OFFICE OF THE OMBUDSMAN

Annual Report 2025

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Message from the Ombudsman

What stands in the way becomes the way."— *Marcus Aurelius, Meditations*

The year 2025 presented significant challenges for the Office of the Ombudsman and, in equal measure, yielded some of the Office's most consequential work to date. Several major investigations were underway during the year, though not all appear in this report as several were only concluded in early 2026. Brief observations on those matters are included below.

Complaint Streams and Caseload Trends

Overall enquiry levels in 2025 remained consistent with 2024 figures. While enquiries relating to maladministration and data protection fell slightly, enquiries increased in the areas of freedom of information, police conduct complaints, and whistleblower complaints. These five areas—police conduct, maladministration, data protection, FOI appeals, and whistleblower disclosures—constitute the core jurisdictional streams of the Office.

Maladministration Complaints

The maladministration team achieved one of its most successful years of informal resolution in which 20 complaints were resolved without the need for lengthy, formal investigations. Eight formal investigations and one own-motion investigation (see below) were undertaken during the year, involving considerable efforts between the Office and relevant government entities.

Frequent subjects of maladministration complaints included the RCIPS, the Lands & Survey Department, the Planning Department, the Central Planning Authority, and His Majesty's Prison Service. This pattern reflects the high-volume and often sensitive and/or complex nature of interactions these entities have with the public. Most agencies responded constructively to the recommendations made by the Ombudsman.

The Office continues to refuse complaints falling outside the jurisdiction of the Complaints (Maladministration) Act, most commonly those relating to civil-service personnel matters or decisions linked to active police or court proceedings. Nonetheless, determining jurisdiction still requires significant staff time and resources.

Own-Motion Investigation: Cayman Islands Detention Centre

One of the most ambitious but fulfilling investigations undertaken by the Office during 2025 was its own-motion investigation into conditions at the Cayman Islands Detention Centre. The Ombudsman released her interim report in October and by December 2025, the Royal Cayman Islands Police Service (RCIPS) had acted upon 18 of the recommendations. The RCIPS responded to the matter with seriousness and professionalism, and the resulting changes have already materially improved custody conditions and rectified several systemic deficiencies within the facility.

Information Rights

Despite the number and complexity of investigations being conducted during 2025, our Office still aimed to resolve the majority of complaints through informal resolution, a process similar to mediation. This was particularly notable for the Information Rights team, where the majority of issues brought under FOIA or the Data Protection Act were successfully resolved via informal resolution.

A total of 22 FOI matters were resolved informally, with full or partial disclosure achieved in approximately two-thirds of cases.

Similarly, most reported data breaches were closed after appropriate remediation or were resolved informally, minimizing the need for formal orders under the Data Protection Act or hearing decisions under the FOI Act.

Whistleblower Disclosures

The year saw an unprecedented increase in whistleblower complaints. The Office received 18 enquiries and 11 formal disclosures, the highest numbers recorded since the Office's establishment in 2017.

Several disclosures resulted in formal investigations involving private-sector entities, a non-profit organization, the Department of Counselling Services,

and the University College of the Cayman Islands.

This rising trend underscores the growing public trust in the Office as an independent and confidential reporting channel.

Police Complaints

In 2025, the Office received 68 formal complaints under the Police (Complaints by the Public) Act—the highest number since 2018 when the Office was charged with clearing a backlog of 100 complaints filed under the now repealed section of the Police Act. Of these, a total of 59 complaints were resolved, though a significant backlog remained at year-end. During these investigations, concerns were identified regarding communication and workflow arrangements with the RCIPS Professional Standards Unit, which will require further monitoring.

A major development in police misconduct oversight was the RCIPS's adoption of body-worn cameras, a recommendation that had been pressed by the Ombudsman throughout many of her investigation reports over the years. These devices now provide objective evidence that enables the Office to assess complaints more efficiently. In some instances, the existence of footage has allowed for the timely closure of cases where allegations were unsupported. The decision of the Commissioner of Police to accept and implement this recommendation reflects the constructive impact of the Ombudsman's oversight role.

Legal Proceedings

Freedom of Information: In June 2025, the Office of the Ombudsman defended an application for judicial review brought before the Grand Court to challenge the decision of the Ombudsman under the Freedom of Information Act. Her decision required the disclosure of records held by the Utility Regulation and Competition Office (OfReg) relating to future power-generation plans of the Caribbean Utilities Company (CUC). The proceedings are unprecedented given that CUC is not a public authority and was not a party to the Ombudsman's decision. At the time of writing, the Court's decision remains pending.

Institutional Independence:
While 2025 was both productive and demanding, it was also a year in which steps were required to protect the integrity and independence of the Office itself. Certain matters currently before the courts—already the

subject of public reporting—necessitated legal action to safeguard the Office from improper interference. As these proceedings remain *sub judice*, no further comment is made here.

The public however may be assured that these issues have no impact on the Office's operations. All complaints and disclosures continue to be received, assessed, and independently managed with the confidentiality, impartiality, and professionalism that the people of the Cayman Islands rightfully expect.

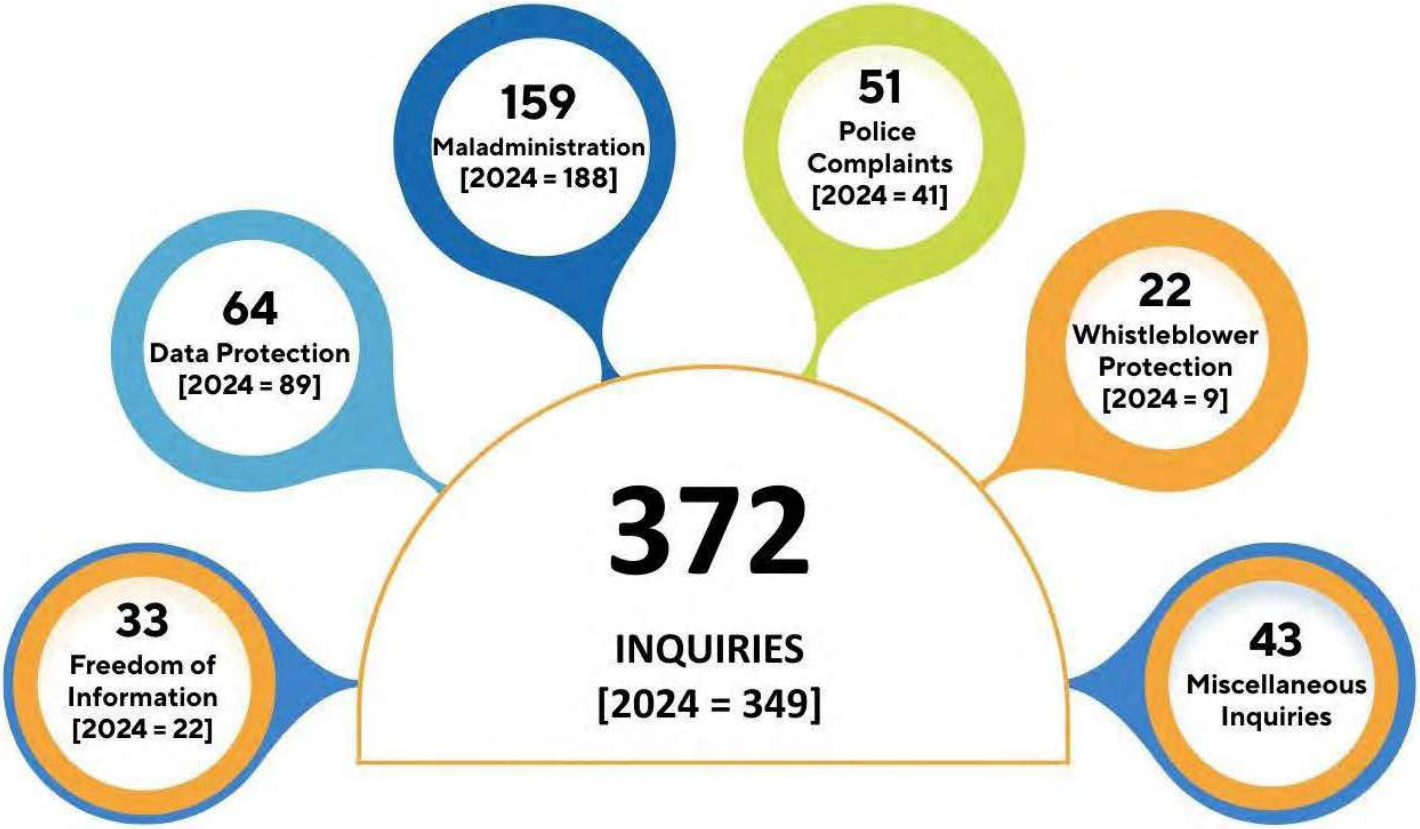
Legislative Matters

Despite ongoing engagement, long-standing gaps in the Police Act relating to officer discipline remain unresolved. The Office has advocated for legislative amendments since at least 2021 however, no timeline for reform has been provided.

Overview

INQUIRIES

(01 January – 31 December 2025)



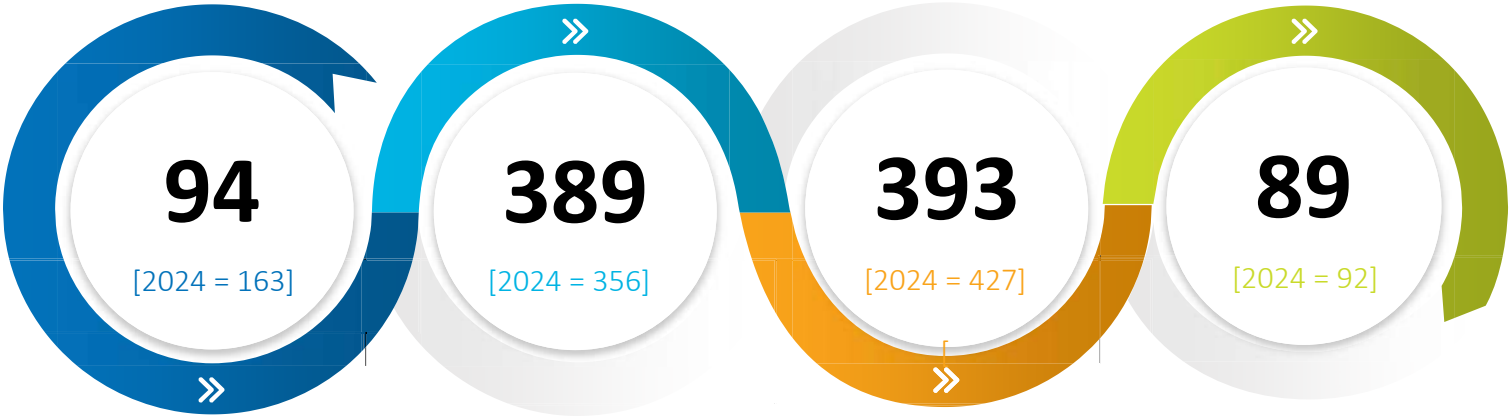
CASES

CASES RECEIVED AS OF 31 DECEMBER 2025

FREEDOM OF INFORMATION	15
DATA PROTECTION	217
MALADMINISTRATION	76
POLICE COMPLAINTS	70
WHISTLEBLOWER PROTECTION	11

OPEN CASES AS OF 31 DECEMBER 2025

FREEDOM OF INFORMATION	8
DATA PROTECTION	16
MALADMINISTRATION	14
POLICE COMPLAINTS	43
WHISTLEBLOWER PROTECTION	8



CASES CARRIED FORWARD

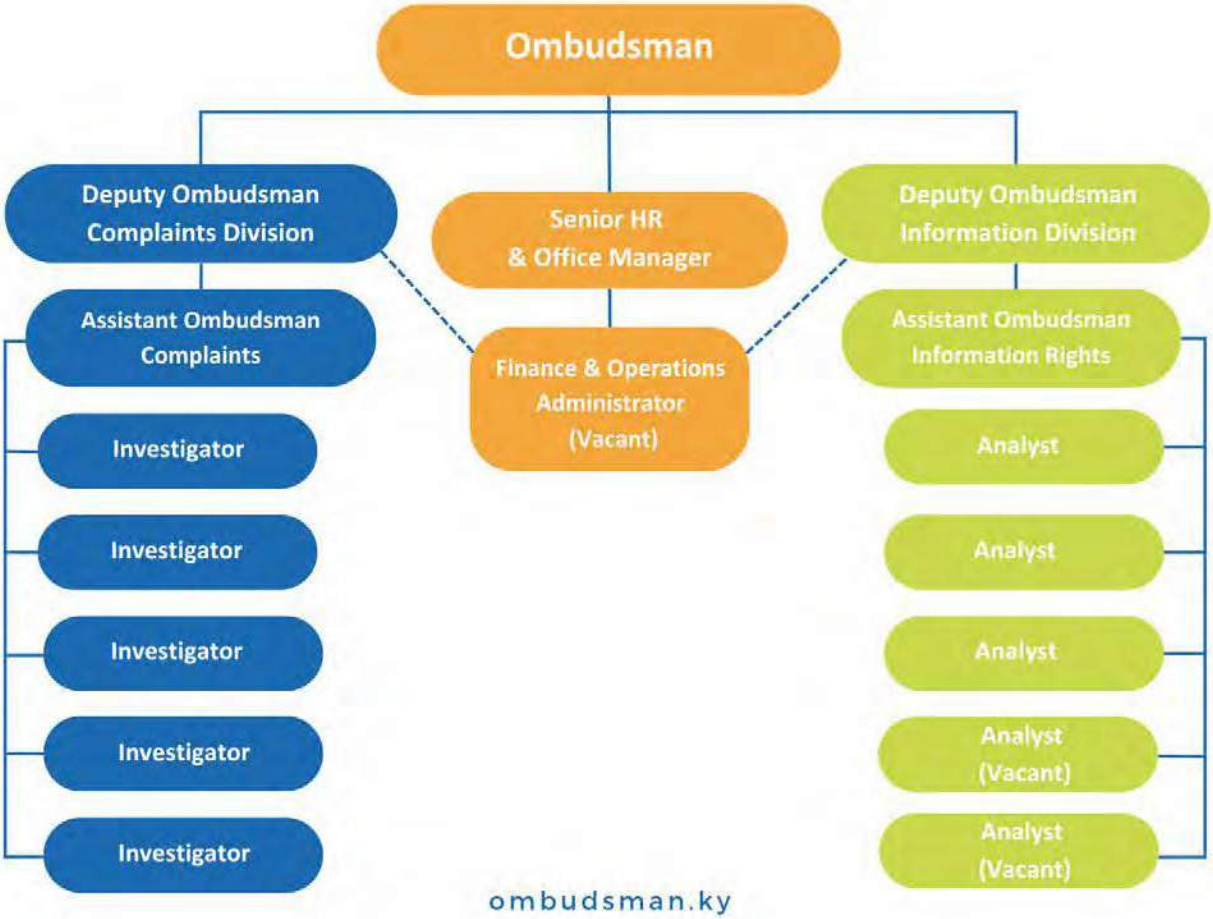
FREEDOM OF INFORMATION	23
DATA PROTECTION	26
MALADMINISTRATION	11
POLICE COMPLAINTS	31
WHISTLEBLOWER PROTECTION	3

CASES CLOSED AS OF 31 DECEMBER 2024

FREEDOM OF INFORMATION	30
DATA PROTECTION	227
MALADMINISTRATION	72
POLICE COMPLAINTS	58
WHISTLEBLOWER PROTECTION	6

OMBUDSMAN
CAYMAN ISLANDS

Organizational Chart



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HUMAN RESOURCES

Throughout 2025, the Office continued strengthening its leadership capacity, enhancing operational resilience, and embedding structured succession planning across both Divisions. Recruitment efforts across both Divisions resulted in an almost full staff complement, increasing capacity and supporting effective caseload management.

A significant milestone was the appointment of the first Assistant Ombudsman for the Complaints Division. This new role now enhances operational oversight and provides strengthened leadership support. The appointee, an experienced Analyst in the Information Rights Division, transitioned into the Division, further enhancing institutional knowledge and cross-divisional capability.

Within the Information Rights Division, the Office welcomed a new Deputy Ombudsman, two new Analysts, and the internal promotion of an experienced Analyst to the newly created post of Assistant Ombudsman for Information Rights. The creation and internal filling of both Assistant Ombudsman roles advanced the Ombudsman's longstanding vision to embed structured career progression, cultivate Caymanian leadership, and reinforce the Office's long-term institutional resilience.

Professional development remained a central priority in 2025. The Complaints Division team completed advanced training in serious and complex investigations and, for the first time, participated in RCIPS Training and Development Unit programmes. This enhanced their understanding of policing practices and improved investigative reporting. The programme will continue with additional modules to ensure staff maintain up-to-date operational knowledge and deliver well-informed assessments.

The Information Rights Division team continued to progress and maintain specialist qualifications in Freedom of Information and Data Protection. Two staff successfully completed the Institute of Leadership and Management certification, further strengthening internal leadership capability.

Staff across both Divisions also undertook additional certifications and accredited training aligned with their roles, reflecting the Office's ongoing commitment to continuous learning and professional excellence.

The Ombudsman represented the Cayman Islands at the Ombudsman Association Conference in Belfast, Northern Ireland, in June 2025, where discussions focused on delivering modern and efficient services while maintaining the highest standards in investigative work. In July 2025, a representative from the Information Rights Division attended the Prioritizing Privacy Conference in Jamaica, supporting regional collaboration and regulatory alignment.

The Office continues to promote a strong professional development ethos, ensuring equitable access to training and career advancement opportunities across the organization. This commitment supports the ongoing competence, integrity, and accountability that are essential to fulfilling the Office's statutory mandate.

