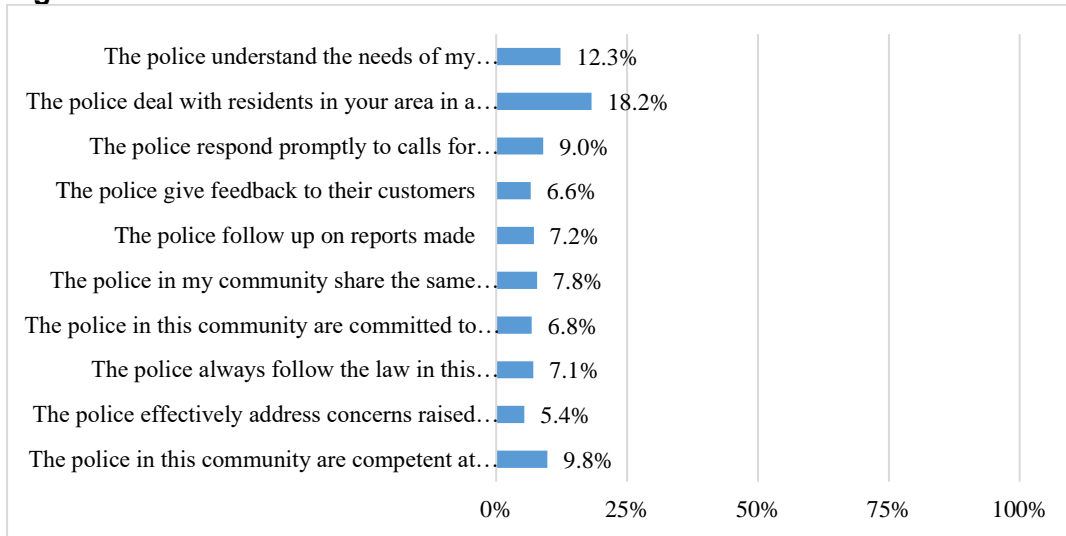


Figure 6: Public confidence in the Police's ability to address crime

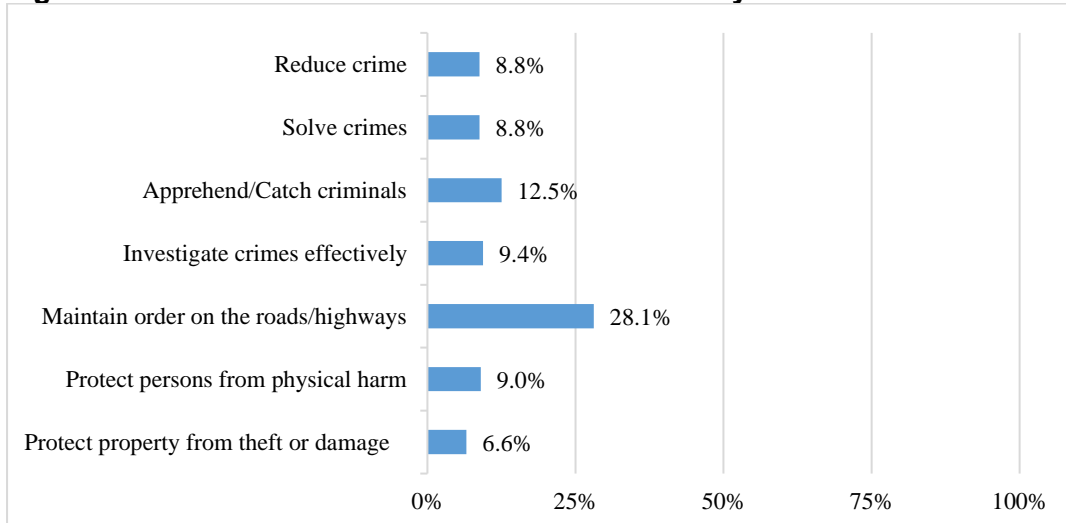
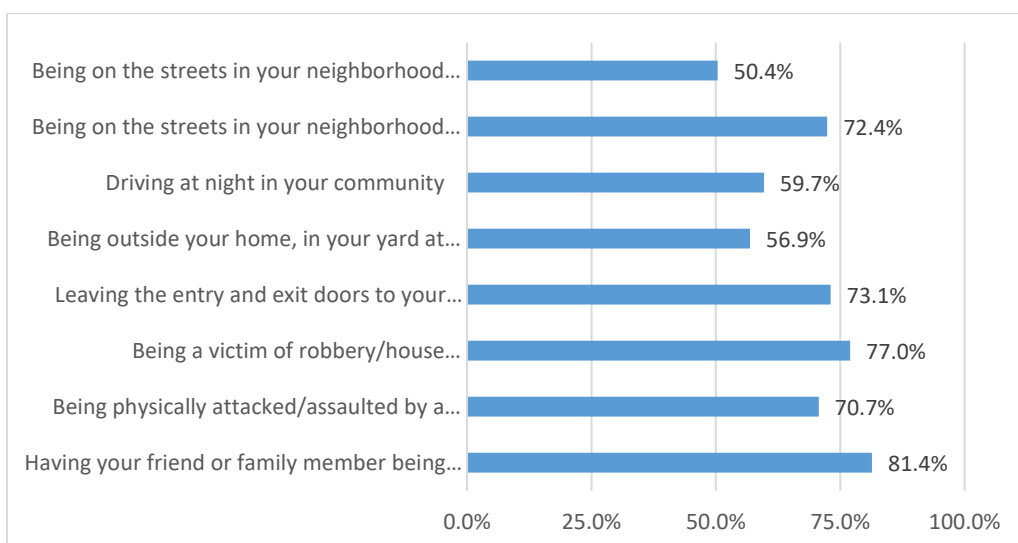


Figure 7: Fear of Crime



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.

