THE TENTH ANNUAL REPORT OF THE OMBUDSMAN OF BELIZE

“Truly A Haven Of Democracy”
THE TENTH ANNUAL REPORT OF THE OMBUDSMAN

Prepared for laying before the Senate of Belize and the House of Representatives pursuant to Section 28(2) of the Ombudsman Act, No. 7 of 1994
<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>OMBUDSMAN’S MESSAGE</td>
<td>6</td>
</tr>
<tr>
<td>STAFF</td>
<td>8</td>
</tr>
<tr>
<td>PRESENTATIONS AND CONFERENCES</td>
<td>9</td>
</tr>
<tr>
<td>COMPLAINT SUMMARIES</td>
<td>10</td>
</tr>
<tr>
<td>INFORMAL COMPLAINTS</td>
<td>19</td>
</tr>
<tr>
<td>FEEDBACK</td>
<td>21</td>
</tr>
<tr>
<td>HOW TO MAKE A COMPLAINT</td>
<td>22</td>
</tr>
<tr>
<td>OMBUDSMAN ACT</td>
<td>24</td>
</tr>
<tr>
<td>THE UNIVERSAL DECLARATION</td>
<td>27</td>
</tr>
<tr>
<td>OF HUMAN RIGHTS 1984</td>
<td></td>
</tr>
<tr>
<td>APPENDIX - STATISTICS</td>
<td>30</td>
</tr>
</tbody>
</table>
Hon. Andrea Gill  
President of the Senate  
National Assembly  
Belmopan

Dear Madam President,

I have the honour to present the Ombudsman Annual Report which covers the period of January 1 2010 to December 31 2010.

The report is submitted in accordance with Section 28(2) of the Ombudsman Act, Ch. 5 of the Laws, which states: -

“The Ombudsman shall submit to the National Assembly an annual report relating generally to the execution of his functions.”

Respectfully,

Cynthia Pitts  
(Ombudsman of Belize)
Ref 2/EAOBM/2012

Hon. Emil Arguelles
Speaker of the House of Representatives
The National Assembly
Belmopan

Dear Mr. Speaker,

I have the honour to present the Ombudsman Annual Report which covers the period of January 1 2010 to December 31 2010.

The report is submitted in accordance with Section 28(2) of the Ombudsman Act, Ch. 5 of the Laws, which states: -

“The Ombudsman shall submit to the National Assembly an annual report relating generally to the execution of his functions.”

Respectfully,

Cynthia Pitts
(Ombudsman of Belize)
OMBUDSMAN’S MESSAGE
Some of the same challenges that faced the Ombudsman’s Office in 2009 continued to surface during 2010. The year began with the Ombudsman’s public involvement in a problem which at first glance might have prompted the question how or why was the Ombudsman involved? This was the dialysis dilemma faced by persons with kidney problems which was brought to the attention of the entire country by one of the patients.

Complaints about a Ministry or government department is not unusual, however, in this case it was not a service which the department gave that was complained about but the fact that they were not ensuring that another service provider gave quality service. The Ministry of Health paid for that service. This was a good example of the “authority” which the Ombudsman Act states may be the subject of a complaint if a person believes he has been treated unfairly. Belize Health Care Partners Limited, (BHPL), the provider of the dialysis, was acting as an agent of the Ministry and so qualified as an “authority”.

This year also saw complaints from persons in the Coast Guard and the Police about issues which when examined revealed that natural justice principles were not being exercised when disciplinary procedures were implemented.

The Ombudsman respects whatever decision is made with regards to the disciplining of persons in these professions, but believes that the decision should be made in accordance with proper procedures and principles which include natural justice. This should mean that persons would be assured that they have adequate time to prepare and respond to allegations made against them and the procedure to determine their guilt is clearly understood before proceedings begin.