INFORMATION RIGHTS DIVISION

Freedom of Information

As Cayman's FOI Act closed out its 17th year, our office continued to see the trend of fewer hearing decisions made by the Ombudsman and far more appeals resolved informally. For 2025, there were a total of 22 appeals made under FOIA and just four hearings conducted. It is worth noting that 15 of the 22 informal resolutions of FOIA appeals resulted in full or partial disclosure of the information sought by the applicant. Meanwhile, three of the four appeals hearings resulted in those appeals being dismissed by the Ombudsman.

A good example of an informal resolution was a FOI request relating to damage to submarine cables in 2024. The case was re-opened after the Ombudsman reviewed the Utility Competition and Regulation Office's (URCO, formerly OfReg) reliance on exemptions. Following this review, URCO agreed to release further information, including reports of outages, and the appeal was resolved informally.

One common theme during 2025 was requests for records associated with government policy decisions and Cabinet deliberations. Several FOIA appeals involved requests for materials containing advice, recommendations, or analysis prepared for high-level government decision-making. These cases require our office to conduct detailed reviews of the records involved, as much of the information sought is exempted from release under the FOIA. However, each case must be considered individually and on its own merits, as Cabinet documents can contain certain factual records which are releasable.

Other FOIA requests involved government compliance issues, delayed decision-making and incomplete records searches. Our office did find a few matters where misunderstanding of the FOI Act's requirements was still occurring. In such cases, our office guided public authorities through the process of search efforts and applying exemptions to the Act correctly. It is more important than ever that government continues to engage early on FOIA requests, presents clear reasoning for its decision-making and adheres to proper record-keeping procedures.

FREEDOM OF INFORMATION	2020	2021	2022	2023	2024	2025
Inquiries	45	47	45	35	22	**35**
Appeals carried forward	13	17	15	13	8	**23**
Appeals received	24	31	25	30	54	**15**
Appeals resolved	20	33	27	35	39	**30**
Open appeals	17	15	13	8	23	**8**

FREEDOM OF INFORMATION

Case Summaries | **Informal Resolution**

REQUEST FOR INFORMATION ON THE DAMAGE TO THE SUBMARINE CABLES IN 2024

Utility Competition and Regulation Office's (URCO, formerly OfReg)

A member of the media requested information about damage to the submarine cables in 2024, which included ten questions. The request was made in connection with a reported loss or degradation of internet service to customers. The request was made to the Ministry of Planning, Agriculture, Housing, Infrastructure, Development, and Transport (PAHITD). The request was acknowledged and transferred to the Utility Regulation and Competition Office (URCO). Partial access was granted, with certain records relating to the relevant reports, documents, and communication concerning the damage, repair, and impact assessment of the submarine cable withheld under sections 15(a) and 23(1).

During the informal resolution process, we reviewed the responsive records and provided recommendations to URCO. Following this, URCO disclosed the correspondence, outage reports, and other relevant information with appropriate redactions. The appeal was then closed.

REQUEST FOR 2022 VALUE OF SOLAR STUDY (VOSS) AND ALL RELATED DOCUMENTATION

Utility Competition and Regulation Office's (URCO, formerly OfReg)

An applicant requested access to the 2022 Value of Solar Study (VOSS) and related records from URCO under the Freedom of Information Act. URCO confirmed it held the records but deferred disclosure under section 11(2), citing the study's ongoing completion and stakeholder review. Following an internal review, the applicant appealed to us, prompting an examination of URCO's use of the deferment provision, the anticipated timeframe for release, and the public-interest considerations for withholding the document.

Throughout 2024 and early 2025, we monitored the matter as delays in finalising the report persisted. We sought updates from both the applicant and URCO and held further discussions with the authority to clarify the status of the study and the reasons for the prolonged deferment. In March 2025, after additional engagement and analysis by us, URCO completed its

review and published the VOSS on its website, providing the applicant with direct access to the record.

With the disclosure of the requested information, we closed the appeal.

REQUEST FOR RECORDS RELATED TO THE AMENDMENT OF THE NATIONAL CONSERVATION ACT

Ministry of Planning, Agriculture, Housing, Infrastructure, Transport and Development (PAHITD)

An applicant submitted an FOI request seeking emails, meeting notes, and legal expense records relating to the proposed amendments to the National Conservation Law, as well as legal costs associated with the Central Planning Authority's appeals in the Boggy Sand judicial review matter.

The Ministry acknowledged the request, took an extension, and requested clarification on part of the request under the FOI Act. The applicant provided clarification; however, despite follow-ups, the Ministry did not issue a decision within the statutory timeframe. An internal review was requested, but the applicant received no response.

An appeal was filed with us, which prompted a review of the initial decision by the Information Manager (IM). After engaging with the Ministry, a decision was issued along with additional records, while some were withheld, and others were reported as not held. We obtained the withheld records, reviewed the Ministry's search efforts and the application of exemptions. We advised that the exemptions applied were absolute and that the Ministry's search efforts were reasonable. The appellant agreed to close the matter, and the appeal was formally concluded.

REQUEST FOR RECORDS RELATED TO PROHIBITED IMMIGRANTS

Ministry of Border Control, Labour & Culture (BCL&C')

An applicant submitted a request for statistical and policy information from the Cabinet Office and the Ministry of Border Control, Labour & Culture (BCL&C) concerning approvals and waivers granted to prohibited immigrants from 2017 onward. Following clarifications, the request was divided between the Cabinet Office and the Ministry, which responded to items relating to categories of prohibited immigrants, reasons for approvals, and types of waivers.

The Ministry issued a decision exempting others and provided some information, noting that waivers were commonly granted for compassionate reasons and to allow continuity of care for Caymanian families. The applicant sought an internal review, which upheld the original decision. We accepted the appeal and, after reviewing the records onsite, determined that the documents contained opinions, advice, and recommendations prepared for Cabinet

deliberations. We explained that the exemption in s.19 is absolute and not subject to a public interest test, meaning access cannot be granted in the public interest. Subsequently, the appeal was closed.

REQUEST FOR RECORDS RELATING TO THE RETAINER OF EXTERNAL COUNSEL
Portfolio of Legal Affairs (PoLA)

An applicant requested records concerning the retainers of external legal counsel in relation to multiple proceedings before the courts. The Portfolio of Legal Affairs (POLA) advised that no such records existed and referred the applicant to the Ombudsman.

We investigated the adequacy of POLA's search under the Freedom of Information Regulations (2021 Revision). The review confirmed that a reasonable search had been conducted. Only a single letter of instruction was located, and no additional records or formal terms of engagement were held. There was no policy requiring the creation of further documentation. The Ombudsman concluded that POLA had fulfilled its obligations under the FOI Act, and the appeal was closed.

REQUEST FOR CADASTRAL FILES AND RELATED SURVEY RECORDS
Lands and Survey Department

An applicant sought access under the Freedom of Information Act (2021 Revision) ('FOI Act') to cadastral files and related survey records, based on an understanding that certain distinctions existed in the original maps.
The Lands and Survey Department confirmed that official maps do not reflect such distinctions and that no records of this nature exist. Following an internal review, the applicant continued to challenge this position.

We required the Department to demonstrate that a reasonable search had been conducted in accordance with Regulation 6. The evidence confirmed that an adequate search was carried out and that all responsive records had been disclosed. Pursuant to section 43(2) of the FOI Act, the burden of proof rests with the public authority. The Ombudsman was satisfied that this burden was met, and the appeal was dismissed.

FREEDOM OF INFORMATION	2020	2021	2022	2023	2024	2025
Assessment/disposition	3	1	0	10	4	**5**
Non-jurisdictional	3	1	0	10	4	**5**
Informal resolution	9	26	19	19	33	**21**
Full disclosure	3	12	4	8	10	**10**
Partial disclosure	2	7	6	5	10	**4**
Late appeal request denied	0	0	0	0	0	**0**
Non-disclosure	4	2	5	2	9	**6**
No records found	0	0	0	0	0	**0**
Deferred	0	0	0	0	0	**0**
Other	0	5	4	4	4	**1**

FREEDOM OF INFORMATION

Case Summaries | **Appeal Decisions**

RECORDS RELATING TO THE TECHNICAL WORKING GROUP OF THE INTER-MINISTERIAL HOUSING TASKFORCE REPORT

Cabinet Office

An applicant made a request to the Cabinet Office for a report (the Report) completed by the Technical Working Group of the Inter-Ministerial Housing Taskforce (Housing Taskforce). The applicant's request for records included all correspondence and documentation concerning the Report, and its 27 recommendations since its approval by the Cabinet. The records in question were prepared for Cabinet deliberations, a type of record protected against public access under section 19(1)(a) of the FOI Act.

During the informal resolution process, our office conducted an on-site inspection of the records under section 45(2A) of the FOI Act and consulted individuals familiar with the report. We advised the Cabinet Office to provide the applicant with additional context and justification for the refusal, which they subsequently did. The Ombudsman upheld that the Report was exempted from disclosure, and no further action was required.

RECORDS RELATING TO DECISIONS NOT TO PROSECUTE

Office of the Director of Public Prosecutions (ODPP)

An applicant requested records from the ODPP showing the number, nature, and reasons for decisions not to prosecute matters from 2017 onward, later narrowing the timeframe to 2022–2024. The ODPP refused access under section 9(c) of the FOI Act, explaining that the information is not centrally indexed and that compiling it would require a manual review of thousands of files, amounting to an unreasonable diversion of resources. During the investigation, the ODPP provided detailed submissions, including confirmation from CIG Computer Services that extracting the information—even where technically possible—would take weeks. The Ombudsman assessed the ODPP's application of section 9(c) and Regulation 10(3)(b), taking into account the volume of records, the nature of the authority, and the estimated work time required. Although the ODPP was granted an extension to make further submissions, no additional information was provided.

The Ombudsman determined that the ODPP met its burden of proof under section 43(2) and upheld the refusal, noting that the FOI Act does not require public authorities to create new records or generate statistics not maintained in the ordinary course of business. The appeal was dismissed. The Ombudsman encouraged the ODPP to consider publishing aggregate data proactively to support transparency.

RECORDS RELATING TO CONVICTIONS FOR THE IMPORTATION AND/OR POSSESSION OF GUNS OR AMMUNITION

Judicial Administration

An applicant requested nine categories of records from the Judicial Administration relating to convictions for firearms importation and possession from 2019–2024, including conviction totals, sentencing information, demographic data, and reasons for acquittals. The Authority disclosed the total number of convictions but refused the remainder under section 9(c) of the FOI Act, citing an unreasonable diversion of resources.

During internal review and Ombudsman intervention, the applicant narrowed the timeframe to 2022–2024. The Authority maintained that the remaining information was not held in a consolidated or searchable format and that compliance would require extensive manual review of hundreds of case files, many stored off site. The Ombudsman confirmed that the Authority had located the relevant source records, and the refusal was based solely on the processing burden rather than an inability to identify records.

The Ombudsman found that extracting the requested data would require significant staff time—estimated at approximately one month of full-time work—constituting an unreasonable diversion of resources under section 9(c). As the FOI Act does not oblige public authorities to create new statistical records, the refusal was upheld and the appeal dismissed. The Ombudsman encouraged the Authority to enhance its record-keeping systems to support easier retrieval of conviction and sentencing information in future.

FREEDOM OF INFORMATION	2020	2021	2022	2023	2024	2025
Decisions	8	6	8	6	2	**4**
Non jurisdictional	0	0	0	0	0	**0**
Appeal upheld	4	2	1	1	0	**0**
Appeal partially upheld	2	1	3	2	1	**0**
Appeal dismissed	2	3	0	1	0	**3**
Reasonable search	0	0	0	0	0	**0**
Other	0	0	4	2	1	**1**

INFORMATION RIGHTS DIVISION

Data Protection

The Data Protection Act (2021 Revision) (DPA) grants important rights to individuals concerning their own personal data. It establishes the Office of the Ombudsman as the regulator of those rights to ensure everyone's data is used properly and fairly by public and private entities . The Ombudsman is tasked with investigating complaints and data breaches and may issue binding information, enforcement, and monetary penalty orders when breaches have been confirmed.

The business of privacy protection and securing personal data is growing in the Cayman Islands and our Information Rights Team is meeting the challenge. Our office received its highest numbers of both data protection complaints (44) and data breach notifications (184) since the Data Protection Act came into force in September 2019.

A number of complaints concerning data protection measures centred around unauthorised disclosure of personal data by employers, including one case against Customs and Border Control (CBC) where it was found that sensitive personal data was accessible in an unsecured electronic location. Following a review by the Ombudsman CBC implemented corrective measures, ensuring its record-keeping practices complied with data protection requirements.

A small number of complaints involved public disclosure by local media outlets, which highlighted the difficult issue of exemptions to the Data Protection Act for journalistic purposes. In one matter, a publication had disclosed the personal data of a minor in a news story. Following Ombudsman intervention, the content was removed and the organisation agreed to strengthen internal review procedures prior to publication to ensure child safeguarding.

Local businesses are beginning to realise the importance of secure handling of sensitive personal data and the need for internal rules and accountability, partly through our office's intervention. In one instance at a hospitality business, medical information relating to a work permit holder was shared among colleagues without a lawful basis. The organisation did not respond to the Ombudsman's initial queries, resulting in an order being issued under the Data Protection Act. The organisation has since appointed an employee responsible for data protection compliance.

Across all areas, whether involving data protection complaints or data breaches, our office has noted a willingness by

organisations to improve practices once deficiencies were brought to their attention. Staff awareness and clear internal processes for lawful, fair and secure information handling are key to sound data governance and the risk of data breaches is an ever-increasing one for both the public and private sectors in our globalised environment.

DATA PROTECTION	2020	2021	2022	2023	2024	2025
Inquiries	120	138	104	121	89	**61**
Presentations	9	4	0	3	1	**0**

DATA PROTECTION - COMPLAINTS

Case Summaries | **Informal Resolution**

UNAUTHORIZED DISCLOSURE OF PERSONAL DATA BY AN EMPLOYER

The Ombudsman received a complaint from an individual who claimed that their former employer disclosed personal data to a family member without consent.

Although the company denied the allegation, our investigation determined that while salary details were not disclosed, other non-consensual personal information was shared, constituting a breach of the Data Protection Act (DPA).

The company was directed to comply with section 16 of the DPA and found non-compliant with the seventh data protection principle. Recommendations were made to improve its data protection governance, which the company accepted. The matter was then closed.

UNAUTHORIZED DISCLOSURE OF MINORS' PERSONAL DATA

The complainant alleged that a media company unlawfully published the personal data of their minor children, including names and photographs, without consent. It was contended that the processing lacked a lawful basis under the Data Protection Act (2021 Revision), was unnecessary for journalistic purposes, and could have been avoided through anonymisation.

A review of the lawfulness and necessity of the processing, including the applicability of any journalistic exemption, identified concerns regarding the handling of the children's personal data. Following engagement, the company rectified the issue by removing all links, photographs, and references identifying the children.

It was concluded that the remedial measures were appropriate and proportionate. Recommendations were issued to strengthen internal safeguards and oversight for publications involving children's personal data, supporting ongoing compliance and reducing the risk of recurrence.

COMPLAINANT ALLEGES UNLAWFUL ACCESS AND USE OF PERSONAL DATA

A member of the public complained about receiving newsletter emails without having subscribed, requesting to receive only emergency notifications.
The organisation advised that its notification system did not differentiate between types of communications and relied on consent and legitimate interest as the basis for processing personal data.

We reviewed whether valid consent had been obtained and whether the system complied with data protection requirements regarding purpose limitation. While no breach was found, the organisation implemented improvements to be more compatible with the Data Protection Act (2021 Revision), introducing a feature to allow users to manage communication preferences and updating its application form to secure clearer consent. The matter was resolved without formal enforcement action.

COMPLAINT TO WORC BY MEMBER OF PUBLIC LEAKED TO SUBJECT OF COMPLAINT

A member of the public filed a complaint with WORC. Before submitting the complaint, the complainant contacted specific persons related to WORC who instructed the complainant to send the complaint directly to them. Some time later, the complainant was contacted by an associate of the accused, who was able to repeat specific details of the complaint to the complainant. The complainant was subsequently threatened by another associate of the accused. The complainant then filed a complaint with our office, alleging a data breach.

During the informal resolution process, our office conducted various lines of inquiry with WORC, which resulted in them conducting an internal investigation and providing us with a summary of their findings. The investigation revealed no conclusive evidence regarding the disclosure of the complainant's complaint to WORC, as their information storing procedures included logging information into a base shared with many other public sector entities. The matter was then closed.

COMPLAINANT'S SENSITIVE PERSONAL DATA SHARED AMONGST WORK COLLEAGUES

The complainant alleged that, after completing a medical relating to a work permit, their sensitive personal medical data was shared amongst their work colleagues without their consent and that their former manager forced them to disclose said sensitive personal data to another colleague.

Our office began an investigation and contacted the hospitality company to inform them of the complaint and to pose our initial questions regarding the matter. However, due to non-response to multiple follow-up emails, an information order was issued pursuant to section 44 of the *Data Protection Act (2021 Revision)*("DPA").

The requested information was sent to our office, including the hospitality company's policy on handling work permit processing data and any other sensitive personal data.

We advised the hospitality company regarding data protection best practice, pointed them to our website for extensive guidance, and recommended that they appoint an individual responsible for ensuring their ongoing compliance with the DPA. We then closed the appeal.

DATA PROTECTION – COMPLAINTS	2020	2021	2022	2023	2024	2025
Complaints carried forward	1	7	20	21	20	**11**
Complaints received	22	30	25	39	32	**43**
Complaints resolved	16	17	24	40	41	**48**
Open complaints	7	20	21	20	11	**6**
Assessment/disposition	6	4	9	18	18	**22**
Non-jurisdictional	2	1	1	7	5	**7**
Complaint refused (s. 43(4))	1	3	6	8	5	**8**
Complaint abandoned	0	0	0	1	3	**4**
Complaint withdrawn	2	0	0	2	3	**1**
Other	1	0	2	0	2	**2**
Informal resolution	9	10	13	17	20	**24**
Complaint supported	8	7	4	11	12	**15**
Complaint not supported	1	3	8	4	4	**8**
Complaint withdrawn	0	0	0	0	0	**0**
Complaint abandoned	0	0	0	0	0	**0**
Other	0	0	1	2	4	**1**

DATA PROTECTION - COMPLAINTS

Case Summaries | **Enforcement Orders**

THE RIGHT TO ACCESS ONE'S OWN PERSONAL DATA FROM A HEALTH AND WELLNESS SPA

A member of the public submitted a complaint to the Ombudsman against a Hospitality company. The complainant submitted a request for their personal data, but did not receive a response within the statutory time-frame.