As of 31 December 2022, thirty (30) appeals were outstanding before the Police Service Commission. Twenty-three (23) appeals arose from disciplinary matters, and two (2) are appeals challenging promotions. Subsequently, five (5) appeals were filed before the Commission in 2022. There were ten (10) sessions of Case Management Conferences, from which eight (8) Appeal Hearings were scheduled. **Table 5** provides a status of the activities undertaken by the Commission during the period under review.

Table 5: Status of promotion and disciplinary appeals

Appeals carried forward to 2021	Matters filed		Matters heard		Matters adjourned	Matters determined	Matters outstanding
	Promotion	Disciplinary	Promotion	Disciplinary			
34	2	3	4	7	2	9	23

An overview of the status of promotion and disciplinary matters that are outstanding is provided in **Table 6**.

Table 6: Status of outstanding promotion and disciplinary matters as of 31 December 2022

Year	MATTERS OUTSTANDING	
	Promotion matters	Disciplinary matters
2011	Nil	Nil
2012	Nil	Nil
2013	Nil	Nil
2014	Nil	1
2015	Nil	1
2016	Nil	Nil
2017	Nil	Nil
2018	Nil	3
2019	Nil	2
2020	1	5
2021	Nil	6
2022	1	3
TOTAL	2	21

4.7 Disciplinary matters against police officers

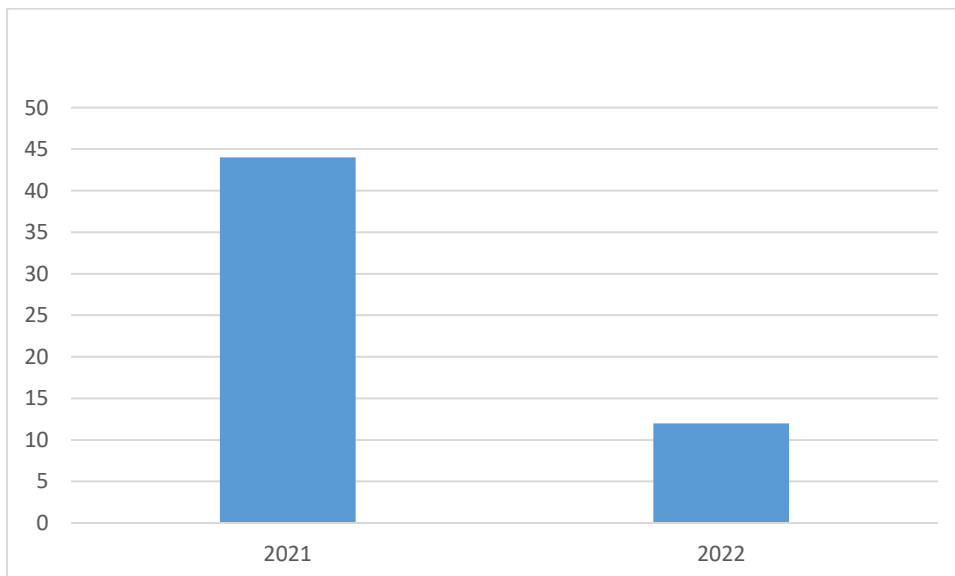
Prior to the Constitution (Amendment) Act, No. 6 of 2006, the Commission had the authority to discipline all police officers. Section 123B (2) of the Constitution provides: 123B(2) Any matter which, immediately before the effective date specified in subsection (1), is pending before the Police Service 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 Freedom of Information requests

The Commission received eight (8) requests for information under the Freedom of Information Act of 1999 for 2022. **Figure 8 refers.** This represents a 72.7 per cent reduction in requests made to the Commission for the year under review.

Figure 8: Number of FOI requests to the Police Service Commission January 2021 - December 2022



4.9 Court matters

There were no court matters involving the Police Service Commission filed in 2022. The status of one High Court Matter filed in 2021 involving the Police Service Commission is still ongoing, as outlined in **Table 7.**

Table 7: High Court Matters

Matter	Action	Decision
<i>CV2021-02670 Anand Ramesar v The Police Service Commission</i>	Filed for Judicial Review	During the period under review, no judgment was delivered in this matter.

5. INSTITUTIONAL STRENGTHENING

5.1 Police Service Commission Regulations

The Commission has initiated the process to revise the Police Service Commission Regulations. The Commission anticipates that it will complete the review and update of the Police Service Commission Regulations in 2023.

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

6. BUDGETARY ALLOCATION AND EXPENDITURE OF THE POLICE SERVICE COMMISSION FOR THE PERIOD JANUARY – DECEMBER 2022

During the period under review, the Police Service Commission, through the Service Commissions Department, requested a budget of \$5,212,700 to finance its activities.