A complaint which took up much time in bringing relief to the complainant and demonstrates the need for clarification of the policy regarding the importation of industrial hemp was a complaint that an entrepreneur who uses hemp oil in the manufacture of his ointment was being denied a permit to import the oil. The matter was eventually resolved; however, there is the need for certainty whenever future shipments arrive.

As stated in the last report the majority of complaints are police physical abuse cases. The procedure when a complaint is made is for the statement of the complainant to be sent to the alleged abuser, his immediate supervisor and the Head of his Department. In the case of the Police the Head of the Department would be the Commissioner. In order to ensure that the policy makers are
aware of the frequency and gravity of these types of cases the office adopted
the procedure of sending a copy of each statement recorded from the victim to
the Minister of Police and the CEO. It was gratifying to learn on my enquiry
that it was the opinion that the gravity of the situation might not have been
known if the Ministry was not inundated with all the complaints.

The Ombudsman can do much to contribute to the strengthening of law and
order that should exist in a democratic society. If the citizen believes that there
is a place where he can go to express his grievance where he will be listened to
and all efforts made to correct what was wrong or to obtain redress there
would be a lessening of the frustration and anger which we see apparently
increasing in the society. As was stated in the last annual report, the
Ombudsman’s appointment is only possible on the recommendation of both
Houses of the National Assembly. In the Ombudsman Act he or she is referred
to as a “Parliamentary Commissioner”. That should mean that in the same way
that the Assembly is there for the good of the people, the function of the
Ombudsman should likewise be for the good of the citizens.

Should the Ombudsman appear as if he or she is being critical it is never to
criticize for the sake of criticizing but rather to encourage improvement and
good practice.

Cynthia Pitts
Ombudsman for Belize

PROFILE OF AN OMBUDSMAN

- He/she is impartial
- He/she does not take sides until after an
  investigation
- He/she supports his/her opinion based on
  facts, truth, justice, fairness and compassion
- He/she does not support criminal behaviour
- He/she promotes the dignity of every human
  being
The Belize Ombudsman

STAFF

OMBUDSMAN  Ms. Cynthia Pitts
LEGAL OFFICER  Mr. Ian Gray
INVESTIGATOR  Mr. Lionel Castillo
OFFICE ADMINISTRATOR  Miss. Sharon Flowers

There is no requirement that an Ombudsman should be legally qualified, however, because of the volume of requests for legal advice and if not legal advice, advice as to how the legal system works or advice as how one should address a particular problem, the realization that there was the need for additional persons with legal knowledge was very apparent. An addition to the staff by employing someone with legal qualification was made, however this was at the cost of losing the investigator’s position. Hopefully in the not too distant future the office will be able to have both legal officer and investigator.

STAFF GOALS:

1. To greet every visitor with a cheerful and caring smile.
2. To listen to every complainant as though his/her problem is the only one in the world.
3. Not to take sides between the complainant and the authority against whom the complaint is made.
4. To seek to uncover the facts and the truth in every case.
5. To improve the quality of life of everyone by contributing to an enhanced understanding of the culture of human rights.

To be fair and transparent in all that we decide and recommend.
The Belize Ombudsman

Conferences and Seminars

The Ombudsman regularly attends conferences and seminars in Belize and other countries to help ensure the Office of the Ombudsman remains as efficient and effective as is possible.

International Conferences

- Antigua, Guatemala, 19th – 20th May 2010
  42nd Meeting of the CCPDH and meeting with Group known as G4 to discuss “The Citizen and Safety”.
  G4 consisted of the:
  - Archbishop of Guatemala
  - The President of the Evangelical Alliance
  - The President of the University of San Carlos
  - The Procurador or Ombudsman of Guatemala

- San Salvador, El Salvador, 20th – 21st October 2010
  43rd Meeting of the CCPDH where the main activity was the revision of the Constitution of the CCPDH.
  Guest at the Inauguration of the HIV and AIDS Department within the office of the Procurador de los Derechos Humanos of Salvador.