After investigating this complaint, the Ombudsman issued an enforcement order, finding that the data controller contravened the sixth data protection principle and Section 8 by failing to provide the requested personal data.

The Hospitality company was ordered to provide the complainant with the requested personal information held by the organisation within 5 business days.

DATA PROTECTION – COMPLAINTS	2020	2021	2022	2023	2024	2025
Order	1	3	2	5	3	**1**
Enforcement order issued	1	3	1	5	3	**1**
Monetary order issued	0	0	0	0	0	**0**
Enforcement and monetary	0	0	0	0	0	**0**
Other	0	0	1	0	0	**0**

DATA PROTECTION – BREACHES

Case Summaries | **Informal Resolution**

TEACHER INADVERTENTLY DISCLOSES STUDENT PERSONAL DATA

A faculty member at a local tertiary institution published student coursework submissions containing personal data on a public YouTube channel. The exposed data included student names, contact information, and, in some cases, images, voices, and personal opinions. The breach was identified a year later, after which the institution took action to remove the content. Additionally, a comprehensive review of its privacy policies and procedures was conducted, and the affected students were notified of the breach.

Following our assessment, we concluded the institution's response appropriately contained and mitigated the breach, and the matter was closed.

TWO BREACHES INVOLVING DATA CONTROLLERS THAT ARE SISTER COMPANIES

We received a notification from the representative of a fund manager regarding a personal data breach arising from unauthorized access to several Microsoft email accounts belonging to the organizations executives and employees. The incident occurred following the compromise of employee login credentials, which enabled an external party to access and download a limited number of emails and attachments.

The personal data affected consisted solely of basic contact information—names and email addresses—relating to three corporate limited partners of the Fund. No sensitive financial or identification data was involved.

The data controller notified all affected data subjects, reported the incident to the relevant financial authorities, and implemented a series of containment and mitigation measures. These included enforcing two-factor authentication, prohibiting password reuse, strengthening password management procedures, and providing enhanced cybersecurity and data-protection training for staff.

Upon review, we found that the data controller complied with the Data Protection Act's section 16 obligations, including the adoption of remedial measures to mitigate future risk. We noted that the notification to this Office was submitted outside the statutory five-day window and recommended strengthening its internal breach response procedures to ensure timely reporting in future cases or preliminary reporting until investigations are complete. The case was closed with no further action required.

STAFF MEMBER INADVERTENTLY "REPLIED ALL" TO AN EMAIL

A member of staff at a medical facility inadvertently replied to all in a group email which was sent by their human resources manager. The data was exposed to internal staff and included personal data concerning employees' dependents. The data categories were travel dates and names, and the risk was categorised as low to moderate.

The facility contained the breach and provided notice in accordance with the Data Protection Act (DPA). Therefore, we concluded that their response was appropriate and closed the matter.

BANK INADVERTENTLY DISCLOSES CLIENT PERSONAL DATA

A client of a local bank was inadvertently included in an email requesting a KYC update for their ex-spouse. The exposed personal data included the account holder's name and details of two transactions. Following discovery of the breach, the unintended recipient confirmed deletion of the email. The bank contained the breach and issued a personal data breach notification to the affected individual in accordance with the Data Protection Act (2021 Revision).

We recommended strengthening internal safeguards to prevent recurrence and concluded the matter.

EMPLOYEE INADVERTENTLY DISCLOSES CLIENT FINANCIAL DATA

We received a notification of a personal data breach involving the inadvertent disclosure of an email and attachment relating to a claim submission. The email was mistakenly sent to an individual at a bank who was a current counterparty contact but not an intended recipient.

The information disclosed work-related personal data of internal employees and external counterparties, including names, job titles, company affiliations, and business contact details. The unintended recipient notified the authority upon receipt of the email. The data controller promptly instructed the recipient to delete the email and its attachments and took immediate steps to contain the breach. On the same day, the data controller issued the required notification in accordance with the Data Protection Act (2021 Revision).

Having reviewed the circumstances and the remedial actions taken, we were satisfied that the breach was addressed promptly and that appropriate corrective measures were implemented.

PUBLIC AUTHORITY INADVERTENTLY RELEASES INFORMATION PERTAINING TO THE WRONG DATA SUBJECT

A Public Authority received a Freedom of Information (FOI) request for access to information relating to a previous incident that had taken place. The Public Authority granted full access to a police report.

Subsequently, the Public Authority was informed that the report contained the personal data of a different data subject. Upon being notified, the Public Authority required the immediate retrieval and secure destruction of the incorrectly disclosed report. These directions were promptly implemented. Including the removal and deletion of copies stored within the data subject's digital file.

We were then notified by the Public Authority advising of the situation and that it will continue to deliver ongoing staff training and reinforce its commitment to maintaining standards of privacy and data protection.

Additionally, the Public Authority has been formally recommended by the Ombudsman of the need to ensure that appropriate policies, procedures and training are in place for personnel responsible for entering and managing data within the system. This matter was then closed.

UNAUTHORIZED ACCESS TO RECORDS FOR PERSONAL GAIN

A Data Controller received a complaint via email alleging that a Senior Police Constable improperly accessed a report on the Records Management System (RMS). It was further alleged that information obtained from the system was subsequently used inappropriately.

Upon becoming aware of the matter, the Data Controller took immediate steps to contain the potential breach by revoking access to the relevant record and amending the officer's system user rights and notified the Office of the Ombudsman.

Additionally, after vetting the notification the Office of the Ombudsman recommended the completion and implementation of the necessary policies and procedures in accordance with the Seventh Data Protection Principle Under the Data Protection Act (2021), beginning with the RMS system. The Ombudsman also recommended comprehensive training for all staff on the updated policies and procedures. This matter was then closed.

DATA PROTECTION – BREACH NOTIFICATIONS	2020	2021	2022	2023	2024	2025
Breach notifications carried forward	16	29	34	60	89	**15**
Breach notifications received	65	101	91	181	148	174
Breach notifications resolved	52	96	65	152	222	**179**
Open breach notifications	29	34	60	89	15	**10**
Assessment/disposition	42	85	54	68	118	**146**
Non-jurisdictional	4	6	2	5	9	**7**
Appropriate actions taken	34	78	50	60	105	**132**
Other	4	1	2	3	4	**7**
Informal resolution	9	9	9	84	101	**33**
Resolved informally	9	9	9	83	100	**33**
Other	0	0	0	1	1	**0**

DATA PROTECTION – BREACH NOTIFICATIONS	2020	2021	2022	2023	2024	2025
Orders	1	2	2	0	3	**0**
Enforcement order issued	1	1	1	0	3	**0**
Monetary order issued	0	0	0	0	0	**0**
Enforcement and monetary	0	0	0	0	0	**0**
Other	0	1	1	0	0	**0**

COMPLAINTS DIVISION

Maladministration

Our Maladministration Complaints team continues to serve as the ad hoc clearing house for general queries related to Cayman Islands Government processes and procedures. Almost half of all public queries submitted to the Office of the Ombudsman in 2025 were handled by the Complaints team. In addition, it received and assessed 76 formal complaints, completed 20 informal resolutions and closed nine investigations, including the Ombudsman's own-motion investigation into the Cayman Islands Detention Centre. In total, the team received nearly 240 inquiries and formal complaints for the year.

The number of informal resolutions achieved was higher than in any year since our office opened, save for 2021. The total number of complaints received for 2025 was also the second highest in Ombudsman office history, with only the complaints in 2023 eclipsing it. The number of complaints resolved for the year (72) is the third highest in the history of the office.

The successful informal resolutions served to keep the overall number of closed investigations to a reasonable rate. However, the Maladministration team has noted a trend where complaints cases are becoming more complex and taking slightly longer to complete.

The own-motion investigation, with preliminary findings and recommendations released in October 2025, took a total of five months to conclude and receive responses from the Royal Cayman Islands Police Service (RCIPS). The full final report of that investigation will be submitted to the Parliamentary Oversight Committee early in 2026.

Other investigations and informal resolutions focused on areas such as His Majesty's Prison Service (3), the Department of Planning and the Central Planning Authority (4), the Lands & Survey Department (4) and the RCIPS (5). The reader should bear in mind that complaints in these areas tend to be more emotive in nature and are not necessarily an indication that the authority has acted improperly. The outcomes of many of the specific complaints are contained within this report and the majority have been positive.

We take the opportunity to remind the public that the purpose of the maladministration complaints process is to investigate complaints against government services, processes, procedures and actions that the complainant believes have been delayed, are unreasonable or are unjust.

To make a maladministration complaint to the Ombudsman, the complainant must

first go through the internal complaints' process with the government entity. After that process is exhausted, and if no reasonable resolution is achieved, a complaint can be made to our office.

If the complaint falls within our legal jurisdiction, we will attempt to informally resolve the matter, if possible. If that process fails, a formal investigation will be undertaken as a last resort.

MALADMINISTRATION	2020	2021	2022	2023	2024	2025
Inquiries	109	122	178	222	188	**160**
Complaints carried forward	6	11	23	27	11	**11**
Complaints received	59	65	49	84	72	**76**
Complaints resolved	54	53	45	100	73	**72**
Open complaints	11	23	27	11	10	**14**

MALADMINISTRATION

Case Summaries | **Informal Resolution**

DELAYED RESPONSE FROM COMPLAINTS OFFICER

Expungement of Criminal Records Board

The complainant sought to obtain a clean police record but the community service they performed from 2017 was deemed incomplete. The Expungement of Criminal Records Board stated in a letter dated June 2024 that the complainant was not eligible to apply for a Declaration of Expungement because the previous order of 30 days of community service was not completed. It was alleged that when the complainant sought to have the community orders enforced, there was lack of clarity regarding the process.

Given the delayed response from the Department of Community Rehabilitation (DCR), partly affected by Christmas holidays and issues that spanned a cross-section of government entities, an informal investigation was attempted. The DCR communicated with the government entities and scheduled a meeting with the complainant to determine the best path forward to complete the community order and subsequently to obtain a police record.

The Ombudsman found that the issue raised by the complainant had been informally resolved by the parties and, therefore, no formal investigation was required.

DELAY IN FIREARMS REAPPLICATION PROCESS

Royal Cayman Islands Police Service

The complainant made a complaint of administrative non-response in relation to an ongoing matter involving the seizure of his personal firearm which occurred in 2019.

It was stated that the firearm was kept in a home, of which the Royal Cayman Islands Police Service (RCIPS) was aware, for some 16 years and the stated reason it was taken from the home was due to a criminal allegation made against the owner of the weapon. The police investigation into the matter was resolved in 2021 and the complainant stated he reached out to various members of the RCIPS seeking the return of his firearm but received no response. Within the past year, after receiving no response, the complainant emailed the Commissioner of Police, who responded, but did not update him directly on the status of his weapon.

The complaint to the Ombudsman was a matter of administrative non-response/delay. The lack of response by RCIPS had effectively prevented the complainant from accessing any of the appeal processes available in the Cayman Islands Firearms Act. Given this, the complainant was never aware of whether or when he might be able to retrieve his weapon, or any decision made in relation to the weapon by the Commissioner of Police (who has authority under the Act to award firearms licenses).

Firearms ownership is in a category of security and criminal justice matters, which fall under some of the exemptions set out in the Complaints (Maladministration) Act. However, in this instance, the complaint involved police non-response, which OMB sought to rectify through our informal resolution process.

Following communications between OMB and the RCIPS, it was determined that RCIPS would send the complainant a letter detailing his options, including his ability to apply to re-obtain his firearm (the original license renewal period had expired). Once that letter was received, the complainant agreed to go through the application process with RCIPS but noted he would contact OMB again if the matter was delayed further or the process appeared to be unfair. OMB agreed and closed the matter as having been informally resolved. As no formal investigation was conducted, the OMB issued no recommendations in this matter.

APPLICATION FOR BUSINESS LICENCE DELAYED

Department of Commerce and Investment

An independent management consultant encountered significant difficulties obtaining a business license. The application was deferred twice without explanation, causing considerable professional and financial hardship. The situation was compounded by a lack of clear communication from the Department of Commerce and Investment (DCI), including in its review of the application ambiguous references to “financial services,” which was not relevant to the consultant's business.

The complainant's application detailed standard consulting services, such as training, coaching, strategic planning, project management and ICT consulting. Nevertheless, the DCI requested further clarification without specifying the precise requirements. Despite his efforts to confirm that his practice did not involve financial services, the complainant received no substantive response, leaving his application in limbo.

Acknowledging the breakdown in communication, the Office of the Ombudsman proposed an informal resolution strategy. This involved contacting DCI to request a detailed explanation of any deficiencies in the application and to seek

specific guidance on what further information was needed. The intention was to resolve the matter within 28 days and avoid escalating the issue to a formal investigation.

Following this intervention, the Ombudsman initiated communication with the DCI. As a result, the DCI contacted the applicant directly, his application was re-heard, and ultimately, the license was approved. The consultant subsequently expressed his satisfaction with the informal resolution process and the positive outcome it facilitated.

As this complaint was resolved informally, there were no recommendations made by the Ombudsman and no need for a formal investigation.

DELAYED RESPONSE FROM FRONT-LINE STAFF
General Registry

The complainant applied and paid for an apostilled birth certificate to be shipped overseas but had not received any response in over two weeks. The applicant was concerned that the package would arrive when he was scheduled to be out of the country, so the matter was urgent. The complainant stated they were also disappointed with the level of unprofessional service, seemingly inaccurate shipping details and lack of communication. This led them to contact the Ombudsman for assistance.

During the assessment by the Ombudsman. the Internal Complaints Process (ICP) officer for the General Registry was contacted to confirm details of the matter. The ICP officer immediately addressed the issue, thereby negating the need to continue with the case. The ICP officer and staff at the General Registry provided the details requested and offered a refund.

PLANNING PERMISSION FOR LOCAL BAR
Department of Planning

A complaint was made regarding a neighborhood bar adjacent to the complainant's property. The complainant stated there had been a lack of notification provided to nearby residents about the bar's business hours and conduct. The complainant previously raised the issue with the Department of Planning (DoP) and also reported the matter to the Department of Commerce and Investment (DCI). Despite these efforts, the complainant stated that no remedial action was taken to address what he described as a nuisance property.

In response, the OMB acknowledged receipt of the complaint and sought clarification to ensure the complaint related to the inaction of a government agency rather than the private business itself, as the OMB does not have jurisdiction over private entities in the Complaints (Maladministration) Act. OMB also noted ambiguity regarding which government department held responsibility for

addressing these kinds of concerns, indicating that further review was necessary to determine whether DoP was the appropriate authority.

Subsequently, the DoP issued a formal communication to the complainant outlining the progress made in response to his initial inquiry. Based on the documented exchanges between the complainant and the relevant government entity, the OMB determined that the matter met the criteria for closure under our informal resolution process.

This case underscores the importance of clear jurisdictional boundaries and inter-agency coordination in resolving public complaints. It also highlights the OMB's commitment to ensuring that concerns related to government inaction are addressed through appropriate channels and with timely follow-up.

ISSUANCE OF VISAS FOR CRUISE SHIP PASSENGERS

Customs and Border Control

A family of Indian nationals visited the Cayman Islands for several hours as part of a cruise ship tour. Prior to their visit, they sought clarification regarding visa requirements for Indian nationals arriving via cruise ships for less than 24 hours. They contacted Customs and Border Control (CBC) Online Support, attaching a proposed itinerary as requested. CBC responded, confirming that Cayman Visitor Visas were required.

Based on this guidance, the family applied and paid for visitor visas for four individuals. The visas were issued about two weeks later.

Upon arrival at the port in Cayman, the family observed that no immigration checks or visa verifications were conducted for cruise passengers. They stated numerous other Indian nationals aboard the same cruise had not obtained Cayman visas and were permitted entry without issue. They believed this suggested that visitor visas were not required for cruise passengers disembarking temporarily.

The family felt misled by the information provided by CBC Online Support and believed the visa fees were paid unnecessarily. Despite multiple follow-up communications sent to CBC, they received no acknowledgment or response. As former residents of the Cayman Islands, they expressed disappointment at the lack of engagement from CBC and requested an investigation into the matter, a refund of the money paid for the visas and improved accuracy in future communications.

A formal written complaint was submitted to the Office of the Ombudsman.

In response, CBC clarified that the visa issuance was conducted in accordance with the Customs and Border Control (Visas, Entry and Landing) Regulations, 2019, which lists India among countries requiring transit visas. The definition of "in-transit" and exceptions for cruise passengers are

outlined in the Customs and Border Control Act (2024 Revision). CBC explained that cruise ships receive electronic clearance prior to arrival, and visa verification is handled internally—hence no physical checks at the port.

While CBC confirmed the legality of the visa issuance, they were unable to verify the status of other Indian nationals without specific details. Due to the open communication and explanation to the complainant, the matter was ultimately closed at the informal resolution stage following a discussion with the relevant officer, who acknowledged the importance of cross-checking cruise manifests against visa records.

This case highlights the need for clearer communication and more responsive grievance handling by government departments, especially when public funds and trust are involved.

UNCERTAINTY ABOUT HEALTH APPEALS TRIBUNAL HEARING

Ministry of Health

A Cayman Islands-based medical services company filed a complaint concerning repeated delays with an application from 2022 seeking permission to conduct clinical trials for a specific medical procedure. The complainant stated the application met numerous delays and that no final decision was ever reached.

The complainant alleged administrative delay and biased decision-making by the Ministry of Health and Department of Health Regulatory Services.