Figure 9 depicts the funds allocated to and expenditure of the Police Service Commission for the year under review.

Figure 9: 2022 Budget Allocation and Actual Expenditure

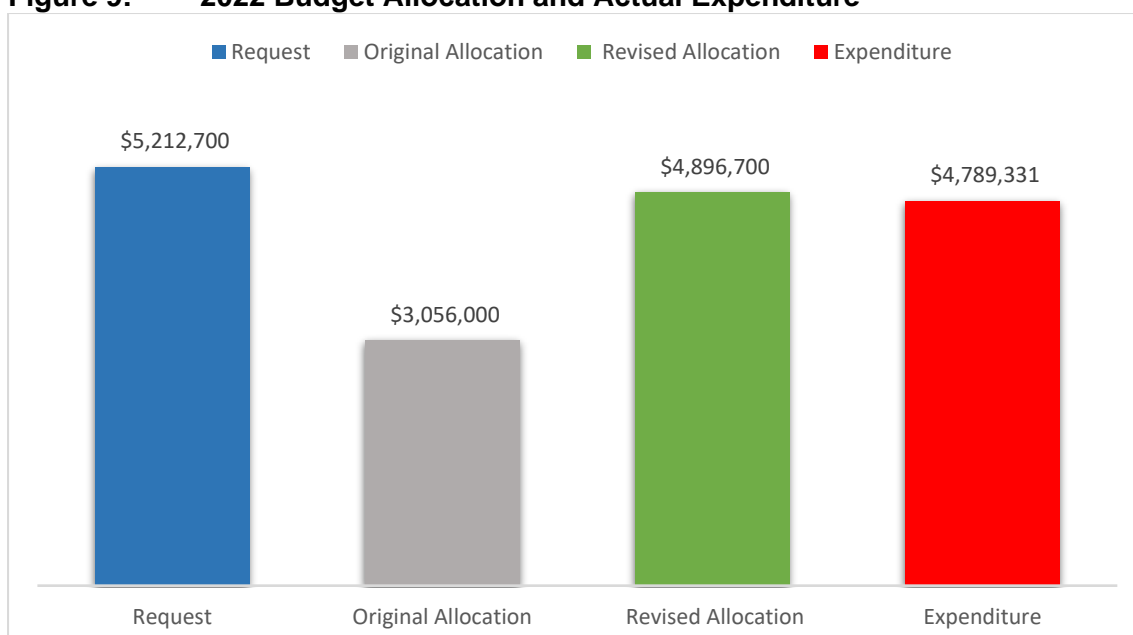
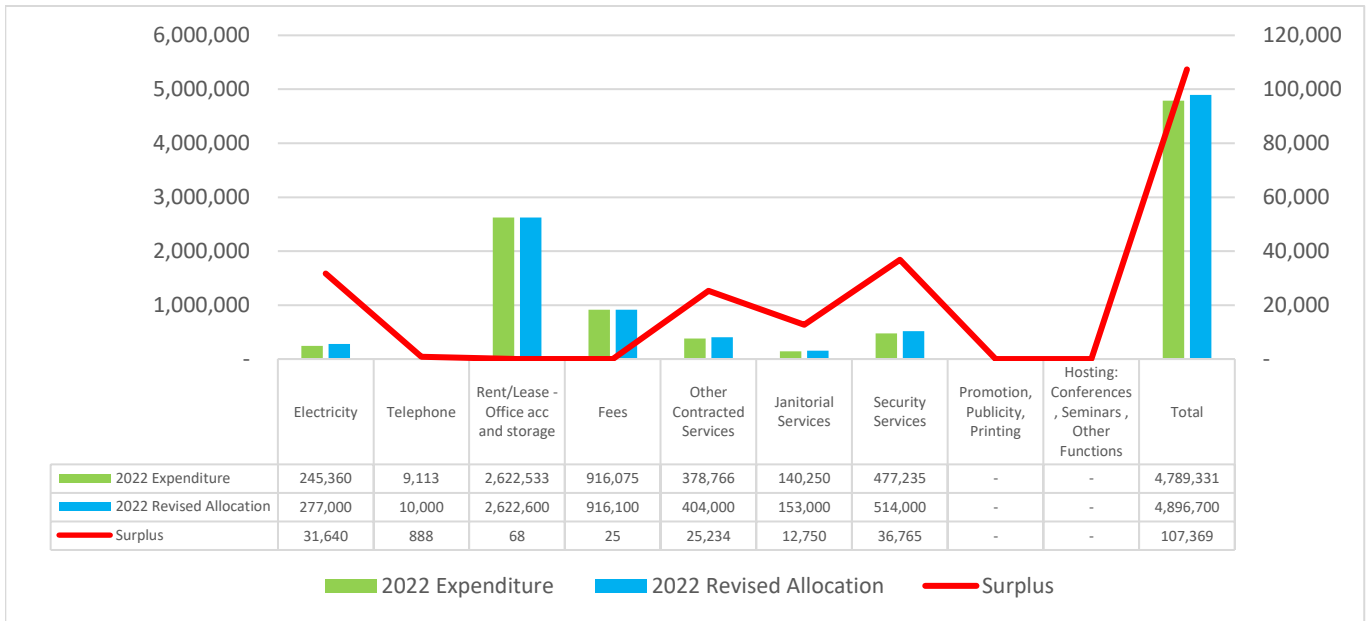


Figure 10 below depicts the classifications of the budget allocation and expenditure. The largest expenditure for the year under review was \$2,622,533 (55%) in rental/leasing for office accommodation and storage. Fees (\$916,075) and security services (\$477,235) followed, representing 19% and 10%, respectively, of total expenses. The lowest expenditure category is janitorial services (\$140,250), a mere 3% of total expenditure.