- Curacao, 31st October – 4th November 2010
  6th Annual General Meeting of the Caribbean Association of Ombudsman.
  6th Biennial Conference titled ‘Integrity – The Foundation of Good Governance’.

Lectures (Belize)

- January 27th 2010, University of Belize – “Sexual Harassment Forum”.


- March 25th 2010, University of Belize, Punta Gorda Town – “Women Politics and Government”.

- July 2010, Port Loyola Women’s Group – “Role of Ombudsman”.
COMPLAINTS SUMMARY

Amidst great challenges with a skeletal staff the Office of the Ombudsman continues to have an impact in the exercise of its mandate of justice, the promotion of human rights, good governance and compassion:

Our office received by letter, fax, e-mail, phone and personally:

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Complaints</td>
<td>275</td>
</tr>
<tr>
<td>Informal Cases</td>
<td>73</td>
</tr>
<tr>
<td><strong>Formal Cases</strong></td>
<td><strong>202</strong></td>
</tr>
<tr>
<td>Cases closed</td>
<td>20</td>
</tr>
<tr>
<td>Cases awaiting response</td>
<td>133</td>
</tr>
<tr>
<td>Unresolved</td>
<td>36</td>
</tr>
</tbody>
</table>

How to contact the Ombudsman
by phone:

Tel: 223-3594
    223-3198

Fax: 223-3198

Email: ombudsman@btl.net
Complaint Summaries

THE POLICE

Case 179
A Belize City resident visited the Ombudsman’s Office and lodged a complaint regarding the handling of the murder of her son by the Police Investigation Unit. The complainant had contacted the Police, both verbally and in writing, but said the Police had refused to listen. The Ombudsman contacted the Police Commissioner on the complainants behalf and, some time later, it was established that an individual was arrested and charged with the murder of the complainant’s son and was currently awaiting trial at the Supreme Court.

Case 284
A Belize City resident visited the Ombudsman’s Office following, what she felt was a failure by the Police to charge an individual for causing the death of her unborn child. The investigating officer had to advise the complainant that in Belize an individual cannot be charged with causing the death of an unborn child. However the officer was able to contact the police and explain the complainant’s circumstances. The Police were later able to confirm that the individual was being charged with attempted murder, assault and wounding. The complainant was also advised that she could bring a civil action against the individual who assaulted her.

The total number of complaints against the Police was 124, of which 25 were resolved, and 82 still require a response from the Police. Investigations will continue in the cases that remain open.
Case 288
A Corozal resident sought the assistance of the Ombudsman after she felt police officers had failed in their duty by not arresting her former common law husband to whom a warrant was issued following his failure to make child maintenance payments. Following the Ombudsman contacting the Corozal Commanding Officer a further warrant was issued and the complainant’s former common law husband began to make payments.

BELIZE DEFENCE FORCE
Case 213
A lieutenant from the BDF contacted the Ombudsman after she was refused leave to which she felt was entitled under the maternity laws of Belize. Due to the few staff and business at the Ombudsman’s office by the time the Ombudsman was able to address the issue the complainant had felt the need to absent herself from duty. The Ombudsman contacted the complainant’s superiors and explained the situation before making four recommendations: that the additional maternity leave be retrospectively approved for the complainant, any punishment meted out to the complainant for absenting herself be set at the minimum, that the way the BDF considers annual and maternity leave be reconsidered and that the BDF Act need to be amended to reflect changes in the provisions in the Labour Law.

MINISTRY OF THE PUBLIC SERVICES
Case 464
A government employee contacted the Ombudsman as he felt he had suffered economic loss when, upon his promotion, he was not retroactively paid for performing the role in an acting capacity. The investigating officer contacted the Ministry who advised that varying the complainant’s promotion date was against their policy. The matter is still ongoing.
LABOUR DEPARTMENT
Case 230
The head of a trade union complained to the Ombudsman when they discovered that a Belizean company, whose members it represented, prevented anyone in a management position from being a member of the union. The investigating officer repeatedly tried to contact the Ministry of Labour and eventually received a response alongside a memorandum from the Attorney General Ministry. The memo indicated that an employee of the company concerned could be a member of the trade union whilst in a management position.