This complaint was similar to one made in 2020 that involved delays in processing a licence for a medical facility. The earlier complaint is being resolved as a separate matter by the Office of the Ombudsman (OMB).

After determining jurisdiction for the complaint regarding the clinical trial application, OMB attempted to informally resolve the matter between the complainant and the Ministry of Health. During the informal resolution process, OMB received confirmation from both the Department of Health Regulatory Services and the Ministry of Health that a hearing for two matters involving the medical services company had been set before the Health Appeals Tribunal. The complainant stated they were unaware of this but were happy to let matters proceed to appeal.

The matter was closed as having been informally resolved.

As no investigation was undertaken, the Ombudsman made no findings or recommendations in relation to the complaint.

NO REPLY TO PRISONERS' APPLICATION FOR RELEASE ON TEMPORARY LICENCE

His Majesty's Prison Service

A prisoner at His Majesty's Prison (HMP) Northward submitted an application for Release on Temporary License (ROTL), seeking temporary leave from custody under the established procedures. Despite the passage of several months, the applicant received no response to his initial submission or a subsequent follow-up contact.

Frustrated by the lack of response, the prisoner lodged a formal complaint with the Office of the Ombudsman. The complaint was submitted in writing and dropped into the Ombudsman's office drop box. It outlined his concerns regarding the non-response to both his original application and his follow-up inquiry.

An Investigator from the Office of the Ombudsman promptly acknowledged receipt of the complaint via the email address provided by the complainant. The internal complaints manager at the prison service was contacted to assist with the matter.

Subsequent communication between the Ombudsman's office and HMP Northward revealed that the prisoner's application for ROTL was scheduled to be reviewed shortly. It was confirmed that the complainant had been informed of this development in writing.

To ensure the complainant was aware of the update, the Investigator followed up with a phone call. During the conversation, the prisoner confirmed that he had received the written response regarding the status of his ROTL application. He expressed satisfaction with both the involvement of the Ombudsman's office and the resolution of his complaint.

The matter was concluded through informal resolution, with the complainant acknowledging that his concerns had been addressed appropriately. The Ombudsman's intervention facilitated communication between the parties and ensured that the complainant received the necessary information regarding his application. The case highlights the importance of timely responses within correctional administrative processes and the role of oversight bodies in ensuring accountability and transparency.

COMPLAINT REGARDING PRIVATE LICENCE PLATE APPLICATION

Department of Vehicle and Drivers' Licensing

The complainant attended the Office of the Ombudsman stating that the Department of Vehicle and Drivers' Licensing (DVDL) had refused his application for a private vehicle license plate. The application included a specific term the complainant wanted to put on the plate that was initially rejected by DVDL.

Two months later, the complainant had received no communication from DVDL regarding the status of his application. In response, he contacted DVDL directly. The department replied via email, stating that the requested plate could not be printed due to concerns about potential unrest within the community. The representative offered the complainant a refund or the opportunity to select an alternative term for the plate.

Following this process, an Ombudsman Investigator emailed the complainant, advising him to reach out to the Internal Complaints Process (ICP) of DVDL to inquire about the delay in response and to seek clarification on the decision-making process. However, the complainant did not receive a reply and subsequently submitted a formal written complaint to the Office of the Ombudsman. The Ombudsman Investigator then initiated contact with DVDL and successfully facilitated open communication between the complainant and the department. This intervention led to a scheduled meeting between the complainant and the Deputy Director of DVDL. During this meeting, the original request for the private plate was revisited and ultimately approved.

The matter was resolved informally, with the complainant confirming his contentment with the resolution facilitated by the Ombudsman's office. The case highlights the importance of timely communication, transparency in administrative decision-making, and the value of mediation in resolving disputes between citizens and public entities.

MALADMINISTRATION	2020	2021	2022	2023	2024	2025
Assessment/disposition	28	28	26	65	45	**46**
Non-jurisdictional	26	28	25	63	43	**40**
Complaint refused	1	0	0	1	0	**2**
Complaint withdrawn	1	0	1	1	2	
Early resolution	18	21	11	19	17	**20**
Successfully resolved	17	21	11	18	17	**20**
Complaint withdrawn	1	0	0	1	0	**0**

MALADMINISTRATION

Case Summaries | **Investigation**

PRISONS BULLYING COMPLAINT POLICY REVIEW
His Majesty's Prison Service

The Ombudsman received a complaint alleging that His Majesty's Prisons Service (HMPS) had not followed the government's Anti-Bullying, Harassment & Discrimination Policy (BH&D) during the handling of an employment grievance. Our office determined the matter had already been reviewed through the prison service internally, as well as through an appeal to the Ministry of Home Affairs, which has oversight of the prisons. The two entities had come to somewhat different conclusions in relation to the initial complaint.

Upon further review of the matter, it was determined there was more than one potential complainant involved and that the matters concerning the initial allegations could not be reviewed by the Omubudsman. They were considered to be disciplinary matters within the government service. However, the complaint involved a question of government's BH&D policy and whether the initial investigating agency, the His Majesty's Prisons Service (HMPS), had followed this policy after receiving the grievance report.

The ensuing investigation found that HMPS had breached procedure in two instances in relation to what was stated in the BH&D policy. In addition, there were questions raised around other areas including who is allowed to make a bullying or harassment complaint within the government service and precisely when someone is considered to have made a formal complaint. The investigation also found there were still outstanding disciplinary decisions pending as a result of the grievance.

The Ombudsman found two instances of maladministration at the conclusion of her investigation. Some additional recommendations were also made in relation to the BH&D policy, and were stated as follows:

** The current version of the BH&D policy should be reviewed and government should consider establishing a procedure for recording when both verbal and written complaints/grievances are made to provide certainty in determining timelines*

** Any adverse findings made in relation to (the individuals involved) as a result of the initial HMPS investigation should be made*

null and void, and both individuals informed of this in writing, if that has not already been done.

** The contents of (redacted) should be reconsidered under section 5.14 of the BH&D policy by the relevant government authority. If this can be encompassed in the current Solicitor General's review of the matter, the OMB should be informed of this in writing and this will be considered to have addressed this recommendation.*

** The Hon. Deputy Governor, in conjunction with the Portfolio of the Civil Service, should review training and investigation procedures within the government departments in relation to BH&D complaints with a view to uniformly applying the policy across all government entities. A written report of this effort should be provided to the OMB within six months of the receipt of this letter.*

The first recommendation (not included here) was withdrawn following discussions with the Ombudsman. The remaining four were met and the matter was closed.

APPEAL TO STATUTORY BOARD NOT POSSIBLE

Building Control Unit/Department of Planning

The complainant in this matter raised concerns about decisions made by the Building Control Unit (BCU) and/or the Department of Planning (DoP) in relation to building inspections the complainant's company was conducting as part of the government's third-party inspections programme.

After reviewing the complaint, the Ombudsman decided that only one of the complaint issues was properly before our office; the allegation that the complainant had no access to a lawful appeals process for any of the decisions made by the government authority, because an appeals board prescribed in statute had not been appointed.

Following investigation of the matter, the Ombudsman concluded the lack of an appeals board had denied the complainant his right of access to justice and amounted to maladministration as defined under section 2c of the Complaints (Maladministration) Act.

The Ombudsman made the following recommendations in relation to the report findings:

- *That the Ministry of Planning, if it had not already done so, take the necessary steps to bring the matter of the vacant appellate board to appropriate decision-makers with a view to having a board appointed in the short term*
- *That the Ministry update the Ombudsman in writing no later than 90 days to report progress on board formation/appointments*

Our office will continue to monitor the recommendations for implementation.

INVESTIGATION OF BOUNDARY DISPUTE HANDLING

Lands & Survey Department/Registrar of Lands

On 14 May 2025, a complaint was submitted to the Office of the Ombudsman regarding delays and lack of communication in a boundary dispute process managed by the Lands and Survey Department. The complainant alleged that the process had stalled and that multiple communications had gone unanswered. After informal resolution efforts failed, a formal investigation was launched under section 18 of the Complaints (Maladministration) Act.

The investigation focused on two key issues: whether there was undue delay in scheduling and resolving the dispute hearing and whether the survey authentication process was procedurally fair.

Issue 1: Delay in Hearing and Decision

The investigation found that an objection letter from June 2022 had been misfiled, causing an eight-month delay in scheduling the hearing before the Registrar of Lands. Standard practice typically sees hearings scheduled within two to six months of a survey submission involving a dispute. The delay exceeded this norm due to administrative error.

Following the hearing, there was a further nine-month delay before a decision was issued. It was revealed that written decisions are not routinely provided when parties reach a compromise. However, this practice conflicts with legal requirements under the Cayman Islands Constitution Order and the Registered Land Act, which mandate that decisions be recorded on the land register.

The dispute involved an easement required for access to a shed located close to the proposed boundary. The complainant's surveyor requested the return of the submitted survey plan to include the easement and adjust boundary lines. These requests were not acknowledged. Eventually, the survey was approved and boundaries fixed, but no note was made on the register regarding the easement, despite its inclusion in the hearing minutes. This omission resulted in the complainant losing legal access to the shed.

The investigation identified several instances of maladministration:

- Delay caused by misfiled objection correspondence.
- Failure to respond to emails and requests.
- Missed communication regarding the return of the survey plan.
- Reliance on irrelevant legal precedents.
- Non-compliance with statutory requirements to record decisions.

Issue 2: Procedural Fairness in Survey Authentication

No evidence was found of objections submitted after the 30-day objection period. An email from a neighboring party's legal representative was reviewed but not treated as a formal objection. The survey was authenticated and both parties were notified of their rights to appeal.

However, the process relied on legal advice and case law that were not directly applicable. The relevant sections of the Registered Lands Act were not followed, particularly regarding the requirement to record the outcome of the hearing on the register. While the survey was correctly authorized, the failure to document the unopposed plan constituted procedural unfairness.

The investigation confirmed that administrative authority exists under the Torrens Land Registration System, but binding decisions on contested matters must be made by the Grand Court.

Conclusion and Recommendations

The handling of the easement issue caused unnecessary hardship and disrupted a previously agreed solution. The investigation concluded that maladministration occurred due to inefficient and improper administrative practices.

Recommendations include:

Recording all dispute hearing decisions in writing and sharing them within one month.

Clearly communicating the limitations of administrative authority before hearings.

Improving management of communications to prevent future oversights.

CONFUSION OVER PLANNING APPLICATION, APPEALS PROCESS

Department of Planning/Central Planning Authority

A Grand Cayman resident complained to the Ombudsman that a multi-apartment development was being built across the street from their home. The complainant noted a development application for this same property had been refused at an earlier meeting of the Central Planning Authority (CPA) at which a number of residents objected to the proposed project.

The complainant stated they were expecting an appeal of the matter filed by the developer to come before the Planning Appeals Tribunal (PAT). They later discovered a new planning application for the same property was made at the time the appeal was pending. The complainant stated neither they, nor any family members, had received a formal notice about the proposed development, but stated they had found out about the initial planning application via word-of-mouth. They were not aware the second, fresh application had been filed until work began on the property across the street.

The complainant alleged there had been an abuse of process by the CPA in this matter and that the Department of Planning (DoP)

had erred in apparently not sending notices out about the proposed project. The Ombudsman reviewed the matter initially to determine whether the complainant still had the right to appeal before the PAT, but it was determined they did not because they had not objected to the fresh planning application of which they were unaware.

Given the situation, the only option left for the complainant was to pursue the matter in the Grand Court. They stated they did not have the funds to do so and the Ombudsman determined it would be unreasonable in this situation to expect them to. It was agreed, therefore, to forego the usual informal resolution process with complaints and open an investigation.

The investigation made the following findings, among other matters:

- *It is for the planning project applicant, not the DoP, to ensure planning notices are sent to the notification area around a proposed development. The DoP determines the notification area based on the project.*
- *The complainant's postal address listed on the property register was incorrect and not up to date. Registered mail notices sent to this PO box were, therefore, not received by the complainant. This is a common issue with planning notifications that are sent via registered mail.*
- *There is nothing in current legislation or the CPA's current process, which prevents an applicant from submitting as many applications as they wish on the same property, regardless of whether there is an appeal pending on an earlier application.*
- *Section 40 of the Planning and Development Act (involving notifications about planning applications) was followed in relation to both project applications. In many cases, it was observed that the mailed notices were never collected or did not reach the intended recipients*
- *Officials in various government entities were aware the current notification process for planning projects receives complaints of a similar nature but were often unsure about what a better solution might be. Some helpful suggestions were offered by the Acting Postmaster General.*
- *The Ombudsman found that the current application and notification system serves to prejudice the rights of objectors on planning projects, including the complainant in this matter.*
- *The lack of rules, policies and procedures around submission of new planning applications on the same property amount to maladministration.*

As a result of these findings, the Ombudsman made the following recommendations:

- **Recommendation that the DoP proactively pursues a multi-agency review of the notification process for planning applications with a view to establishing a more effective and fair process that considers the rights of objectors equal to those of applicants**
- **The DoP and CPA seek legal advice in establishing a process for accepting fresh planning applications during the currency of an appeal process that is administratively fair and in line with international best practices.**
- **Following receipt of that advice, the DoP and/or the CPA should create policies and procedures for such practice and publish them adequately in the spirit of transparency and good administrative law.**
- **The CPA should obtain a legal opinion on the limits of their discretion on the issue of suitability and create a policy around such advice for determination of the issue on any relevant planning application.**

The Ombudsman's office will follow up on the above recommendations in due course.

COMPULSORY ACQUISITION MATTER TAKES SIX YEARS TO RESOLVE

Lands & Survey Department/National Roads Authority/Ministry of Lands

A complainant raised several allegations of unreasonable administrative delay and procedural fairness in relation to a compulsory acquisition process that began six years prior to the complaint being made. Upon assessment of the matter, the Ombudsman determined that the complaint issues raised were complex and the lengthy period covered would require investigation to determine the facts, so a decision was made to forego the usual informal resolution process.

The Ombudsman's investigation determined the following:

- *Although some payment was made for the acquisition, the parcel of land being acquired remained legally in the complainant's name due to a prescribed compositive map of the area not being completed for several years.*
- *The government initially took more than two times the land gazetted in the planned acquisition but didn't formally notify the complainants of this for a period of 21 months afterward.*
- *The overall delay of the matter was due largely to intercommunication*

delays and uncertainty among the government entities involved.

The Ombudsman found maladministration in both issues identified for investigation (unreasonable delay and unreasonable procedures) and noted: *"The complaint review suggests that challenging an initial decision and proposed compensation under the Roads Act for compulsory acquisition inevitably leads to delay and increased costs. A more efficient and streamlined administrative process for compulsory acquisition is needed to prevent future claimants from facing such delays and unreasonable procedures."*

Prior to making specific recommendations, the Ombudsman met with the entities involved including the Lands & Survey Department, the National Roads Authority and the Ministry of Lands to further discuss potential solutions. The complainant was informed of the outcome of the matter.

ALLEGED FAILURE TO FOLLOW ARCHIVE AND PUBLIC RECORDS RULES

Portfolio of Legal Affairs/Judicial Administration

The complainant alleged that the Attorney General's Chambers/Portfolio of Legal Affairs (POLA) had failed to follow the tenets of the National Archives and Public Records Act. The complaint alleged that external counsel was hired to assist POLA and the Judicial Administration with two court cases and that no records were available relative to how much the counsel had been paid for these services, or the arrangements made as to their hiring.

A Freedom of Information Act (FOIA) request was made in relation to the payments and contractual records for the external counsel and some records were provided to the complainant. However, the complainant stated the records provided were not what had been requested and that a failure to keep these records would constitute a breach of the National Archives and Public Records Act.

The dispute between the parties in this matter had been ongoing for some time and, in the Ombudsman's view, there was little point in attempting to resolve the matter informally. Also, the complainant made several allegations in relation to the complaint which were not jurisdictional to the Ombudsman's office. Once these matters were dealt with and the remaining complaint matters were evaluated, it was decided to move directly to a formal investigation.

Upon investigating, the OMB discovered that there were additional records in relation to the employment of the external counsel that had not been found from the initial FOIA request. These records (in redacted form) were then provided to the complainant. Additionally, the investigation determined that the external counsel was not paid for their work and that government had maintained adequate archival records via email to show the details of its recruitment process.

However, it was of concern to the Ombudsman that, despite the lack of payment, a service of some value appeared to have been provided to the government which needed to be accounted for. The recommendations made by the Ombudsman took this into account, although she did not agree with the complainant that POLA violated the National Archives and Public Records Act.

The following recommendations were made as a result of this investigation:

Policy Development:

POLA should develop a formal policy governing the recruitment and instruction of external counsel, or alternatively, revise its existing Procurement Policy to include clear record-keeping requirements for such engagements, if this is not already in place.

Referral to the Auditor General:

The Office of the Auditor General should be invited to review the assessed value of legal services provided to the Judicial Administration in connection with court matters G93 of 2020 and G161 of 2020, including services rendered.

The Ombudsman will monitor these recommendations and update when compliance is achieved.

EX-GRATIA SEAFARER'S BENEFITS NOT GOVERNED BY LAW

Department of Financial Assistance

The complainant in this matter was notified their Ex-Gratia Seaman's benefit payments had been terminated because they were no longer resident in the Cayman Islands as per the policy of the Department of Financial Assistance (DFA). The complainant stated they moved away a few years prior because they couldn't afford to live in Cayman given the amount the Ex-Gratia payments and had not appreciated why the payments had been cancelled.

As with all such cases, the Office of the Ombudsman sought to informally resolve the matter with the DFA. The DFA was responsive in explaining the matter further to the complainant regarding why it had taken this decision. However, the complainant was still unsatisfied and requested that a formal investigation be completed.

The Ombudsman's investigation found that the complainant in this matter had no legitimate expectation that their monthly benefit payments would have continued after they moved away from the Islands. A residency requirement was included in the Ex-Gratia Seafarer's benefits programme as early as 2001, almost since its inception.