Figure 10: 2022 Budget: Actual Expenditure versus Request



7. THE YEAR AHEAD

The Commission anticipates the engagement of several key stakeholders in the coming year to continue improving its relationships and processes.

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 Deputy Commissioner of Police (Extension of Service) Order, 2022, Legal Notice No. 6 dated 18th January 2022

The Relevancy Policy for the offices of Commissioner and Deputy Commissioner of Police, Trinidad and Tobago Police Service, dated 22 March 2022

The Increasing Responsibility in Law Enforcement Policy for the offices of Commissioner and Deputy Commissioner of Police, Trinidad and Tobago Police Service, dated 7 June 2022

THE CONSTITUTION (AMENDMENT) ACT, 2006

Arrangement of Sections

Section

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

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

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	<p>ENACTED by the Parliament of Trinidad and Tobago as follows:—</p>
Short title	<p>1. This Act may be cited as the Constitution (Amendment) Act, 2006.</p>
Commencement	<p>2. This Act shall come into force on a date to be fixed by the President by Proclamation.</p>
Alteration of the Constitution	<p>3. The Act shall be construed as altering the Constitution.</p>
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.

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

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
Schedule to the Constitution of the Republic of Trinidad
and Tobago Act; Chap. 1:01

“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
necessary for the purpose of performing its functions stipulated in
section 123(1)(f) of the Constitution. Meetings of
Commission

(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 ^{Powers of Commission} 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.

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

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 ^{Functions of Commission} such things as are necessary or expedient for the expeditious and just hearing and determination of the appeal before it.

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

(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 ^{Copies of appeal documents Second Schedule} copy of any judgement order or other document in accordance with the 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 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

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 ^{Citation}
Deputy Commissioner of Police (Selection Process) Order, 2015.

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

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

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

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

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

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

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

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

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

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

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

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

L.N. No. 101
of 2009
revoked

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

Dated this 14th day of December, 2015.

L. RODRIGUEZ
Secretary to Cabinet

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

LEGAL NOTICE No. 6

REPUBLIC OF TRINIDAD AND TOBAGO

THE POLICE SERVICE ACT, CHAP. 15:01

ORDER

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

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

1. This Order may be cited as the Deputy Commissioner of Police Citation
(Extension of Service) Order, 2022.

2. The service of Mr. Mc Donald Jacob in the office of Deputy Extension of
Commissioner of Police is hereby extended for a period of one year with service
effect from 22nd January, 2022.

Dated this 18th day of January, 2022.

F. NOEL
Acting Secretary to Cabinet



**SERVICE COMMISSIONS DEPARTMENT
POLICE SERVICE COMMISSION SECRETARIAT**

POLICY NUMBER : 01/2022

POLICY TITLE : **RELEVANCY POLICY FOR THE OFFICES OF COMMISSIONER AND DEPUTY COMMISSIONER OF POLICE, TRINIDAD AND TOBAGO POLICE SERVICE**

APPROVED BY : Police Service Commission

DATE APPROVED : 22nd March, 2022

DATE ISSUED : 22nd March, 2022

1. BACKGROUND

The core function of the Trinidad and Tobago Police Service (TTPS) is to preserve peace in the nation, and enforce the law against transgressors. A Commissioner of Police, who is the most senior officer, is responsible for planning and controlling all strategic activities of the organization and leads the organization of approximately ten thousand employees including sworn officers and civilian staff. The Commissioner is supported by three Deputy Commissioners of Police who assist the Commissioner in the performance of his functions. Each Deputy has distinct areas of responsibility and a range of resources available to them to execute their functions. Altogether, these four officers comprise the executive management branch of the TTPS and are responsible for controlling all business functions of the Police Service. These officers are accountable to their many stakeholders for the performance of the organization.

Legal Notice No. 219 of 2015 as amended by Legal Notice No. 339 of 2019 outlines the training and experience qualifications required for the office of Commissioner of Police and Deputy Commissioner of Police which includes:

- no less than fifteen and ten years' experience of increasing responsibility in law enforcement, respectively; and
- the possession of a Master's Degree from a University recognized by the Ministry responsible for Higher Education in any of the following:
 - Law;
 - Criminal Justice;
 - Criminology;
 - Police Service Management; or
 - any other relevant degree.

The responsibility to determine whether a Master's Degree can be considered a "relevant degree", for the purpose of these legal notices, falls under the purview of the Police Service Commission, or any entity authorized to assist the Commission in the conduct of its recruitment exercise. In considering whether any program can be considered "relevant", it is crucial that the content of that training is relevant to the office, and potential candidates have the full range of strategic, managerial and technical capacity to perform all of the functions of that office.