FAMILY COURT
Case 224
A Ladyville Village resident sought the assistance of the Ombudsman following his longstanding problems in occupying his residence to which he had been paying the mortgage for a number of years. The difficulty arose from the fact that his wife had been granted a three month Occupation Order some five years before his visit to the Ombudsman’s Office. The complainant’s estranged wife no longer lived on the property but her adult children remained and refused the complainant entry to his house. The complainant was originally advised to seek his own Occupation Order to grant him entry and occupation of the property. The Ombudsman also contacted the Family Court to clarify the complainant’s application.

The complainant was later accompanied by a police officer on two separate occasions in an attempt to occupy his property. On the second occasion, which was facilitated by a legal officer at the Ombudsman’s Office, the complainant was successfully assisted in returning to his residence. The Ombudsman’s Office was instrumental in convening a meeting between the complainant, his estranged wife, the adult children and the Head of the Ladyville Police where they were told of the legal implications of their fractious relationship and what needed to be done to resolve the matter amicably.
Case 281
A mother sought the assistance of the Ombudsman’s office following the failure of her former husband to make maintenance payments as required by him under a court order. The Ombudsman contacted the Family Court to seek that an attachment order be placed against the former husband’s salary. The Director of the Family Court responded by saying that this had already been done but had somehow been circumvented by the father’s employer despite calls and threats made by the Family Court. The Director stated that she would seek to have the father give the court an undertaking to make the necessary payments or, failing that, report the matter to the Honourable Chief Justice who would take direct legal action against the company.

PUBLIC SERVICES COMMISSION
Case 280
A former Government employee alleged that she had been treated unjustly by the Public Services Commissions when she was dismissed from her job despite recently being found innocent of allegations of theft. The complainant was particularly aggrieved that the PSC had violated her Constitutional Rights by denying her a fair and impartial hearing. The Ombudsman contacted the PSC and received an explanation for the complainant’s dismissal. The complainant was advised of this but as she was still unsatisfied retained an attorney to pursue the action in the civil courts.

DEPARTMENT OF TREASURY
Case 329
A San Ignacio Town resident sought the help of the Ombudsman in determining what assistance she could receive from the Government following the death of her husband. The Ombudsman contacted the Treasury Department on her behalf but unfortunately the complainant was not entitled to the Widow’s Pension she expected as she and her husband had married after he had left government service. This was explained to the complainant alongside the relevant parts of the Family Act.
MINISTRY OF HEALTH
Case 375
A Belize City resident visited the Ombudsman to complain about the dust, constant loud noise and strong odour being produced by her neighbour running a furniture making business. The Ombudsman wrote to the Ministry of Health requesting that they conduct an investigation into this matter. Once the Ministry had completed their investigation, nearly six months later, they discovered that the individual who was causing the nuisance had sold the property and that all the complained about operations had ceased.

BELIZE AGRICULTURAL HEALTH AUTHORITY
Case 173
A businessman sought the assistance of Ombudsman after he was having difficulty with several government bodies regarding his importing of goods he believed he was legally allowed to bring into the country. That he was being prohibited from importing the goods he needed for his business was damaging the long-term viability of his company.

The Ombudsman wrote to a number of government bodies to determine whether the complainant was entitled to import his goods. After some time the Ombudsman was provided with the legal opinion of a Government Attorney who determined that the importation did not contravene any laws or regulations of Belize and that Importation Permits should be granted for the relevant products.