However, the investigation revealed other matters that were concerning to the Ombudsman. The Ex-Gratia Seafarer's benefit payments do not currently fall under either the Financial Assistance Act (formerly the Poor Persons Relief Law) or under the Public Service Pensions Act and relevant Regulations related to Ex-Gratia pension payments for the civil service. The Ombudsman found the

only document governing the payment of more than $14 million in Ex-Gratia benefits to seafarers during 2024 was the written policy of the DFA.

With this being the case, the Ombudsman made the following recommendations:

**** The benefit should be clearly defined, either as a pension-type earned benefit or as a form of social assistance, to avoid the current ambiguity***

**** Dedicated legislation, based on how the benefit is defined, should be enacted to provide a clear legal framework for administering the benefit. This should include an appeals process***

**** The benefit should be budgeted appropriately, tying the funding to the legislation, to ensure large allocations (e.g., over $14 million in 2024) are subject to Parliamentary approval***

**** Promote the new legislation publicly for greater awareness of the benefit and conditions for retaining it.***

OMB will monitor the recommendations for implementation.

CAYMAN ISLANDS DETENTION CENTRE INTERIM REPORT

Royal Cayman Islands Police Service

The Office of the Ombudsman submitted an interim report of its Own-Motion Investigation (OMI) of the Cayman Islands Detention Centre to the Commissioner of Police and HE the Governor in August 2025.

The Ombudsman announced in May 2025 that an OMI would be conducted at CIDC, a jail facility operated by the Royal Cayman Islands Police Service (RCIPS), which temporarily houses individuals arrested by the police and other local law enforcement agencies. The CIDC has recently been the subject of complaints to the Ombudsman under the Police (Complaints by the Public) Act. Other concerns have separately been raised with the Ombudsman, primarily related to the safety and administrative processes at CIDC.

In a press release dated 27 May 2025, the Ombudsman stated that, where warranted by the findings, preliminary recommendations could be shared with the RCIPS Gold Command, at her discretion.

Throughout June 2025, Investigators from the Ombudsman's Office conducted on-site observations at the CIDC, engaged with staff and collected written and photographic evidence. These visits prompted further inquiries and interviews with CIDC management to obtain additional information.

Our initial investigation uncovered serious and widespread concerns regarding prisoner safety and health at CIDC, deficiencies in security protocols, critical maintenance failures, and troubling gaps in officer training and general well-being. Given the severity and immediacy of these

issues, we determined that an interim report was necessary ahead of the final OMI submission to the Parliament.

Based on the evidence collected, the following 18 findings were reported:

1. There is an existing policy on the transport and care of injured or sick detainees

2. The policy lacks clarity regarding which RCIPS unit is responsible for escort duties

3. An incident with a prisoner arose during the investigation period highlighting a serious communication failure between Health Services Authority (HSA) and RCIPS, posing operational and security risks

4. The fire alarm system at the CIDC has been nonfunctional for a period of several years during which the CIDC has continued operating

5. No adequate explanation has been given as to how the fire alarm became nonfunctional and why it was allowed to continue for so many years

6. Internal security doors at the CIDC are routinely left ajar, creating a significant security risk

7. There is some evidence to suggest that external doors have been left ajar, inadvertently facilitating a prisoner's attempted escape from the CIDC in 2022. A report on the incident from the RCIPS has been obtained, but the matter is still being reviewed as part of the OMI.

8. There is no way for external RCIPS officers to enter the CIDC building to provide assistance if internal officers lose control of the facility. This matter is also being addressed with urgency, following the announcement of the OMI.

9. Damage to a CIDC cell has gone unrepaired for more than two months, leaving it out of service

10. Police appear to be largely unaware of how this damage occurred

11. There are "blind spots" within the CIDC, causing potential risk for both police officers, detainees and visitors.

12. The CIDC is not meeting its own recommended minimum staffing levels on a regular basis

13. The CIDC is not employing female Auxiliary Constables (ACs) on each shift due to difficulty in recruiting as well as the ACs being deployed elsewhere within the RCIPS

14. Officers are routinely working over normal shift time to complete paperwork

15. CIDC Sergeants, in particular, may face health risks due to excessive workload and/or stress

16. ACs are not all current on training and there remains some specialized training methods to which they don't have access.

17. Some long serving ACs at the CIDC are complaining of added stress/health effects

18. A training programme has been proposed for CIDC personnel and potentially

other officers to learn about custody policing, but no schedule has been set for it.

The Ombudsman has made a number of recommendations in relation to these findings, which the Commissioner of Police responded to in December 2025. Some issues, considered critical to public safety or health, were given an immediate time frame for implementation. Our office will be monitoring the recommendations going forward.

Recommendations:

- **Clarify Escort Responsibilities for Medical Transport**
- **Strengthen Communication Between RCIPS and HSA**
- **Restore and Certify Fire Alarm System**
- **Address Security Door Protocols and Escape Risk**
- **Establish Emergency Access Protocol**
- **Improve Facility Maintenance and Incident Reporting**
- **Eliminate Surveillance Blind Spots**
- **Address Chronic Understaffing**
- **Improve Gender Representation Among ACs**
- **Mitigate Overwork and Stress**
- **Limit Long-Term Assignments**
- **Enhance Training Access and Compliance**
- **Implement Custody Policing Training Programme**

More specific recommendations and timelines were provided to the Commissioner of Police and RCIPS staff to assist with implementation. The Ombudsman received a full report from the RCIPS in relation to the fire alarm system and the prisoner escape incident from 2022. Responses to these recommendations will be included and updated in the final OMI report which will be submitted to Parliament in accordance with the Complaints (Maladministration) Act in early 2026.

The investigation is conducted under section 11(1) if the Complaints (Maladministration) Act which states as follows:

11. (1) The Ombudsman shall not make an investigation without first receiving a written complaint unless he is of the opinion […] that there are reasons of special importance which makes investigation by the Ombudsman desirable in the public interest.

UPDATE: RECOMMENDATIONS FOLLOWED IN CAREGIVER COMPLAINT

Workforce Opportunities and Residency Cayman

A complaint was filed with the Office of the Ombudsman which claimed Workforce Opportunities & Residency Cayman (WORC) as well as the Work Permit Board had acted unreasonably in providing a response to an

application filed by a family which sought a Certificate of Specialist Caregivers to employ a specialist carer for a chronically ill family member. Unfortunately, the chronically ill family member who required the carer passed away during the permit application process.

The investigation found that, while the Work Permit Board had informed the applicants of its decision in writing, it did not provide adequate reasons for its position that it had no power to hear the application for a Certificate of Specialist Caregivers. Further, the investigation found there was some confusion concerning which sort of permit application was required to employ the carer in the household.

The Ombudsman found in favour of the complainant and made the following recommendations:

- WORC should create a public-facing policy regarding the issuance of final work permits, including what occurs when an applicant has less than a year left on their term limit
- WORC should create a public-facing policy regarding applications for Certificates of Specialist Caregivers, if it has not done so already
- The applicant, should be refunded in full for her work permit and Certificate of Specalist Caregivers applications, if this has not already occurred.

The applicant received a full refund for the applications and WORC updated its policies for specialist caregivers shortly afterward. As all recommendations were completed, the Ombudsman closed the complaint file.

UPDATE: RECOMMENDATIONS PROGRESS IN MEDICAL FACILITY LICENSING DISPUTE

Ministry of Health

A Cayman Islands medical practitioner applied for an institutional registration licence and a medical tourism licence for his healthcare facility with the Ministry of Health just under two years from the date the complaint to the Ombudsman was made. He stated that his organisation received no decision on these two applications. He alleged unreasonable delay on behalf of the Ministry.

The Ombudsman determined that a complaint of unreasonable delay against a government entity was jurisdictional, however only the actions of the Ministry itself were reviewed. Records of Cabinet proceedings and policy decisions of Ministers are not subject to the Ombudsman's review under the Complaints (Maladministration) Act.

Following investigation, the Ombudsman determined that while individual members of the Ministry staff could not be held solely responsible for the delays in hearing this application, the actions, indecision and uncertainty of the overall government with

respect to this and similar applications amounted to maladministration – unreasonable delay.

The Ombudsman made the following recommendations as a result of the investigation:

- Cabinet members should consider a moratorium on Institutional Registration, Medical Tourism and clinical trial applications until an adequate regulatory system is in place. Provision can be made for applications considered necessary for immediate public health needs.
- A recommendation that a written policy and procedures guidance document is put in place for Medical Tourism applications
- A recommendation that a letter of explanation be issued to the complainant giving adequate reasons for the delay in processing the two applications and stating how the government intends to resolve the matter
- If it is determined an audit is needed, consideration should be given to bringing in outside consultants if the Ministry staff is unable to proceed due to current workloads

Update: The Ministry of Health has provided a written response to these recommendations which the Ombudsman is still considering.

UPDATE: CEMETERY MANAGEMENT COMPLAINT RESOLVED

Department of Environmental Health/Ministry of Health

The complainants raised a number of concerns regarding the management of both government-owned and private cemetery plots, arising out of a dispute over the ownership of a cemetery plot on Grand Cayman. We advised the complainants that issues of ownership of specific cemetery plots could not be addressed by the Ombudsman, however, there were certain areas of the complaint relating to the administration of local cemeteries that were determined to be jurisdictional to the Ombudsman.

The Ombudsman's findings were as follows:

Issue 1 – The existing policies governing cemetery works and plot construction are inadequate. They are not backed by enabling legislation or regulations, and the DEH has no enforcement mechanism available if the policies are violated. The public is also unlikely to be aware of the need to check with the DEH before undertaking works on cemetery plots.

Issue 2 – There is no current legislation governing cemetery maintenance or burials in the Cayman Islands. The process implemented by the DEH for recording purchases of cemetery plots excludes any plots purchased before 1994. There is currently no written policy that sets out a dispute resolution process, either for

members of the public or for the DEH internally.

Given these findings the Ombudsman made the following recommendations:

- As a priority, the Director of DEH should make a concerted effort to have appropriate legislation drafted which governs all aspects of cemetery and burial administration, particularly within the Island of Grand Cayman. The Ombudsman requests that first drafts of such legislation be submitted for our review within 6 months of the date of this letter.
- In the meantime, the Cemetery/Burial Review Committee should support the creation of cemetery maintenance rules to govern burials as part of the ongoing Public Health Act review to include a policy for dispute resolution. Draft rules should be concluded within a time-frame of 3 months from the date of the Ombudsman's closing letter (15 June 2023), with periodic updates to the OMB during that timeframe on the progress of the Committee, and at the conclusion of the review.
- The adoption by the relevant authorities of any outstanding recommendations from the 2015 Cemetery/Burial Review Committee report
- The creation of a written policy for the public and DEH administrators to address the process for proving and acknowledging the purchase of cemetery plots before 1994.

Update: The Ministry of Health has responded to all recommendations and implemented them to the extent possible.

MALADMINISTRATION	2020	2021	2022	2023	2024	2025
Investigation	8	4	8	16	11	**8**
Supported	6	2	8	10	9	**6**
Not supported	2	0	0	4	1	**2**
Resolved informally	0	0	0	1	0	**0**
Complaint withdrawn	0	2	0	1	1	**0**

COMPLAINTS DIVISION

PUBLIC COMPLAINTS ABOUT POLICE CONDUCT

The Police Complaints team, which handles complaints from the public alleging misconduct by RCIPS officers, recorded its second-busiest year since the office opened in 2017. A total of 70 formal complaints were received with a total of 58 complaints resolved and closed for the year.

In addition to the formal complaints received, a further 47 queries were received, bringing a total of 117 enquiries and complaints processed by the team during 2025.

The Office of the Ombudsman has been pleased to note that recommendations made from various investigations have been actioned by the RCIPS and the public will begin to see some of the changes in the future. The most notable among these is the implementation of body-worn cameras for RCIPS patrol officers. In late 2025, the body-worn camera programme was still in its beginning stages and RCIPS firearms officers briefed Ombudsman staff members on the policies and procedures around using the cameras. The Ombudsman's office is now able to review body-worn camera footage as part of preliminary assessments of complaints against police conduct.

The majority of the police conduct complaints the Ombudsman investigated during 2025 related to use of force by police officers. Body-worn camera footage can be crucial in determining the outcome of these often emotive and difficult complaints. The reports of these investigations are included below.

Significant changes have also been made to RCIPS prisoner custody procedures and processing at the Cayman Islands Detention Centre (CIDC). The own-motion investigation conducted on the maladministration side of the Complaints Team initially arose out of a complaint against police conduct at the CIDC, a report of which is also included below. The RCIPS has made significant progress in improving safety at the CIDC since the issuance of the preliminary report in October 2025. The Ombudsman's office has also been informed that the RCIPS is currently updating its Officer Safety Training (OST) module.

The Ombudsman uses informal resolution in appropriate matters where both the officer and complainant involved in a police conduct complaint have agreed to the resolution. In 2025, a total of nine cases were resolved in this way. Informal resolution of a complaint, which occurs with the signed agreement of both parties, ensures that the officer will not have any disciplinary charge on his record if the matter is settled without the need for investigation.

POLICE COMPLAINTS	2020	2021	2022	2023	2024	2025
Inquiries	52	60	49	60	41	**47**
Complaints carried forward	24	15	16	24	32	**31**
Complaints received	57	28	41	47	50	**70**
Complaints resolved	66	27	33	39	51	**58**
Open complaints	15	16	24	32	31	**43**

POLICE CONDUCT

Case Summaries | **Informal Resolution**

COMPLAINANT CLAIMS OFFICER ACTED INAPPROPRIATELY

A complaint was received alleging that a police officer contacted the complainant, who was an accused person in an ongoing criminal matter before the court, and informed him that the victim was willing to settle the matter civilly in exchange for payment. The complainant further alleged that the officer indicated she would contact the Office of the Director of Public Prosecutions (ODPP) to have the case withdrawn if payment was made. He expressed concern regarding the officer's involvement in a potential settlement and questioned her impartiality.

The officer attended the Office of the Ombudsman and provided her account, together with supporting correspondence from the ODPP, indicating that she had been asked to contact the victim regarding his expressed willingness to settle the matter civilly. Although she was not directed to contact the complainant, she stated that she did so in the interest of fairness. The officer denied advising that the case would be dropped in exchange for payment and acknowledged that, in hindsight, she should have limited her contact to the victim in accordance with the ODPP's request.

The Acting Deputy Director of the ODPP confirmed the appropriate procedure for addressing civil settlement indications in matters before the court. The parties agreed to resolve the complaint through informal resolution, and the relevant documentation was finalized and submitted to the Commissioner of Police on 3 October 2025.

DUST UP BETWEEN OFFICER AND COMPLAINANT IS RESOLVED

The complainant stated that following a dispute with two females from whom he had purchased 'numbers', he was approached by a police officer and told to move on. It was alleged that the officer was not willing to listen to the complainant's side of the story. The complainant said the officer came up into his face, pushed him and told him to perform an offensive behaviour. When pushed, he stated he nearly fell. No arrest was made. The officer then returned to his vehicle.

The officer attended the Office of the Ombudsman and provided his account of events. He reflected on his actions and

accepted that he could have demonstrated more effective listening. The officer highlighted disrespectful words and behaviours on the complainant's part. He was willing to commit to being courteous in any future interactions.

The complainant and the officer demonstrated willingness to resolve the matter via informal resolution and the relevant documentation was prepared. The officer signed the document about six weeks prior to the complainant, who did not show up for several meetings.

The informal resolution and closing letter were submitted to the Commissioner of Police.

WOMAN STOPPED TWICE BY SAME OFFICERS ON THE SAME DAY MAKES COMPLAINT

The complainant stated that she was stopped by traffic officers during her lunch break and issued a ticket for window tint. She subsequently returned to work to finish her shift. On her journey home (approximately 4 hours later), she was stopped by the same officers, at the same location and issued a second ticket for window tint. The justification from the officers was that she had not removed the tint since the first ticket was issued.

The complainant stated that, due to returning to work after the ticket was issued, she had not had the opportunity to remove the tint. Further, it was stated that the officers duplicated work by re-requesting all her details and documents and laughed at her during the second encounter.

The complaint was passed to the RCIPS Professional Standards Unit (PSU) to action an informal resolution.

The informal resolution was submitted by PSU to the Office of the Ombudsman on 30 June 2025. The officers received advice and guidance in relation to best practice, discretion and emotional intelligence, which they accepted and committed to implementing. The complainant was given the opportunity to express her feelings to the officers and accepted an apology.

The complaint was resolved by way of informal resolution. The informal resolution and closing letter were submitted to the Commissioner of Police.

OFFICER'S BEHAVIOUR AT TRAFFIC STOP REVIEWED

The complaint stated that she was issued a ticket for a traffic violation, which she accepted. During the encounter with the officer, however, the complaint stated the officer was dismissive, unprofessional, excessive and unreasonable. The complainant stated that she wanted the officer to be given appropriate guidance to manage situations in a more professional and reasonable manner.

The complaint was passed to the RCIPS Professional Standards Unit (PSU) to action an informal resolution. The informal resolution was then submitted by PSU to the Office of the Ombudsman. The officer maintained that she acted in a professional manner and opted not to engage with the complainant when issuing the ticket because she was upset and using indecent language. The officer reaffirmed her commitment to professionalism and the complainant was satisfied that the officer had been made aware of the reason for the complaint.

COMPLAINT FILED OVER OFFICER'S "AGGRESSIVE" BEHAVIOUR

The complaint stated that she attended George Town Police Station to file a report. Whilst at the station, the complainant was approached by an officer and told that a report had been filed against her. Both reports were domestic-related. The complainant attempted to explain that the allegations against her were false. When she got upset, the officer told her to 'calm down'. The complainant described the officer's approach to the situation as rude, aggressive and she stated that it could have been managed much better. She said that the officer did not attempt to listen or allow her to explain the situation. The complainant indicated she was expecting the officer to behave in a more professional manner and to be more understanding of the circumstances presented.