1.2 PURPOSE

The purpose of this policy is to set out the methodology to be followed in assessing which Master's Degree can be considered a "relevant degree" in accordance with Legal Notices 219 of 2015 as amended by 339 of 2019, for use in the shortlisting of applicants and the selection of officers to act in the offices of Commissioner of Police and Deputy Commissioner of Police, Trinidad and Tobago Police Service, Ministry of National Security

1.3 SCOPE

This policy applies to the offices of Commissioner of Police and Deputy Commissioner of Police only.

2. DEFINITIONS

Commission: Any reference to "Commission" shall refer to the Police Service Commission established under section 122 of the Constitution.

Master's Degree: A Master's degree is an academic qualification granted by an institution of higher learning that includes courses on specialized topics that is usually more advanced than an undergraduate degree, and is the first level of a postgraduate degree.

Post Graduate Degree: A Postgraduate degree is any program of study leading to a degree that requires an undergraduate degree as an entry qualification, and is considered higher than the undergraduate degree.

Integrated Degree: An Integrated Degree is a qualification that combines two or more programs of study in one single, usually longer program, and can include undergraduate and postgraduate studies, or multiple postgraduate programs.

Relevant: closely connected or appropriate to the current matter¹.

Relevant Degree: For the purpose of this policy, a Relevant Degree is a degree from an accredited institution in which that program's course content is related to no less than eighty percent (80%) of the following five areas:

¹ Oxford English Dictionary, 2005

1. *the Core Functions of a Police Service as listed below;*

- preserving the peace, detecting crime and other infractions of the law;
- apprehending alleged offenders and bringing them before a court of competent jurisdiction;
- serving and executing all processes that are directed by competent authorities;
- maintaining order within the courts of competent jurisdiction during the sittings of all such courts;
- repressing internal disturbances, and
- performing all other duties appertaining to the office from time to time.

2. *the Knowledge/Skills/Abilities as outlined in the existing approved Job Descriptions as shown in the attached statement at Enclosure I;*

3. *the approved Competency Framework for the applicable office – See attachment at Enclosure II*

4. *courses such as policing, criminology, criminal justice, or police management;*

5. *courses in Strategic (Planning/ Leadership/ Management)/ Leadership/ Executive Management/ Management.*

ANY DEGREE MUST BE RELATED TO AT LEAST 80% OF THE AFOREMENTIONED AREAS TO BE CLASSIFIED AS RELEVANT. EACH AREA IS ASSIGNED 20%, WHICH CUMULATIVELY MAKES 100%.

3. OBJECTIVE

The objective of this policy is to ensure that a fair, efficient, standardized and transparent procedure is adopted in assessing whether officers selected to act and applicants shortlisted for the position of Commissioner and/or Deputy Commissioner of Police meet the educational qualifications for the “other relevant degree” stipulation as stated in Legal Notice No. 219 of 2015 as amended by Legal Notice No. 339 of 2019.

4. METHODOLOGY

The methodology utilised in the preparation of this document is as follows: -

- All previous policy decisions of the Commission on record, with respect to interpretation of a “relevant degree” were considered.
- Records of meetings with stakeholders on the subject matter were reviewed and considered in arriving at the draft policy.

- The draft policy was circulated among the members of the Service Commissions Department's Executive Team and the Police Service Commission for review and feedback.
- The revised policy was further modified in keeping with the feedback received from the Executive Team and Police Service Commission.

5. POLICY STATEMENT

5.1 Accredited Programs

To be considered a relevant degree, the degree(s) must be from a University recognized by the Ministry responsible for Higher Education.

5.2 Mastery of Areas

In keeping with the purpose of a Master's degree which is to gain mastery of a specific area of training, the program under review must include courses/content that is related to no less than eighty percent (80%) of any combination of the areas listed in the definition of "relevant degree" above.

5.3 Evidence of Details of Training

In assessing whether a degree is relevant, details of the training must be examined against the areas listed in the definition of "relevant degree" above. This should include the examination of transcripts, course syllabi, learning outcomes, research projects, contact hours and any other available details of the content of the program in consideration.

5.4 Relevance to Duties

In determining whether a program is "relevant" to the core functions of the Trinidad and Tobago Police Service, the functions listed in the definition of "relevant degree" above, shall be used along with any other core function assigned by law to the TTPS from time to time.

5.5 Multiple Master's Degrees/Postgraduate programs

In assessing whether an applicant has an applicable "relevant degree", the details of multiple Master's Degrees possessed by the applicant may be jointly considered.

- 5.5.1** In the case where an applicant has multiple Masters' Degrees, and is unable to demonstrate that any single program is related to at least eighty percent (80%) of the areas identified in the definition of "relevant degree", the Commission may consider the applicant as meeting the "relevant degree" stipulation if, the cumulative course content of the multiple programs are related to at least eighty percent (80%) of the areas listed in the definition of "relevant degree" above.

5.6 Integrated Degrees

In considering whether an Integrated Degree can be considered a relevant degree in accordance with the definition of "relevant degree" above, the following should apply:

5.6.1 If the integrated degree involves a Bachelor and Master’s Degree, the component of the program that includes only the Master’s Degree should be considered in determining whether the applicant meets the definition of “relevant degree” as stated above.