Following this opinion the complainant was able to import his goods without trouble for time until Customs unexpectedly stopped him from doing so once again. The Ombudsman contacted Customs and BAHABA, clarified the situation and the complainant was allowed to go about his business once more. The difficulty had arisen because the local legislation was in contravention to the Single Convention on Narcotic Drugs of 1961 to which Belize is a signatory.
RECOMMENDATION

Section 21 of the Ombudsman Act allows the Ombudsman to make recommendations upon the completion of an investigation of a complaint.

The Ombudsman Act provides for inmates who have complaints to communicate directly with the Ombudsman by forwarding their complaints in a sealed envelope. Inmates made use of this provision and complaints were also heard in person when inmates were brought to the Ombudsman’s office at the request of the Ombudsman. The Ombudsman visited the prison periodically and prisoners had the opportunity to make their complaints heard. The relation between the Prison and the Ombudsman’s office were always cordial and cooperative.

The Prisons Act provides for Visiting Justices. They constitute a Board of Visiting Justices. The Justices are mandated to pay frequent visits to the prison and “at least one Visiting justice shall visit all sections of the prison once every week”. If the system was operating it would assist greatly in ascertaining whether the complaints of inmates are legitimate. The Justices would have the opportunity to see what the Ombudsman could not see. A recommendation was made to the Ministry of National Security which at the time was responsible for prisons that the visiting Justice system should be reinstated. The Ministry agreed that this recommendation would be reinstated.

The Ministry now responsible for Prisons is the Ministry of Police. As the recommendation is still pending activation the Ombudsman office will renew its efforts to have it operative.
SPECIAL REPORT IN ACCORDANCE WITH SECTION 21 OF OMBUDSMAN ACT

DAMAGE TO COMPLAINANTS’S CAR WHILE HELD AS EXHIBIT

Section 21 (2) of the Ombudsman act states:
“Where the Ombudsman has made a recommendation under subsection (1), and within the time specified or a reasonable time thereafter, he is of the opinion that no adequate action has been taken in pursuance of his recommendation, he shall lay before the National Assembly a special report on the case”.

The complainant’s car was damaged and a CD player stolen while held as an exhibit by the Police. The complainant claimed compensation for the damages caused to the vehicle and the replacement of the CD player. Not being successful in his claim, the complainant came to the Ombudsman’s Office in September 2010 to seek assistance in obtaining compensation.

On the 22nd September 2010, the Ombudsman wrote to the Commissioner of Police, the Officer in Charge of the Prosecution Branch and the exhibit keeper requesting their comments about the complaint.

A judicial proceeding was convened on the 17th December 2010 when the Officer in Charge of the Prosecution Branch, the exhibit keeper and the complainant were summoned. The exhibit keeper produced a report dated 19th January 2010 in which he reported the damages to his superiors. The Officer in Charge Prosecution Branch produced a correspondence she had written to the Commissioner of Police where she confirmed the damages, and by this time, the stolen CD Player. Based on the evidence heard at the proceeding the Ombudsman recommended that the complainant be compensated for his loss which was $1,037.00. This was based on costs that the complainant submitted.
In June 2011 the recommendation of the judicial proceeding was conveyed to the Commissioner of Police and officials of the Ministry of Police. Six months later there was no word from anyone. In December 2010 the Commissioner of Police was written to, to inform him of the intention to lay a Special Report to the National Assembly on the case. Again this was copied to officials of the Ministry of Police.

Up to the present time when this report was written there has still not been any word about compensating the complainant.

This Special Report is included because if no response is received from those who should respond to the Ombudsman so that a case can be concluded, the only thing left to do is to invoke the procedure in the Ombudsman Act and hope that the matter will be successfully concluded through laying the matter before the National Assembly.
Informal Complaints

 A worried tenant came to the Ombudsman’s Office after a man came to her home and told her that he would soon be sending her a letter requiring her to vacate the property. After seeing the lease to the property, the Ombudsman was able to reassure the tenant that the lot could not be taken away from her that easily and that she should wait to see if she actually receives a letter in which case she should contact the Lands Department or return to the Ombudsman.