The complaint was passed to the Professional Standards Unit to action an informal resolution. The informal resolution was submitted by PSU to the Office of the Ombudsman. The officer apologised to the complainant, expressed empathy and provided an explanation/rationale for his course of action in relation to the report he received. The complainant accepted the apology.

RESPONSE TO DOMESTIC DISPUTE QUERIED

A complaint was received alleging that RCIPS officers delayed in responding to a request for assistance at the address of the complainant's child's father, arriving approximately 50 minutes later while the situation was escalating. The complainant further alleged that her concerns were dismissed, that the officers were insensitive, and that they failed to act impartially. She stated that her intention was to encourage improved handling of similar situations.

Both officers attended the Office of the Ombudsman separately and provided their accounts. They acknowledged that attempts to de-escalate tensions may have been perceived as not taking the complainant's concerns seriously and committed to improving communication and managing expectations in similar circumstances.

The matter was resolved by way of informal resolution.

POLICE CONDUCT

Case Summaries | **Investigation**

EXCESSIVE FORCE COMPLAINT AT CARNIVAL AFTER PARTY

A complaint was received from a member of the public concerning the alleged unsatisfactory conduct of two police officers during a carnival after party.

The complaint stated that, during the after party of the Batabano Carnival, the officers approached the complainant and used excessive force to restrain her and did not give a reason for her arrest. During this restraint she was assaulted by at least two other individuals.

The officers provided context that an allegation was made by the complainant's ex-partner. Despite witnessing the assault on the complainant, no other individuals were arrested. The complainant was arrested for possession of an offensive weapon, but the Office of the Director of Public Prosecutions did not lay charges as it was deemed it was not in the public interest.

It was assessed that the officers' actions demonstrated a breach of the RCIPS Standards of Professional Behaviour, and the complaint was supported by the Ombudsman.

The Commissioner of Police was informed of the outcome and recommendations were made including:

- sensitivity training for officers in dealing with domestic abuse matters
- body worn cameras to be worn by all officers
- use of force forms to be completed as per the RCIPS policy

COMPLAINT AGAINST OFFICERS INVOLVED IN VEHICLE PURSUIT

The complainant stated that he and other road users had been put at risk by the actions of RCIPS officers in conducting a vehicle pursuit during the morning rush hour. He provided CCTV footage to support the complaint and additional footage was provided by a local business.

The officers in the RCIPS vehicle were identified and, via written statements and interviews, they provided details of their reasoning for attempting to stop the vehicle and for pursuing it when it failed to stop. Further evidence was gathered including body cam footage, radio transmissions, training data and supervising officer statements. The officers' actions were reviewed against the RCIPS Police Pursuit and Use of Vehicle Policy.

It was assessed that the officers' actions fell short of the RCIPS expected Standards of Professional Behaviour and the complaint was supported by the Ombudsman.

The Commissioner of Police was informed of the outcome, and several recommendations were made within the final investigation report including:

- more officers to be trained as pursuit drivers
- updates to be made to the communication standards within the RCIPS Pursuit Policy
- Duty Inspectors to ensure they illicit sufficient and relevant information
- RCIPS vehicles to be fitted with dashcams and event data recorders

COMPLAINT AGAINST COMMUNITY POLICE OFFICER'S LANGUAGE

The complaint stated that, during an interaction between the officer and the representative of a local business, the officer used inappropriate language by swearing at him.

Investigators obtained accounts from both parties. There were no witnesses to the conversation and available CCTV footage did not capture the audio. It was established that there was some professional history between the two individuals and a strained relationship between them.

The officer accepted partial responsibility for the allegations but maintained that he did not swear at the complainant.

It was assessed that the officer's actions demonstrated a breach of the RCIPS Standards of Professional Behaviour and the complaint was supported by the Ombudsman.

The Commissioner of Police was informed of the outcome and recommendations and committed to providing mandatory Code of Ethics training for the officer.

STRUGGLE IN DETENTION CENTRE CELL LEADS TO COMPLAINT

The complainant stated that, following his arrest, he was taken to the Cayman Islands Detention Centre where he was refused bail and the sergeant instructed the officers to take him to a cell. The complainant resisted and a tussle ensued. The complainant stated he was punched, kneed and pushed before being thrown into the cell. As he tried to get out, he stated the officers kicked the door closed. His thumb was caught in the door and the tip of his thumb detached. He banged on the cell door to get the attention of the officers for medical attention. Officers did not respond for approximately 15 minutes. An ambulance was then called and the complainant was transferred to hospital where he underwent surgery. The complainant stated he was returned to the detention centre after the surgery and remained there for 4 days.

The Royal Cayman Islands Police (RCIPS) conducted an internal review following this incident and shared all documents with the Office of the Ombudsman. CCTV was obtained from the detention centre and interviews conducted with all officers. The CCTV confirmed the four officers struggled to transfer the complainant to a cell. The complainant resisted and he was dragged and pushed by the officers. One officer kicked the cell door whilst the others pushed against it. The complainant's thumb was caught in the door as it was closed. Fifteen minutes passed between the door being closed and the complainant being checked. He was banging on the door throughout this time.

Findings from the investigation were that the Detention Centre was understaffed and it was a busy shift, the staff are not adequately trained to relocate violent/resistant prisoners to a cell and RCIPS training curriculum does not offer this training. However, it was concluded that the officers attempted to do their best to manage an unpredictable and volatile situation. The lack of training increased risk of injury to both the complainant and the officers in this situation but it was concluded that there was no evidence to indicate excessive use of force. The observations of the Ombudsman were that this was an organisational issue to be addressed via improved training and review of staffing levels.

The complaint was partially supported.

BROOMSTICK-WIELDING MAN MAKES EXCESSIVE FORCE COMPLAINT

The complainant stated that, during his arrest, he threatened officers with a broomstick. After he was taken to the ground and handcuffed, he said an officer used her baton to strike him on the ankle, resulting in a broken ankle and tissue damage.

The Office of the Ombudsman interviewed the subject officer who stated she did not withdraw her baton during this arrest. Police reports were reviewed and

statements gathered from witnesses (RCIPS officers and CBC officers present during the arrest). All statements described the complainant as being non-compliant throughout the arrest as well as threatening, assaulting and causing injury to the officers. They did not reference the use of a baton. The RCIPS reports did not provide sufficient information to establish if an officer had drawn their baton and/or struck the complainant. Through witness interviews, it was possible to identify the officer that struck the complainant on the leg. The officer provided her rationale for use of force but had not prepared the required use of force report post arrest. Multiple requests were made to the complainant to submit medical records to verify the injury, but no response was received.

It was confirmed that the subject of the complaint did not strike the complainant and therefore did not use excessive force. The Ombudsman therefore did not support the complaint. She further concluded that, should the complainant have filed a complaint against the correct officer, she would not have supported it as the force used (2 baton strikes to the leg) was deemed to be proportionate to the aggressive/violent behaviour demonstrated by the complainant. The Ombudsman requested that all officers be reminded that Use of Force reports should be completed in line with RCIPS policy. She further highlighted the benefit of Body Warn Video and access to same may lead to faster resolution of complaints and potentially reduce legal action against RCIPS.

FIREARMS RESPONSE UNIT COMPLAINT

The complaint stated that, during a search of a residential property, Firearms Response Unit (FRU) officers used excessive force and acted in an aggressive manner. The complaint alleged the specific actions to include declining the complainant's request to put on pants, making the occupants of the property (including children) stand in the middle of the road – half naked and exposed to insect bites and humiliation, the children being traumatised. It was further stated that this was despite the complainant being willing to co-operate. The complainant was not the intended subject of the search but resided in the adjoining property.

Investigators obtained the footage recorded on the body worn cameras, worn by the FRU officers that approached the property. This footage showed the actions of the officers as well as the complainant's location and attire during the search. Investigators also spoke with several RCIPS personnel from both the Firearms Response Unit and CID, and reviewed policies, to gain a clearer understanding of tasks and responsibilities during such operation.

It was established that the firearms officers have responsibility for clearing the property of any persons that may pose a threat, subsequently enabling CID officers to conduct a thorough search of the property.

Once individuals are removed from the property, CID takes responsibility for them.

The body worn footage showed that the officers were courteous to each individual they encountered when clearing the house. Firearms were lowered in the presence of the children and an adult was permitted to put on pants before leaving the property. The complainant was wearing shorts, no shirt. The family stood at the boundary line of the property, next to an RCIPS vehicle, whilst the property was being cleared. The intended subject was detained.

Criminal Investigation Division (CID) officers described the complainant as calm and compliant throughout the operation and no concerns were raised at the time of the search. The children were assessed as safe, in the care of their parents. CID officers remained present with the family to monitor and provide information.

The Ombudsman recognised that this would have been an unpleasant experience for the complainant and his family, but it was concluded that the officers acted lawfully and must maintain awareness of risk and threat level throughout any such operation. A recommendation was made for RCIPS to signpost parents to free counselling and support services for aftercare for their children following such experiences.

The complaint was not supported.

TRAFFIC STOP LEADS TO COMPLAINT

The complaint stated that the officer had provided false information relating to a traffic violation to the complainant's employer (namely that he had been issued a speeding ticket) and had shown CCTV of the violation to the complainant's colleagues. The complainant stated he was scared of the officer as he felt he was being targeted, which could threaten his [driving] job.

The officer stated that he observed the complainant commit a traffic violation on his way to work and therefore accessed the local CCTV to evidence the violation. He then used this evidence to issue a ticket after the fact. He stated this was the second violation committed by the complainant, the first time a warning had been issued and therefore he assessed it appropriate to issue a ticket on this occasion. The officer further said he informed the employer of the ticket but did not share what it was issued for. The officer accepted that he shared the CCTV footage with others and stated this was to serve as a deterrent to the other employees [drivers], highlighting to them that they could also be reprimanded if they violate the traffic laws.

A witness, the complainant's employer, confirmed that he received information about the complainant from the officer via an informal conversation at a retail store – namely that a ticket had been issued. He also stated that the officer did not share the circumstances relating to the violation nor

the type of ticket issued. This information did not have any impact on the complainant's employment.

The CCTV footage was reviewed by the Deputy Ombudsman-Information Rights and it was assessed that the sharing of the recording did not breach data protection.

It was concluded that the officer acted in line with his duties. The Ombudsman recommended that the officer be reminded to share information with other agencies only via formal channels.

The complaint was not supported.

SEPARATE INCIDENTS LEAD TO COMPLAINTS AGAINST FOUR OFFICERS

A complaint was received from a member of the public concerning the alleged unsatisfactory conduct of four police officers during two separate incidents.

The complaint stated that, during the first incident, three officers attended to resolve a dispute over a check at a bar. In the presence of the officers, the complainant said he was threatened by the bar staff and no action was taken. The complainant subsequently attended the police station to file a report in relation to the threats. Whilst at the station, the complainant got into an altercation with an officer over the provision of details (name, badge number) and stated that the officer had twisted his wrists in an effort to take a piece of paper, resulting in injury.

In relation to the first incident, all three officers were interviewed and RCIPS reports reviewed. There was no CCTV or body worn camera footage available. The officers stated the complainant was uncooperative and disrespectful throughout the incident but did pay his check to resolve the issue. One of the three officers reported hearing the threats made to the complainant but stated no action was taken as no complaint or allegation was made by the complainant. Another officer stated she did not perceive the words used as a threat. In response to the complainant subsequently filing a report at the police station, RCIPS issued a warning to the employee at the bar, which was accepted and signed.

In relation to the second incident, the complainant provided medical reports detailing an injury to his right thumb, radiating to his wrist and worsening with movement. He stated the pain started approximately 20 minutes after leaving the station. He further stated he had to take one month off work and a steroid injection was administered for pain. The subject officer was interviewed. He provided his notebook entries and CCTV footage from the police station was reviewed. There was no audio available on the CCTV, but it showed the interaction between the officer and the complainant. The CCTV showed that any physical contact between the two individuals lasted less than 2 seconds.

The complaint was not supported. However, in her observations, the Ombudsman suggested that RCIPS should ensure all officers have a universal understanding of threats and that all responding officers should be issued body worn video devices. She also observed that, whilst it could not be determined if the officer had caused the injury, there was some evidence of unnecessary provocation by the officer.

POLICE COMPLAINTS	2020	2021	2022	2023	2024	2025
Assessment/disposition	33	12	24	22	34	**36**
Non-jurisdictional	12	2	9	10	30	**26**
Investigation time barred	1	1	6	3	0	**0**
Investigation refused (s. 3(2)g))	4	0	5	4	1	**5**
Complaint withdrawn	6	4	0	1	0	**1**
Complaint abandoned	10	4	3	4	2	**1**
Other	0	1	1	0	1	**3**
Informal resolution	16	11	3	2	7	**9**
Investigation	17	4	6	15	10	**13**
Supported	3	1	2	4	3	**3**
Not supported	11	1	3	8	6	**6**
Complaint withdrawn	1	0	0	0	1	**1**
Complaint abandoned	1	1	1	2	0	**1**
Other	1	1	0	1	0	**2**

COMPLAINTS DIVISION

Whistleblower Protection

As noted in the Ombudsman's opening statement, our office received far more complaints and enquiries under the Whistleblower Protection Act during 2025 than in any previous year since the office was created. Unfortunately, members of the public will not see the outcome of these investigations in the 2025 report, as the majority were carried over into 2026.

The whistleblower matters our office investigated involved both public and private sector entities, to include non-profits and private for-profit businesses. The investigations were generally complex and time-consuming. It is also important to note that, in certain matters, the Whistleblower Protection Act requires the Ombudsman to refer matters to competent authorities depending on findings during the course of an investigation, or at the conclusion of it.

As has been noted in previous Annual Reports to Parliament, there remain significant difficulties with the current whistleblower legislation and its reform remains crucial.

WHISTLEBLOWER PROTECTION	2020	2021	2022	2023	2024	2025
Inquiries	6	4	2	3	9	**18**
Disclosures carried forward	0	2	3	3	3	**3**
Disclosures received	4	2	3	6	1	**11**
Disclosures resolved	2	1	3	6	1	**6**
Open disclosures	2	3	3	3	3	**8**

WHISTLEBLOWER PROTECTION

Case Summaries | **Investigation**

WHISTLEBLOWER PROTECTION ACT COMPLAINT REFERRED

A whistleblower complaint was made to the Office of the Ombudsman (OMB) against a non-profit entity in the Cayman Islands.

Following a review of the complaint, which included a protected disclosure made by the complainant, the OMB opened an investigation into the matter under section 30 of the Whistleblower Protection Act (WPA). During the course of that investigation, further information came to light that required referral of the matter to another agency to investigate as is required by the WPA.

This process is set out in Schedule 2, paragraph 5 of the Act:

5. If the designated authority finds, during the course of the investigation or on the conclusion thereof that there is evidence of a breach of duty or misconduct or criminal offence, the authority shall refer the matter-

(a) to the person or persons competent to take any disciplinary proceedings;

(b) to the Commissioner of Police in the case of a criminal offence; or

(c) to the Governor, if the breach of duty, misconduct or a criminal offence is allegedly committed by the Commissioner of Police, the Complaints Commissioner, the Attorney General, the Auditor General, the Information Commissioner or the Director of Public Prosecution.

The OMB investigation was closed pending the outcome of the other agency's review.

WHISTLEBLOWER PROTECTION	2020	2021	2022	2023	2024	2025
Assessment/disposition	2	1	3	4	1	**5**
Referred to another agency	0	0	0	0	1	0
Non-jurisdictional	2	1	3	4	0	5
Early resolution	0	0	0	0	0	**0**
Supported	0	0	0	0	0	**0**
Not supported	0	0	0	0	0	**0**
Investigation	0	0	0	2	0	**1**
Supported	0	0	0	1	0	**0**
Not supported	0	0	0	0	0	**0**
Referred to Another Agency	0	0	0	1	0	**1**

FINANCIAL INFORMATION

Budget

The original budget for the Office of the Ombudsman for 2025 was $2.5 million. The unused portion of the 2024 budget, $274 thousand, was transferred to 2025 for a revised 2025 budget of $2.8 million.

Personnel costs
There was an increase in personnel costs over the original budget due to the 5% cost of living adjustment
(COLA) awarded for 2025. The shortfall was covered by the savings transferred from 2024.

Litigation
Litigation costs are budgeted as contingencies and may vary from year to year, depending on applications for judicial review and the need for legal services. Litigation costs exceeded the revised budget by $339 thousand.

Depreciation
This item was over budget due to a new accounting standard coming into effect. The treatment for leases changed and was reflected as a decrease in lease expense (supplies and consumables) and an increase in depreciation.

Summary
The Office of the Ombudsman exceeded its 2025 appropriation by $117 thousand due to unanticipated legal costs to defend two judicial reviews during the year.

GOVERNMENT OF THE CAYMAN ISLANDS

OFFICE OF THE OMBUDSMAN

AUDITED FINANCIAL STATEMENTS

31 DECEMBER 2025

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STATEMENT OF RESPONSIBILITY FOR THE FINANCIAL STATEMENTS

These financial statements have been prepared by the Office of the Ombudsman in accordance with the provisions of the *Public Management and Finance Act (2020 Revision)*.

We accept responsibility for the accuracy and integrity of the financial information in these financial statements and their compliance with the *Public Management and Finance Act (2020 Revision)*.

As Ombudsman, I am responsible for establishing; and have established and maintained a system of internal controls designed to provide reasonable assurance that the transactions recorded in the financial statements are authorised by Act, and properly record the financial transactions of the Office of the Ombudsman.

As Ombudsman and Chief Financial Officer, we are responsible for the preparation of the Office of the Ombudsman financial statements, representation and judgments made in these statements.

The financial statements fairly present the financial position, financial performance and cash flows for the financial year ended 31 December 2025.