6. DOCUMENTING DECISIONS

All decisions pertaining to whether a program is assessed as a “relevant degree” must be approved, and recorded by the Police Service Commission.

7. PROCEDURE

The following steps shall be adopted in assessing whether an officer/applicant meets the qualification criterion laid out in Legal Notice No. 219 of 2015 as amended by Legal Notice No. 339 of 2019:

Steps in the Process	Action
Step 1.	Examine the Master’s Degree(s) possessed by the applicant against the legal notices.
Step 2.	If the applicant possesses a Master’s Degree in Law, Criminology, Criminal Justice or Police Management, the applicant should be considered as meeting the requisite Master’s Degree.
Step 3.	<p>If the applicant possess a Master’s Degree not listed at Step 2, the criterion laid out in this policy shall be applied:</p> <ul style="list-style-type: none"> a. Is the degree an accredited program, as stipulated in 5.1 above? If not, the applicant does not meet the criteria. If yes, the following steps shall also apply. b. Based on the information provided by the candidate about the qualification (e.g. transcripts, project papers etc.), is the program under consideration related to at least eighty percent (80%) of the five (5) areas listed in the definition of “relevant degree” above? <ul style="list-style-type: none"> i. If yes, the applicant shall be considered as meeting the “other relevant degree” qualification. ii. If the program does not meet the standard, the applicant shall be considered as not being able to meet the criteria. iii. If insufficient evidence was provided by the applicant to demonstrate if they met the “other relevant degree” criterion in accordance with this policy, the applicant shall be considered as not meeting the requirement. c. Does the applicant have multiple Master’s Degrees? If yes, the criterion laid out in the definition of “relevant degree” and 5.5 above shall apply. d. Does the applicant have an Integrated Degree? If yes, only the component applicable to that program’s postgraduate level shall be examined against the criteria laid out in the definition of “relevant degree” and 5.6 above.
Step 4.	All decisions pertaining to whether an applicant meets the “other relevant degree” criterion as laid out in this policy, shall be approved and confirmed by the Police Service Commission.

8. CONCLUSION

The Commission acknowledges that this policy is valid once the criterion for qualification and experience for the offices of Commissioner of Police and Deputy Commissioner of Police that are laid out in Legal Notice No. 219 of 2015 as amended by No. 339 of 2019, remains applicable law. Additionally, the Commission recognizes there may be need to revise this policy if duties of the offices are revised, the core functions of the organization changes, or other developments occur that may render this policy unsustainable.



**SERVICE COMMISSIONS DEPARTMENT
POLICE SERVICE COMMISSION**

POLICY NUMBER:	02/2022
POLICY TITLE:	INCREASING RESPONSIBILITY IN LAW ENFORCEMENT POLICY FOR THE OFFICES OF COMMISSIONER AND DEPUTY COMMISSIONER OF POLICE, TRINIDAD AND TOBAGO POLICE SERVICE
APPROVED BY:	POLICE SERVICE COMMISSION
DATE APPROVED:	7TH JUNE, 2022
DATE ISSUED:	8TH JUNE, 2022

1. BACKGROUND

The Trinidad and Tobago Police Service (TTPS) is both a highly vertical organisation with ten ranks, and a horizontal one with approximately thirty Sections/Branches and Units which includes specialist preventative and detective sections which have specific aptitude and personality/behavioral entry requirements¹. While the overall function of the Trinidad and Tobago Police Service (TTPS) is to preserve peace in the nation and enforce the law against transgressors, like many other law enforcement organisations, the requirements, authorities and levels of responsibility among the different ranks and across various Branches/Sections and Units vary considerably.

Although it is a law enforcement organisation not all employees² in the TTPS perform law enforcement functions in accordance with the definition of law enforcement contained in this policy (*Refer to Section 6*). Similarly, some persons may perform law enforcement functions in law enforcement agencies other than the TTPS (e.g.) private security firms.

Since there is variance in responsibilities within the same ranks across different Branches/Sections and Units in law enforcement organisations the job titles and ranks alone may be insufficient to determine the actual responsibilities of applicants for the office of Commissioner and Deputy Commissioner of Police. As such practical work experience and the actual duties performed would more suitably indicate the level of responsibilities in each rank/office for determining “increasing responsibility in law enforcement.”

¹ Trinidad and Tobago Police Service Departmental Order No. 224 of 2010. Policy Document on Specialist Sections.

² ICT personnel, administrative staff etc.

2. PURPOSE

The purpose of this policy is to define the term “increasing responsibility in law enforcement”, in accordance with Legal Notice No. 219 of 2015 as amended by Legal Notice No. 339 of 2019, by identifying the criteria which would be used to determine what constitutes increasing responsibility in law enforcement by the Police Service Commission in respect of the offices of Commissioner of Police and Deputy Commissioner of Police, Trinidad and Tobago Police Service, Ministry of National Security.