 An Orange walk resident came to the Ombudsman’s Office following a dispute with her former common law husband where he had sold the land she was living on with her five children. She was advised that this was a situation where legal representation would be required. The investigating officer drafted a letter detailing the situation for the client to bring to the Legal Aid Centre.

 A complainant came to the Office because he wanted to know why an investigation into the burglary of his property was taking such a long time. The investigating officer contacted the relevant police station and was informed that two individuals had recently been arrested and charged for burglary and the handling of stolen goods in regard to this complaint. The complainant was informed of the date on which the two accused would be appearing in the Magistrates’ Court.

 A concerned mother contacted the Ombudsman’s Office after she had not received child support payments that the father of her children had been ordered to pay her. The investigating officer contacted the relevant government department, the father was a government employee, and was informed that deductions would be taken from his pay to make up the payments in the near future.
A complainant contacted the Ombudsman’s Office when he was refused a Government grant to which he felt was entitled. The Ombudsman contacted the Pensions Department and was informed that the complainant was not entitled to the grant due to the type of pension he was receiving.

A worried mother contacted the Ombudsman after visiting the prison and she was denied visiting with her son who was an inmate. She heard that he was being kept in “lock down”, meaning he was being kept in solitary confinement. She wanted to know the reason for his confinement but could not get any explanation from the prison authorities. She sought the assistance of the Ombudsman who immediately called the prison authorities who sent for the inmate and placed him on the phone so he could speak to his mother. She was then able to speak to him and be assured of his wellbeing.

A Belize City resident came into the Ombudsman’s Office after his van was impounded by the Transport Board. It was established that the van was impounded because the complainant was alleged to have been carrying passengers who did not have the necessary travel documents. Complainant advised to retain an attorney to determine the matter in court.

A complainant’s vehicle had been taken from him following police suspicion that it had been involved in a robbery. As far as the complainant was aware no one had been charged for the robbery and the police had not returned his vehicle despite his requests for them to do so. The Ombudsman phoned the relevant OC and it was confirmed that the vehicle had been fully processed; the complainant would be able to retrieve his vehicle that day.
Feedback

From time to time people write to the Office of the Ombudsman to express their gratitude for the help provided. Correspondence in 2010 included the following positive comments.

“I don’t know how to thank you enough.”

“Your attitude and assistance are what helps to renew my faith in the human race and gives me the strength to continue to move forward.”

“I write to express my heartfelt thanks to you and your office...”

“I am assuring you that the role you played in my reinstatement will not be forgotten...”

“Again I wish to thank you...”

The Ombudsman and her staff are always pleased to receive feedback from anyone who has sought the assistance of the office.

Send an email to ombudsman@btl.net or write to us at 91 Freetown Road.
How to Make a Complaint to the Ombudsman

Before making a complaint to us, have you already contacted the government department or authority to complain? Please note that we do not usually investigate complaints if you have not raised the complaint with the department or authority first. However, if you feel you have a good reason not to contact it first then please call us on 223-3594 / 223-3198 to discuss.

Before you contact us please try to write down all of your communications with the department or authority; such as letters, telephone conversations and meetings. Please also record dates, the subject of the communications and the names and contact details of the people who you dealt with.

There are several ways to make a complaint:

**Written complaints** – you can download our written complaint form from our website - [http://www.ombudsman.gov.bz](http://www.ombudsman.gov.bz). Once you have completed it you can either e-mail it to ombudsman@btl.net or post it to us at 91 Freetown Road, Belize City.

**Telephone** – you can call us on 223-3594 or 223-3198 during office hours (9:00am to 5:00pm, Monday to Friday).

**Walk-ins** – you can visit our office during office hours to make your complaint in person. To avoid waiting, we recommend that you contact us first to arrange an appointment.
Complaint Process

Letter of complaint received by the office of the Ombudsman.