To the best of our knowledge, we represent that these financial statements:

(a) Completely and reliably reflect the financial transactions of Office of Ombudsman for the year ended 31 December 2025;

(b) fairly reflect the financial position as at 31 December 2025 and performance for the year ended 31 December 2025;

(c) comply with International Public Sector Accounting Standards as set out by International Public Sector Accounting Standards Board under the responsibility of the International Federation of Accountants.

The Office of the Auditor General conducts an independent audit and expresses an opinion on the accompanying financial statements. The Office of the Auditor General has been provided access to all the information necessary to conduct an audit in accordance with International Standards on Auditing.

Sharon Roulstone
Ombudsman

Date: 28 April 2026

Tiffany Ebanks
Chief Financial Officer

Date: 28 April 2026

Office of the Auditor General
CAYMAN ISLANDS

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AUDITOR GENERAL'S REPORT

To the Members of Parliament and the Chief Officer of the Office of the Ombudsman

Opinion

I have audited the financial statements of the Office of the Ombudsman (the "Entity"), which comprise the statement of financial position as at 31 December 2025 and the statement of financial performance, statement of changes in net assets and cash flows statement for the year ended 31 December 2025, and notes to the financial statements, including a summary of significant accounting policies as set out on pages 9 to 30.

In my opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the Office of the Ombudsman as at 31 December 2025 and its financial performance and its cash flows for the year ended 31 December 2025 in accordance with International Public Sector Accounting Standards.

Basis for Opinion

I conducted my audit in accordance with International Standards on Auditing (ISAs). My responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of my report. I am independent of the Office of the Ombudsman in accordance with the International Ethics Standards Board for Accountants' *Code of Ethics for Professional Accountants (IESBA Code)*, together with the ethical requirements that are relevant to my audit of the financial statements in the Cayman Islands, and I have fulfilled my other ethical responsibilities in accordance with these requirements and the IESBA Code. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Emphasis of Matter

As outlined in note 17 of the financial statements, the Cabinet authorised supplementary appropriations under section 11(5) of the Public Management and Finance Act (PMFA). The impact of this was an increase of $150,000 in the Entity's operating budget. A supplementary Appropriations Bill for the additional funding was not introduced in Parliament by 31 March 2026 as required by section 11(6) of the Public Management and Finance Act (2020 Revision). My opinion is not qualified in respect to this matter.

Responsibilities of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with International Public Sector Accounting Standards and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Office of the Ombudsman's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Office or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Office of the Ombudsman's financial reporting process.

AUDITOR GENERAL'S REPORT (continued)

Auditor's Responsibilities for the Audit of the Financial Statements

My objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with ISAs, I exercise professional judgment and maintain professional skepticism throughout the audit. I also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Office of the Ombudsman's internal control.

- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.

- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Office of the Ombudsman's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my auditor's report. However, future events or conditions may cause the Office of the Ombudsman to cease to continue as a going concern.

- Evaluate the overall presentation, structure and content of the financial statements, including disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

I have undertaken the audit in accordance with the provisions of section 60(1)(a) of the *Public Management and Finance Act (2020 Revision)*. I communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

Mr. Patrick O. Smith CPA, CFE
Auditor General

28 April 2026
Cayman Islands

OFFICE OF THE OMBUDSMAN
STATEMENT OF FINANCIAL POSITION
AS AT 31 DECEMBER 2025
(Expressed in Cayman Islands Dollars)

Prior Year Actual		Notes	Current Year Actual	Original Budget	Variance (Budget vs Actual)
CI$000			CI$000	CI$000	CI$000
	Current Assets				
709	Cash and cash equivalents	**2,14**	582	789	207
145	Trade receivables	**3,14,15**	646	85	(561)
65	Prepayments	**3,14**	57	13	(44)
919	**Total Current Assets**		**1,285**	**887**	**(398)**
	Non-Current Assets				
-	Right of use assets	**8,14**	330	-	(330)
64	Property and equipment	**4**	66	73	7
-	Intangible assets	**5,14**	-	12	12
64	**Total Non-Current Assets**		**396**	**85**	**(311)**
983	**Total Assets**		**1,681**	**972**	**(709)**
	Current Liabilities				
1	Trade payables	**6**	-	8	8
91	Accruals and other liabilities	**6,14,15**	444	10	(434)
-	Current lease liabilities	**8**	127	-	(127)
23	Employee entitlements	**7**	11	27	16
115	**Total Current Liabilities**		**582**	**45**	**(537)**
	Non-Current Liabilities				
-	Long-term Lease liabilities	**8**	232	-	(232)
-	**Total Non-Current Liabilities**		**232**	**-**	**(232)**
115	**Total Liabilities**		**814**	**45**	**(769)**
868	**Net Assets**		**867**	**927**	**60**
	Equity				
868	Contributed capital	**14**	867	927	60
868	**Total Equity**		**867**	**927**	**60**

The accounting policies and notes on pages 9 -30 form part of these financial statements.

OFFICE OF THE OMBUDSMAN
STATEMENT OF FINANCIAL PERFORMANCE
FOR THE YEAR ENDED 31 DECEMBER 2025
(Expressed in Cayman Islands Dollars)

Prior Year Actual		Notes	Current Year Actual	Original Budget	Final Budget	Variance (Original vs Actual)
CI$000			**CI$000**	**CI$000**	**CI$000**	**CI$000**
	Revenue					
2,249	Sales of goods & services	**9,14,15**	2,955	2,565	2,989	(390)
2,249	**Total Revenue**		**2,955**	**2,565**	**2,989**	**(390)**
	Expenses					
1,641	Personnel costs	**10,14**	1,908	2,003	2,127	95
297	Supplies and consumables	**11**	304	303	303	(1)
116	Operational leases	**14**	-	140	140	140
173	Litigation Cost	**14**	579	90	390	(489)
-	Finance Costs (lease liabilities)	**8,14**	23	-	-	(23)
-	Depreciation for right of use	**8,14**	124	-	-	(124)
22	Depreciation and amortization	**4,5,14**	17	29	29	12
2,249	**Total Expenses**		**2,955**	**2,565**	**2,989**	**(390)**
-	**Surplus for the year**		**-**	**-**	**-**	**-**

The accounting policies and notes on pages 9 -30 form part of these financial statements.

OFFICE OF THE OMBUDSMAN
STATEMENT OF CHANGES IN NET ASSETS/EQUITY
FOR THE YEAR ENDED 31 DECEMBER 2025
(Expressed in Cayman Islands Dollars)

	Note	Contributed Capital	Accumulated Surplus/(deficit)	Total Net Assets/Equity	Original Budget	Variance (Budget vs. Actual)
		CI$000	CI$000	CI$000	CI$000	CI$000
Balance at 1 January 2024		**861**	**-**	**861**	**877**	**16**
Equity Injection from Cabinet		7	-	7	25	18
Surplus for the year		-	-	-	-	-
Prior period adjustment		-	-	-	-	-
Balance at 31 December 2024		**868**	**-**	**868**	**902**	**34**
Balance at 1 January 2025		**868**	**-**	**868**	**902**	**33**
Equity Injection from Cabinet		19	-	19	25	6
Surplus for the year		-	-	-	-	-
Prior period adjustment	**8**	(20)	-	(20)	-	20
Balance at 31 December 2025		**867**	**-**	**867**	**927**	**59**

The accounting policies and notes on pages 9-30 form an integral part of the financial statements.

OFFICE OF THE OMBUDSMAN
STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED 31 DECEMBER 2025
(Expressed in Cayman Islands Dollars)

Prior Year Actual CI $'000		Notes	Current Year Actual CI $'000	Original Budget CI $'000	Variance (Budget vs. Actual) CI $'000
	Cash flows managed on behalf of Cabinet				
	Operating Activities:				
	Cash received				
2,525	Sales to Cabinet		2,454	2,564	110
2,525	Total Cash Received		2,454	2,564	110
	Cash used				
(1,621)	Personnel costs		(1,920)	(2,092)	(172)
(469)	Supplies and consumables		(523)	(443)	80
(116)	Lease payment - interest	**8**	(23)	-	23
319	**Net cash flows (used in) from operating activities**	**12**	**(12)**	**29**	**41**
	Investing Activities:				
	Cash Used				
(7)	Purchase of property and equipment	**4**	(19)	(25)	(6)
(7)	**Net cash flows used in investing activities**		**(19)**	**(25)**	**(6)**
	Financing activities:				
	Cash received/(used)				
7	Equity injections from Cabinet		19	25	6
(190)	Payment of surplus		-	-	-
-	Lease payment - principal	**8**	(115)	-	115
(183)	**Net cash flows (used in) from financing activities**		**(96)**	**25**	**121**
129	Net increase/(decrease) in cash and cash equivalents held		(127)	29	156
580	Cash and cash equivalents at beginning of year		709	760	51
709	**Cash and cash equivalents at the end of the year**		**582**	**789**	**207**

The accounting policies and notes on pages 9-30 form an integral part of the financial statements.

OFFICE OF THE OMBUDSMAN
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 DECEMBER 2025
(Expressed in Cayman Islands Dollars)

Description and principal activities

The Office of the Ombudsman (the "Entity") was established on 13 September 2017 by the Ombudsman Act, 2017 as an independent entity responsible for:

- monitoring compliance with the Freedom of Information Act (2021 Revision) by public authorities
- investigating complaints of government maladministration pursuant to the Complaints (Maladministration) Act (2018 Revision)
- investigating public complaints against the police in accordance with the Police (Complaints by the Public) Act, 2017
- receiving and investigating disclosures of improper conduct and detrimental actions under the Whistleblower Protection Act, 2015
- regulating data protection pursuant to the Data Protection Act (2021 Revision)

The Entity is an independent office of the Legislature and reports to an Oversight Committee of the Parliament for the purpose of establishing a budget and accounting for expenditures.

As at 31 December 2025, the Entity had 15 employees (2024: 13). The Entity is located on the 5th Floor of the Anderson Square Building, George Town Grand Cayman, Cayman Islands.

Note 1: Significant accounting policies

These financial statements have been prepared in accordance with International Public Sector Accounting Standards ("IPSAS") issued by the International Federation of Accountants and its International Public Sector Accounting Standards Board using the accrual basis of accounting. Where additional guidance is required, International Financial Reporting Standards ("IFRS") issued by the International Accounting Standards Board are used.

New accounting standards issued and applicable

IPSAS 43. The Office of the Ombudsman has adopted IPSAS 43, Leases as of the transition date of 1 January 2025, replacing IPSAS 13, Leases.

IPSAS 43 primarily affects the accounting by lessees and results in the recognition of almost all leases on the Statement of Financial Position. At the commencement date of a lease, a lessee will recognise a liability to make lease payments (i.e., the lease liability) and an asset representing the right to use the underlying asset during the lease term (i.e., the right-of-use asset). Lessees will be required to separately recognise the interest expense on the lease liability and the depreciation expense on the right-of-use asset, which will generally result in a higher charge being recorded in the Statement of Financial Performance compared to IPSAS 13. Lessees will be also required to remeasure the lease liability upon the occurrence of certain events (e.g., a change in the lease term, a change in future lease payments resulting from a change in an index or rate used to determine those payments). The lessee will generally recognise the amount of the remeasurement of the lease liability as an adjustment to the right-of-use asset.

In accordance with the transitional provisions in IPSAS 43, the Entity has adopted the modified retrospective approach under which the cumulative effect of initial application is recognised in opening equity at 1 January 2025. Accordingly, 2024 corresponding figures have not been restated.

Note 1: Significant accounting policies (continued)

New accounting standards issued and applicable (continued)

IPSAS 44, Non-Current Assets Held for Sale and Discontinued Operations specifies the accounting for assets held for sale and the presentation and disclosure of discontinued operations. There is no impact to the Entity's Financial Statements.

IPSAS 45, Property, Plant, and Equipment, provides comprehensive guidance on the accounting treatment for property, plant, and equipment (PPE), including specific guidance for heritage assets and infrastructure assets held by public sector entities. The standard replaces IPSAS 17, Property, Plant and Equipment. There is no impact to the Entity's Financial Statements.

IPSAS 46, Measurement provides new guidance in a single standard addressing how commonly used measurement bases should be applied in practice. There is no impact on the Entity's financial statements.

New and revised accounting standards issued that are not yet effective for the financial year beginning 1 January 2025 have not been early adopted by the Entity

Certain new accounting standards have been published that are not mandatory for the 31 December 2025 reporting year and have not been early adopted by the Entity. The Entity's assessment of the impact of these new standards is set out below.

IPSAS 47, Revenue (effective for periods beginning on or after January 1, 2026) replaces IPSAS 9, Revenue from Exchange Transactions, IPSAS 11, Construction Contracts, and IPSAS 23, Revenue from Non-Exchange Transactions and is a single source for revenue accounting guidance in the public sector, which presents two accounting models based on the existence of a binding arrangement. The impact on the Entity's financial statements will be assessed during the year 2026.

IPSAS 48, Transfer Expenses (effective for periods beginning on or after January 1, 2026) provides accounting requirements for transfer expenses, and presents two accounting models based on the existence of a binding arrangement. The impact on the Entity's financial statements will be assessed during the year 2026.

IPSAS 49, Retirement Benefit Plans (effective for periods beginning on or after January 1, 2026) establishes comprehensive accounting and reporting requirements for the financial statements of retirement benefit plans, with participants comprising current and former public sector employees and other eligible members. The new pronouncement will bring increased transparency and accountability to these public sector entities, ensuring they can fulfill their obligations to employees and other eligible participants who are members of the retirement benefit plan. It is anticipated that IPSAS 49 will not have an impact on the Entity's financial statements.

Note 1: Significant accounting policies (continued)

New and revised accounting standards issued that are not yet effective for the financial year beginning 1 January 2026 have not been early adopted by the Entity (continued)

IPSAS 50, Exploration for and Evaluation of Mineral Resources (effective for periods beginning on or after January 1, 2027) provides guidance on accounting for the costs incurred in the exploration and evaluation of mineral resources, based on the selection of an accounting policy specifying which expenditure should be recognised as exploration and evaluation assets. It is anticipated that IPSAS 50 will not have an impact on the Entity's financial statements.

IPSAS 51, Tangible Natural Resources Held for Conservation (effective for periods beginning on or after January 1, 2028) introduces new, public sector-specific accounting guidance on accounting for natural resources with physical substance, such as land, trees, and water, often held by governments to preserve or protect them. It is anticipated that IPSAS 51 will not have an impact on the Entity's financial statements.

(a) Basis of preparation

These financial statements have been prepared on a going concern basis. The financial statements are presented in Cayman Islands dollars and the measurement base applied to these financial statements is the historical cost basis.

(b) Reporting period

The current reporting period is for the 12 months commencing 1 January 2025 and ending 31 December 2025.

(c) Budget amounts and budget period

The 2025 budget amounts were prepared using the accrual basis of accounting and the accounting policies have been consistently applied with the actual financial statement presentation. The 2025 budget was presented in the 2024-2025 Budget Statement of the Government of the Cayman Islands and approved by the Parliament on 8 December 2023.

The appropriations presented in a Budget Statement cover a budget period of two financial years. The 2024-2025 Budget Statement covers the two financial years commencing 1 January 2024 to 31 December 2025. The 2024-2025 appropriations lapse at the end of the budget period ending 31 December 2025.

Note 1: Significant accounting policies (continued)

(d) Judgments and estimates

The preparation of financial statements in accordance with IPSAS requires judgments, estimates, and assumptions affecting the application of policies and reported amounts of assets and liabilities, revenue and expenses. The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances. The account balances that require judgement are receivables from exchange transactions, property and equipment and accruals and other liabilities. Actual results may differ from these estimates.

The estimates and underlying assumptions are reviewed on an ongoing basis. Revisions to accounting estimates are recognised in the reporting period and in any future periods that are affected by those revisions.

(e) Revenue

Revenue is recognised in the accounting period in which it is earned. Revenue received but not yet earned at the end of the reporting period is deferred as a liability. The Office of the Ombudsman derives its revenue through the provision of services to Cabinet, to other agencies in government and to third parties. Revenue derived from third parties in 2025 were nil (2024: nil). Revenue is recognised at the agreed value of services provided as set out in the published budget statements.

(f) Expenses

Expenses are recognised when incurred on the accrual basis of accounting. In addition, an expense is recognized for the consumption of the estimated fair value of contributed goods and services received, where an estimate can realistically be made.

(g) Leases

All leases are accounted for by recognising a right-of-use asset and a lease liability except for leases with a duration of less than 12 months.

Lease liabilities are measured at the present value of the contractual payments due to the lessor over the lease term, including any contractual payments relating to extension options which are likely to be exercised by management. The discount rate used to determine the present value of the contractual payments is determined by reference to the rate inherent in the lease unless this is not readily determinable, in which case the Cayman Islands Government's incremental borrowing rate on commencement of the lease is used or at year-end.

The lease liability is presented as a separate line in the Statement of Financial Position. On initial recognition, the carrying value of the lease liability also includes:

- amounts expected to be payable under any residual value guarantee;
- the exercise price of any purchase option granted in favour of the agency if it is reasonably certain to exercise that option; and
- any penalties payable for terminating the lease, if the term of the lease has been estimated on the basis of termination option being exercised.

Note 1: Significant accounting policies (continued)

(g) Leases (continued)

The lease liability is measured at amortised cost, using the effective interest rate method. The liability is reduced over time by the lease payments, with a portion recognised as interest expense.

Right-of-use assets are also presented in a separate line item in the Statement of Financial Position. Right-of- use assets are initially measured at the amount of the lease liability, reduced for any lease incentives received, and increased for:

- lease payments made at or before commencement of the lease;
- initial direct costs incurred; and
- the amount of any provision recognised where the agency is contractually required to dismantle, remove or restore the leased asset.

Right-of-Use Asset is amortised on a straight-line basis over the remaining term of the lease or over the remaining economic life of the asset, if this is judged to be shorter than the lease term. In addition, the right-of-use asset is periodically reduced by impairment losses, if any, and adjusted for certain remeasurements of the lease liability. When the lease liability is remeasured in this way, a corresponding adjustment is made to the carrying amount of the right-of-use asset, or is recorded in the statement of financial performance if the carrying amount of the right-of-use asset has been reduced to zero.