3. POLICY STATEMENT

Legal Notice No. 219 of 2015 as amended by Legal Notice No. 339 of 2019 outlines the training and experience qualifications required for the office of Commissioner of Police and Deputy Commissioner of Police, which are as follows:

	Commissioner of Police	Deputy Commissioner of Police
Training	▪ A Master’s Degree: in accordance with Legal Notice No. 219 of 2015 as amended by Legal Notice No. 339 of 2019	
Experience	▪ No less than 15 years’ experience of increasing responsibility in law enforcement	▪ No less than 10 years’ experience of increasing responsibility in law enforcement

The responsibility to determine whether an applicant can be considered as having “increasing responsibility in law enforcement”, for the purpose of these legal notices, falls under the purview of the Police Service Commission, or any entity authorized by the Commission to assist with the conduct of its recruitment exercise.

In considering whether an applicant can be considered as meeting the fifteen/ten years of “*increasing responsibility in law enforcement*” requirement for the respective offices of Commissioner and Deputy Commissioner of Police, applicants are required to ensure that their practical work experience in each position held is clearly itemized and presented. This is crucial to ensure the selection of applicants who demonstrate the required experience for the specified duration of time.

In order to ensure that applicants have the required experience the applicant’s progression of experience will be assessed against the following areas of responsibility all of which are common to law enforcement:

Levels	Summary of Duties	Type of Responsibility
Level 1	Performs the general duties of a law enforcement officer by enforcing the law against transgressors within a specified geographic region, or defined area of responsibility.	Front-line staff
Level 2	Supervises the operations of a small squad of law enforcement officers who performs the general duties of law enforcement, and directs the operations of a single Station, Shift, Unit or Section.	Supervision to front-line staff
Level 3	Manages a cadre of specialised staff including front-line officers and supervisors of different Stations, Shifts, Units or Sections by planning operations, directing activities, coordinating personnel matters, and inspecting/ reviewing records, activities and operations within a specified area of responsibility.	Middle management
Level 4	Plans and directs the operations of a region or highly specialized area of responsibility. Conducts training, makes recommendations to other seniors, collaborates with external agencies, represents the organisation at meetings/conferences, and assists in the development of policies and plans for the organisation.	Senior Management
Level 5	Assists in/provides strategic direction for a law enforcement organisation by developing and approving plans, directing major functions, developing rules and providing oversight for all functions.	Executive

Table 1

4. OBJECTIVES

The main objective of this policy is to set out the methodology to be followed in assessing whether an applicant possesses “increasing responsibility in law enforcement” in accordance with Legal Notice 219 of 2015 as amended by 339 of 2019, for use in the screening of applicants for appointment to, and for the selection of officers to act in *as provided for in Legal Notice 277 of 2021 and amended by 278 of 2021*, the offices of Commissioner of Police and Deputy Commissioner of Police, Trinidad and Tobago Police Service, Ministry of National Security. Other objectives of this policy include:

1. To attract suitably experienced individuals who possess the required experience;
2. To ensure that a fair, transparent, efficient and evidence-based process is adopted by the Commission in the screening of applicants for the aforementioned offices;
3. To eliminate bias and ensure consistency in the application of the criteria to determine whether applicants have the required experience; and
4. To codify and ensure full compliance with Legal Notice 219 of 2015 as amended by 339 of 2019.

5. SCOPE

This policy applies to the offices of Commissioner of Police and Deputy Commissioner of Police only. This policy is intended: -

- for use by all staff of the Police Service Commission Secretariat who are involved in the screening process within the Service Commissions Department in respect of the aforementioned offices.
- to inform and guide the prospective applicants for the offices in relation to the experience requirement;
- to sensitize officers in the Trinidad and Tobago Police Service to the experience requirements for acting appointment in the offices.
- to inform the relevant stakeholders.

This policy outlines all procedures concerned with the screening process and the process for the selection of officers for acting appointments in relation to the experience requirements of the offices. The policy also ensures that a fair and transparent process is conducted and all aspects of the screening of applications and the selection of officers are carried out in a proper and efficient manner.

6. DEFINITION OF TERMS

Commission: Any reference to “Commission” shall refer to the Police Service Commission established under section 122 of the Constitution.

Responsibility: A duty or task that you are required or expected to do³.

Increasing Responsibility: This therefore refers to progression in the level of responsibility towards accountability and is evidenced by the increasing complexity of types of required duties, tasks or assignments, and accountability for the results of self and others. It can be demonstrated by words such as: responsible for, led, managed, implemented, designed, and/or developed.

Law Enforcement: Law enforcement is a term used to describe all of the many activities of persons who are entrusted with the responsibilities of ensuring that laws and regulations are obeyed at all times; it includes the actions of discovering, deterring, apprehending, prosecuting, rehabilitating and punishing offenders/violators; and takes into account police, corrections and security among other institutions involved in wider public safety, as well as; in the prevention and investigation of crime towards maintaining good public order and includes the administration, management and leadership of such activities.

³ <https://www.britannica.com/dictionary/responsibility>

Increasing Responsibility in Law Enforcement: The term *increasing responsibility in law enforcement* shall therefore refer to progression in the level of responsibility to a more advanced level in the areas identified in the definition of Law Enforcement in this Policy.

TO DEMONSTRATE INCREASING RESPONSIBILITY IN LAW ENFORCEMENT FOR THE SELECTION PROCESS FOR A COMMISSIONER OR DEPUTY COMMISSIONER OF POLICE, APPLICANTS MUST SHOW THAT THEY POSSESS EXPERIENCE IN AT LEAST THREE LEVELS FOR THE OFFICE OF DEPUTY COMMISSIONER OF POLICE AND FOUR LEVELS FOR THE OFFICE OF COMMISSIONER OF POLICE OF THE FIVE LEVELS IN TABLE 1 OF THIS POLICY.