Ombudsman reviews complaint to determine if it is a matter which can be investigated and, if so, through which office the complaint will be handled.

If the Ombudsman decided to investigate the complaint a letter is written to the Authority involved.

If the Ombudsman decided not to investigate the complaint, the complainant will be told why the matter cannot be investigated and advised of alternative remedies.

Notice of investigation sent to Department or organisation concerned.

Report and information received from Department or organisation.

Material assessed by investigating officer and Ombudsman as information is obtained.

Provisional view formed by the Ombudsman.

Complaint is sustained.

Department or organisation advised and invited to comment on findings.

Complaint is not sustained.

Complainant advised and invited to comment on findings.

Comments received and considered by the Ombudsman.

The Ombudsman forms a final opinion on the complaint and advises the complainant and the Department or organisation concerned.
**Ombudsman Act**

The Ombudsman’s authority to investigate complaints is set out in the Ombudsman Act. The legislation allows the Ombudsman to produce annual reports and special reports available to the public.

The Ombudsman Act can be found at [http://www.belizelaw.org/lawadmin/PDF%20files/cap005.pdf](http://www.belizelaw.org/lawadmin/PDF%20files/cap005.pdf). It provides that the Ombudsman:

- **Section 2**
  - shall regard “authority” as meaning a Ministry, department or agency of Government, the Belize Police Department, a City or Town Council or any other statutory body.

- **Section 4**
  - will serve terms lasting three years.

- **Section 12**
  - may investigate where he has reasonable cause to believe that an authority has been guilty of corruption or wrongdoing or any person may have sustained injustice, injury or abuse as a result of any action taken by an authority.
  - shall not be precluded from investigating any matter where it is open to the complainant to apply to the Supreme Court for redress for contravention of provisions for the protection of fundamental rights and freedoms.

- **Section 13**
  - may investigate on his own initiative or on a complaint made to him.

- **Section 14**
  - may hear complaints made by any person or body of persons but complaints made by an authority.
The Belize Ombudsman

- **Section 15**
  - may refuse to undertake an investigation if he believes:
    - the complaint is trivial
    - the complaint is frivolous
    - the complainant has deferred for too long
    - the complainant lack sufficient interest
    - no investigation is necessary

- **Section 17**
  - may adopt whatever procedure he considers appropriate and may obtain information from such persons and in such manner, and make enquiries as he thinks fit.

- **Section 18**
  - may require any officer or member of a public authority to furnish and produce any document in relation to the investigation of any matter.

- **Section 20**
  - may enter any premises occupied by any authority in order to inspect any document or record therein in respect of any matter under investigation.

- **Section 21**
  - shall inform the principal officer of the authority concerned the result of his investigation and, if necessary, his recommendations for action to be taken by that authority.

- **Section 25**
  - shall regard as secret and confidential all documents, information and things disclosed to them in execution of any of the provisions of this Act.
Section 29
- shall, when investigating a complaint, record in a register:
  - the name of the complainant
  - the subject matter and date of the complaint
  - the Ombudsman’s decision respecting the complaint

Section 30
- Every person who wilfully contravenes section 14, makes any false statement to the Ombudsman or who obstructs, hinders or resists the Ombudsman shall be guilty of an offence and liable to summary conviction.
The rights and freedoms enshrined in the Belize Constitution are similar to many of the rights universally recognised in the UN’s 1948 Declaration of Human Rights. Belize is bound to the Declaration by its membership in the United Nations.


**Article 1** Everyone is born free and equal in dignity and rights.

**Article 2** Everyone is entitled to all the rights and freedoms in this Declaration.

**Article 3** Everyone has the right to life.

**Article 4** No one shall be held in slavery or servitude.

**Article 5** No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

**Article 6** Everyone has the right to be treated equally by the law.

**Article 7** All are equal before the law and are entitled without any discrimination to equal protection of the law.

**Article 8** Everyone has the right to ask for legal help when their rights are not respected.

**Article 9** No one shall be subjected to arbitrary arrest, detention or exile.
Article 10  Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal.

Article 11  Everyone has the right to be presumed innocent until proven guilty.

Article 12  No one shall their privacy, family, home or correspondence arbitrarily interfered with.

Article 13  Everyone has the right to freedom of movement and residence within the borders of each state and the right to leave any country, including his own, and to return to his country.

Article 14  Everyone has the right to seek and to enjoy in other countries asylum from persecution.

Article 15  Everyone has the right to a nationality.

Article 16  Men and women have the right to marry and found a family.

Article 17  Everyone has the right to own property and possessions.

Article 18  Everyone has the right to freedom of thought, conscience and religion.

Article 19  Everyone has the right to freedom of opinion and expression.

Article 20  Everyone has the right to assembly and association.

Article 21  Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.
Article 22  Everyone has the right to social security and is entitled to economic, social and cultural rights.

Article 23  Everyone has the right to work, the right to equal pay for equal work and the right to a decent income and working conditions. Everyone also has the right to form and to join trade unions.

Article 24  Everyone has the right to rest and leisure

Article 25  Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services

Article 26  Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages.

Article 27  Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.

Article 28  Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

Article 29  Everyone has duties to the community in which alone the free and full development of his personality is possible.

Article 30  Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.
Appendix - Statistics

Complaints by Department – 204 Cases

<table>
<thead>
<tr>
<th>Department</th>
<th>Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>Police Department</td>
<td>125</td>
</tr>
<tr>
<td>Family Court</td>
<td>10</td>
</tr>
<tr>
<td>Lands Department</td>
<td>5</td>
</tr>
<tr>
<td>Magistrates Court</td>
<td>3</td>
</tr>
<tr>
<td>Belize Defence Force</td>
<td>1</td>
</tr>
<tr>
<td>Other</td>
<td>50</td>
</tr>
</tbody>
</table>

Complaints by Resolution

- Closed: 125
- Awaiting Response: 104
- Investigation Ongoing: 15
## SUMMARY OF DEPARTMENT COMPLAINTS

<table>
<thead>
<tr>
<th>Ministry or Department or Authority</th>
<th>Complaints</th>
<th>Closed</th>
<th>awaiting Response</th>
<th>Investigation Ongoing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Police Department</td>
<td>124</td>
<td>25</td>
<td>82</td>
<td>17</td>
</tr>
<tr>
<td>Family Court</td>
<td>19</td>
<td>7</td>
<td>9</td>
<td>3</td>
</tr>
<tr>
<td>Lands Department</td>
<td>10</td>
<td>1</td>
<td>8</td>
<td>1</td>
</tr>
<tr>
<td>Magistrates’ Court</td>
<td>5</td>
<td>1</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>Belize Defence Force</td>
<td>5</td>
<td>1</td>
<td>4</td>
<td>1</td>
</tr>
<tr>
<td>Ministry of Health</td>
<td>4</td>
<td>2</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Immigration Department</td>
<td>4</td>
<td>2</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>Public Services Commission</td>
<td>3</td>
<td>0</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Supreme Court</td>
<td>2</td>
<td>0</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>Prison Department</td>
<td>2</td>
<td>1</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Ministry of Public Services</td>
<td>2</td>
<td>0</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>Kolbe Foundation</td>
<td>2</td>
<td>0</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>Kolbe Prison</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Belize National Fire Service</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Cotton Tree Village Council</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Sister Cecilia Home</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Security Services Commission</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Labour Department</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Attorney General</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Social Security</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Supervisor of Insurance</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Western Regional Hospital</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Department of Environment</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Palloti High School</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>BWS</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Belize National Coast Guard</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
</tbody>
</table>

ANNUAL REPORT 2010
| Unclassified | 4 | 2 | 1 | 1 |