7. METHODOLOGY

The methodology utilized in the preparation of this document is as follows: -

- Advice on the interpretation of the term “law enforcement” as used in Legal Notice 219 of 2015 dated 16th December 2015 was sought and received by the Police Service Commission.
- The examination of the job descriptions for the ten (10) ranks in the Trinidad and Tobago Police Service and some comparative positions⁴ in other law enforcement agencies was conducted.
- The draft policy was circulated among the members of the Service Commissions Department’s Executive Team and the Police Service Commission for review and feedback.
- The revised policy was further modified in keeping with the feedback received from the Executive Team and the Police Service Commission.

8. PRINCIPLES

8.1 Practical work experience

The term increasing responsibility in law enforcement shall refer to practical work experience over a period of time and not just the duties as stipulated in the job or position descriptions.

⁴ Functions associated with law enforcement positions examined included some in the Trinidad and Tobago Prison Service, Trinidad and Tobago Fire Service and the Trinidad and Tobago Defence Force.

8.2 Experience in Acting Appointments to be equivalent to substantive appointments

In determining experience in law enforcement no differentiation shall be made between duties performed by persons in acting or substantive appointments.

8.3 No differentiation in employment type

In determining increasing experience in law enforcement no differentiation shall be made between different employment types e.g. private or public body, or contract or permanent employment.

8.4 Experience in multiple law enforcement organisations

In determining increasing experience in law enforcement the details of experience gained in multiple law enforcement organisations may be jointly considered to demonstrate progression in responsibility.

8.5 Verification of Experience of applicant

In assessing whether an applicant possesses practical work experience the duties listed in the job application form must be verified by the Commission. Details of practical work experience and the name and contact information of supervisors to verify the information contained on the Application Form must be provided. Should the applicant fail to provide this evidence the Commission will be unable to determine their eligibility and may deem the applicant unsuitable.

8.6 Determination of applicants' experience

In determining an applicant's experience for the office of Commissioner of Police or Deputy Commissioner of Police evidence that the applicant has attained fifteen (15) or ten (10) years cumulatively in at least four levels for applicants to the office of Commissioner of Police or at least three levels for applicants to the office of Deputy Commissioner of Police respectively must be demonstrated in the job application form.

9. DOCUMENTING DECISIONS

All decisions pertaining to whether applicants possess "increasing responsibility in law enforcement" must be approved and recorded by the Police Service Commission. Any variations to this policy must also be approved and recorded in writing by the Police Service Commission.

10. PROCEDURE

The following steps shall be adopted in assessing whether an applicant meets the

increasing responsibility in law enforcement criterion laid out in Legal Notice No. 219 of 2015 as amended by Legal Notice No. 339 of 2019:

Steps in the Process	Action
<i>Step 1.</i>	Identify all of the positions the applicant held that involved a component of law enforcement as defined in the definition of law enforcement above.
<i>Step 2.</i>	Reviewing each position held by the applicant that comprised a law enforcement component, examine the duties performed in their application form against the criteria listed in the Table 1 and determine the level those functions were at.
<i>Step 3.</i>	<p>Using only the positions held by the applicant that involved a law enforcement component, determine whether, as at the date of the advertisement of the offices, the cumulative time spent in those positions amounted to: -</p> <ul style="list-style-type: none"> ▪ fifteen (15) years or one hundred and eighty (180) months experience for applicants to the post of Commissioner of Police; or ▪ ten (10) years or one hundred and twenty (120) months for applicants to the post of Deputy Commissioner of Police.
<i>Step 4.</i>	If the cumulative experience of all positions held that involved a law enforcement component amounted to fifteen (15) years or one hundred and eighty (180) months experience for applicants to the post of Commissioner of Police, or ten (10) years or one hundred and twenty (120) months for applicants to the post of Deputy Commissioner of Police, proceed to the next step. If the cumulative time spent by the applicant does not amount to the periods specified above the applicant would be deemed as having not met the experience criterion.
<i>Step 5.</i>	<p>Based on the information provided in the job application form determine if the applicant possesses:</p> <ul style="list-style-type: none"> i. at least fifteen years in a law enforcement capacity demonstrating the experience outlined in at least four levels at Table 1 for the office of Commissioner of Police; ii. at least ten years in a law enforcement capacity demonstrating the experience outlined in at least three levels at Table 1 for the office of Deputy Commissioner of Police. <p>If the applicant possesses the stipulated years of experience at the specified levels the applicant would be deemed as having met the experience criterion.</p>

Steps in the Process	Action
<i>Step 6.</i>	All decisions pertaining to whether an applicant meets the “increasing responsibility in law enforcement” criterion as laid out in this policy shall be approved and confirmed by the Police Service Commission.

11. CONCLUSION

This policy is in keeping with the criteria laid out in Legal Notice No. 219 of 2015 as amended by No.339 of 2019 and should be used in conjunction with the Commission’s Relevancy Framework for the offices of Commissioner of Police and Deputy Commissioner of Police.