(h) Cash and cash equivalents

Cash and cash equivalents include cash on hand, cash in transit, and bank accounts with a maturity of no more than three months from the date of acquisition, which are subject to an insignificant risk of changes in value. Although cash and cash equivalents at 31 December 2025 are subject to the expected credit loss requirements of IPSAS 41, no allowance has been recognised as the estimated allowance is negligible due to the high credit quality of the counterparty banks.

(i) Trade Receivables

Trade receivables are amounts due from customers for items sold or services performed in the ordinary course of business. Trade receivables and other receivables comprise of balances due from other Government entities, including Output Receivables and balances due from third parties.

(j) Prepayments

The portion of amounts paid for goods and services in advance of receiving such goods and services are recognised as a prepayment.

(k) Property and equipment

Property and equipment is stated at historical cost less accumulated depreciation. Items of property and equipment are initially recorded at cost. Where an asset is acquired for nil or nominal consideration, the asset is recognized initially at fair value, where fair value can be reliably determined, and as revenue in the statement of financial performance in the year in which the asset is acquired.

Note 1: Significant accounting policies (continued)

(k) Property and equipment (continued)

Depreciation is expensed on a straight-line basis at rates calculated to allocate the cost or valuation of an item of property and equipment; less any estimated residual value, over its estimated useful life. Leasehold improvements are depreciated either over the unexpired period of the lease or the estimated useful lives of the improvements, whichever is shorter.

Asset Type	***Estimated Useful life***
• Computer hardware and software	3 – 10 years
• Office equipment and furniture	3 – 10 years
• Other equipment	5 – 10 years
• Leasehold improvements	5 years – over the term of lease

The assets' residual values and useful lives are reviewed, and adjusted if appropriate, at year-end. Assets that are subject to depreciation are reviewed for impairment whenever events or changes in circumstances indicate that the carrying amount may not be recoverable. An asset's carrying amount is written down immediately to its recoverable amount if the asset's carrying amount is greater than its estimated recoverable amount. The recoverable amount is the higher of the asset's fair value less costs to sell and its value for use in service.

Disposals

Gains and losses on disposal of property and equipment are determined by comparing the sale proceeds with the carrying amount of the asset on disposal. Gains and losses on disposals during the year are included in the statement of financial performance.

(l) Employee benefits

Employee entitlements to salaries and wages, annual leave, long service leave, retiring leave and other similar benefits are recognised in the statement of financial performance when they are earned by employees. Employee entitlements to be settled within one year following the year-end are reported as current liabilities at the amount expected to be paid.

Pension contributions for employees of the Office of the Ombudsman are paid to the Public Service Pension Fund and administered by the Public Service Pension Board (the "Board"). Contributions of 12% on basic salary - employer 6% and employee 6% - are made to the Fund by the Office of the Ombudsman. Contributions of 12% on acting, duty allowances – employer 6% and employee 6% - are made to the Fund by the Office of the Ombudsman.

Prior to 1 January 2000, the Board operated a defined benefit scheme. With effect from 1 January 2000 the Board continued to operate a defined benefit scheme for existing defined benefit employees and a defined contribution scheme for all new employees.

All eligible employees for the defined contribution plan are included in these financial statements. Any employees belonging to the defined benefit plan are recognised at the entire Public Sector level as an Executive liability managed by the Ministry of Finance and accordingly not recognised in these financial statements.

Note 1: Significant accounting policies (continued)

(m) Financial instruments

Financial assets and financial liabilities are recognised in the Entity's statement of financial position when the Entity becomes a party to the contractual provisions of the instrument.

Initial Recognition

Financial assets and liabilities are initially measured at fair value. On initial recognition, transaction costs directly attributable to the acquisition or issue of financial liabilities are added to or deducted from the fair value of the financial assets or financial liabilities, as appropriate.

Subsequent measurement and classification

IPSAS 41 requires financial assets to be subsequently measured at fair value through surplus or deficit (FVTSD), amortised cost, or fair value through other comprehensive revenue and expense (FVTOCRE). Additionally, IPSAS 41 requires financial liabilities to be measured at either amortised cost or FVTSD.

This classification is based on the business model for managing financial instruments, and whether the payments are for solely payments of principal or interest on the principal amount outstanding. The Entity assessed the business model for holding financial assets at the date of initial application. It determined that all of these are held to collect contractual cash flows that are solely payments of principal and interest. Therefore, financial assets are subsequently measured at amortised cost. Financial liabilities are subsequently measured at amortised cost.

Cash and cash equivalents, trade receivables and payables are recorded at amortised cost using the effective interest method less any impairment.

Derecognition

Financial assets are derecognised when the rights to receive cash flows have expired or have been transferred and the Entity has transferred substantially all risks and rewards of ownership. A financial liability is derecognised when it is extinguished, that is when the obligation is discharged, cancelled, or expires.

(n) Provisions and contingencies

Provisions are recognised when an obligation (legal or constructive) is incurred as a result of a past event and where it is probable that an outflow of assets embodying economic benefits will be required to settle the obligation and a reliable estimate can be made of the amount of the obligation.

Contingent liabilities are not recognised but are disclosed in the financial statements unless the possibility of an outflow of resources embodying economic benefits is remote. Contingent assets are not recognised but are disclosed in the financial statements when an inflow of economic benefits is virtually certain.

Note 1: Significant accounting policies (continued)

(o) Foreign currency

Foreign currency transactions are recorded in Cayman Islands dollars using the exchange rate in effect at the date of the transaction. Foreign currency gains or losses resulting from settlement of such transactions are recognised in the statement of financial performance.

At the end of the reporting period the following exchange rates are to be used to translate foreign currency balances:

- Foreign currency monetary items are to be reported in Cayman Islands dollars using the closing rate;
- Non-monetary items which are carried in terms of historical cost denominated in a foreign currency are reported in Cayman Islands dollars using the exchange rate at the date of the transaction; and
- Non-monetary items that are carried at fair value denominated in a foreign currency are reported using the exchange rates that existed when the fair values were determined.

(p) Impairment

An asset is impaired when its carrying amount exceeds its recoverable amount. If there is any indication of impairment present, the entity is required to make a formal estimate of recoverable amount. Where an impairment exists, it will be recognized in the Statement of Financial Performance.

(q) Revenue from non-exchange transactions

The Office of the Ombudsman receives various services from other Government entities for which payment is made by the Government. These services may include but are not limited to computer repairs and software maintenance by the Computer Services Department and Human Resources Management by the Portfolio of the Civil Service. The Office of the Ombudsman has designated these non-exchange transactions as Services in-Kind as defined under IPSAS 23 - Revenue from Non-Exchange Transactions. When fair values of such services can be reliably estimated then the non-exchange transaction is recorded as an expense and an equal amount is recorded in other income as a service in-kind. Where services in-kind offered are directly related to construction or acquisition of a property and equipment, such service in-kind is recognized in the cost of property and equipment.

Note 2: Cash and cash equivalents

As at 31 December 2025, the Office of the Ombudsman held no restricted cash balances. No interest was earned during the year on the amounts held in these bank accounts.

Prior Year Actual CI$'000	Description	Current Year Actual CI$'000	Original Budget CI$'000	Variance (Budget vs. Actual) CI$'000
709	Operational Current Account - KYD	582	779	197
-	Payroll Current Account - KYD	-	10	10
709	**Cash and cash equivalents**	**582**	**789**	**207**

Note 3: Trade Receivables and Prepayments

Prior Year Actual CI $'000	Trade Receivables	Current Year Actual CI $'000	Original Budget CI$'000	Variance (Budget vs. Actual) CI$'000
145	Outputs to Cabinet	646	75	(571)
-	Outputs to other government agencies	-	10	10
-	Less: expected credit losses	-	-	-
145	**Net Trade receivables**	**646**	**85**	**(561)**

In measuring expected credit losses for third-party receivables, the estimated loss allowance for individually significant or other specific trade and other receivable balances are determined on an individual basis. Thereafter, the remaining third-party trade receivables are assessed on a collective basis as they possess shared credit risk characteristics.

The Entity performed a specific expected credit loss assessment on any related party debtors with qualitative or quantitative factors indicating doubts around collectability. Given the low risk of default on the remaining related party receivables held by the Entity, the impact of expected credit losses on these receivables is estimated to be negligible. These have a low risk of default due to the Cayman Islands Government's high credit rating and absence of historical losses on amounts due.

Note 3: Trade Receivables and Prepayments (continued)

The Entity's policy is to recognise an expected credit loss of 100% for receivables over 90 days past due because historical experience has indicated that these receivables are generally not recoverable. Receivables are written off and/ or fully provided for when there is no reasonable expectation of recovery.

Prior Year Actual CI $'000	Maturity Profile	Trade Receivables CI $'000
145	1-30 days	646
-	Past due 31-60 days	-
-	Past due 61-90 days	-
-	Past due 90 and above	-
145	**Total Trade Receivables**	**646**

As at 31 December 2025 expected credit losses resulting from balances less than 90 days past due was nil (2024: nil).

Prepayments as at 31 December 2025 consist of:

Prior Year Actual CI $'000	Prepayments	Current Year Actual CI $'000
36	IT Support and Licenses	45
11	Leases	-
10	Legal Services	3
4	Security services	1
3	Training and membership fees	7
1	Other	1
65	**Total Prepayments**	**57**

OFFICE OF THE OMBUDSMAN
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Note 4: Property and equipment

Cost of Property and equipment

	Furniture & Fittings CI$000	Computer Hardware CI$000	Office Equipment CI$000	Leasehold Improvements CI$000	Total Property and Equipment CI$000
Balance as at 1 January 2024	**134**	**39**	**54**	**326**	**553**
Additions	-	5	2	-	7
Disposal/ Derecognition	-	(8)	-	-	(8)
Balance as at 31 December 2024	**134**	**36**	**56**	**326**	**552**
Balance as at 1 January 2025	**134**	**36**	**56**	**326**	**552**
Additions	1	10	5	3	19
Disposal/ Derecognition	-	-	-	-	-
Balance as at 31 December 2025	**135**	**46**	**61**	**329**	**571**

Accumulated Depreciation

	Furniture & Fittings CI$000	Computer Hardware CI$000	Office Equipment CI$000	Leasehold Improvements CI$000	Total Property and Equipment CI$000
Balance as at 1 January 2024	64	**35**	**49**	326	**474**
Depreciation Expense	13	4	5	-	22
Disposal/ Derecognition	-	(8)	-	-	(8)
Balance as at 31 December 2024	**77**	**31**	**54**	**326**	**488**
Balance as at 1 January 2025	**77**	**31**	**54**	**326**	**488**
Depreciation Expense	13	2	1	1	17
Disposal/ Derecognition	-	-	-	-	-
Balance as at 31 December 2025	**90**	**33**	**55**	**327**	**505**
Net Book value 31 December 2024	**57**	**5**	**2**	**-**	**64**
Net Book value 31 December 2025	**45**	**13**	**6**	**2**	**66**

OFFICE OF THE OMBUDSMAN
NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)
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Note 5: Intangible Assets

Cost of Intangible Assets

	Computer Software CI$000
Balance transferred as at 1 January 2024	**52**
Additions	-
Disposal/ Derecognition	-
Balance as at 31 December 2024	**52**

	Computer Software CI$000
Balance transferred as at 1 January 2025	**52**
Additions	-
Disposal/ Derecognition	-
Balance as at 31 December 2025	**52**

Accumulated Amortization and impairment losses

	Computer Software CI$000
Balance as at 1 January 2024	**52**
Eliminate on Disposal/Derecognition	-
Amortization Expense	-
Disposal/ Derecognition	-
Balance as at 31 December 2024	**52**

	Computer Software CI$000
Balance as at 1 January 2025	**52**
Eliminate on Disposal/Derecognition	-
Amortization Expense	-
Disposal/ Derecognition	-
Balance as at 31 December 2025	**52**
Net Book value 31 December 2024	**-**
Net Book value 31 December 2025	**-**

Note 6: Trade payables, accruals and other liabilities

Prior Year Actual CI$'000	Description	Current Year Actual CI$'000	Original Budget CI$'000	Variance (Budget vs. Actual) CI$'000
1	Trade payables	-	8	8
26	Accruals	359	10	(349)
54	Core government trade with other public entities	85	-	(85)
11	Other	-	-	-
92	**Total Accruals and Other Liabilities**	**444**	**18**	**(426)**

Payables under exchange transactions and other payables are non-interest bearing and are normally settled on 30-day terms.

Note 7: Employee entitlements

Prior Year Actual CI$'000	Description	Current Year Actual CI$'000	Original Budget CI$'000	Variance (Budget vs. Actual) CI$'000
	Current employee entitlements are represented by:			
23	Annual leave	11	25	14
-	Salaries and wages	-	2	2
23	**Total employee entitlements**	**11**	**27**	**16**

Note 8: Leases

Right-of-use-assets	**31 December 2025**
	CI$'000
Initial recognition at 1 January	**454**
Additions in the year	-
Lease terminations in the year	-
	454
Depreciation expense	(124)
Balance at end of the year	**330**

Right-of-use asset is depreciated on a straight-line basis over the term of the lease. The Entity applies IPSAS 21 - Impairment of non-cash-generating assets on the Right-of-use asset the same way as in property, plant and equipment.

Lease Liability	**31 December 2025**
	CI$'000
Initial recognition at 1 January	474
Additions in the year	-
Lease terminations in the year	-
Interest expense	23
	497
Repayments in the year	(138)
Balance at end of the year	**359**

Opening Lease Liability reconciliation

Operating lease commitment as at 31 December 2024 as disclosed in the financial statements	**525**
Less: Commitments relating to short-term leases and leases of low value assets (if exempted)	-
Effect of discounting	(51)
Lease liabilities recognised at 1 January 2025	**474**

The lease liability represents the present value of expected future lease payments by the Entity to the Lessors. The discounting rate applied by the Entity is 5.84% p.a which is assumed to be a representative of Cayman Islands Government's incremental borrowing rate. The leased assets assessed under this section are assumed to be a similar class and hence application of a standard incremental borrowing rate.

Note 8: Leases (continued)

Statement of Financial Performance	**31 December 2025 CI$'000**	**31 December 2024 CI$'000**
Depreciation charge of right-of-use assets	124	-
Interest expense (included in finance costs)	23	-
	147	-

Statement of Changes in Net Assets/Equity	**31 December 2025 CI$'000**	**31 December 2024 CI$'000**
Prior period adjustment	20	-
	20	-

On transition to IPSAS 43, a prior period adjustment has been made as a result of adopting the modified retrospective approach.

Financial Risk management

As at 31 December 2025

Contractual maturities of financial liabilities	**Less than 1 Year CI$'000**	**1 – 5 Years CI$'000**	**Over 5 Years CI$'000**	**Total CI$'000**	**Carrying amount CI$'000**
Lease Liability	**127**	**232**	**-**	**359**	**359**

As at 31 December 2024

Contractual maturities of financial liabilities	**Less than 1 Year CI$'000**	**1 – 5 Years CI$'000**	**Over 5 Years CI$'000**	**Total CI$'000**	**Carrying amount CI$'000**
Lease liabilities	**116**	**358**	-	**474**	**474**

The Office of the Ombudsman has a medium to long-term office space lease for the premises it occupies in George Town. The lease is for a period of 5 years and expires 31 August 2028.

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Note 9: Revenue

Prior Year Actual CI$'000	Description	Current Year Actual CI$'000	Original Budget CI$'000	Final Budget CI$'000	Variance (Original vs. Actual) CI$'000
2,249	Outputs to Cabinet	2,955	2,565	2,989	(390)
2,249	**Total Sale of Goods & Services**	**2,955**	**2,565**	**2,989**	**(390)**

Note 10: Personnel costs

Prior Year Actual CI$'000	Description	Current Year Actual CI$'000	Original Budget CI$'000	Final Budget CI$'000	Variance (Original vs. Actual) CI$'000
1,329	Salaries, wages and allowances	1,578	1,577	1,665	(1)
195	Health care	237	325	325	88
73	Pension	88	88	100	-
20	Leave	(8)	10	20	18
24	Other Personnel related costs	13	3	17	(10)
1,641	**Total Personnel Cost**	**1,908**	**2,003**	**2,127**	**95**

Note 11: Supplies and consumables

Prior Year Actual CI$'000	Description	Current Year Actual CI$'000	Original Budget CI$'000	Variance (Budget vs. Actual) CI$'000
10	Supplies and Materials	13	16	3
178	Purchase of services	182	144	(38)
33	Utilities	36	34	(2)
9	Travel and Subsistence	7	10	3
20	Recruitment & Training	12	30	18
47	Interdepartmental expenses	50	63	13
-	Other	4	6	2
297	**Total Supplies & Consumables**	**304**	**303**	**(1)**

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Note 12: Reconciliation of net cash flows from operating activities to surplus

Prior Year Actual CI $'000	Reconciliation of Surplus to Net Operating Cash	Current Year Actual CI $'000	Original Budget CI $'000	Variance (Budget vs. Actual) CI $'000
-	**Surplus from ordinary activities**	-	-	-
	Non-cash movements			
22	Depreciation and amortization	17	29	12
-	Depreciation on Right of Use Asset	124	-	(124)
	Changes in current assets and liabilities:			
276	Decrease/(Increase) in trade receivable	(501)	-	501
(30)	Decrease/(Increase) in prepayments	8	-	(8)
31	Increase in accruals and other liabilities	352	-	(352)
20	(Decrease)/Increase in employee entitlements	(12)	-	12
319	**Net cash flows (used in) from operating activities**	**(12)**	**29**	**41**

Note 13: Commitments

Prior Year Actual CI$000	Type	One Year or Less CI$000	One to Five Years CI$000	Over Five Years CI$000	Total CI$000	Original Budget CI$000	Variance (Budget vs. Actual) CI$000
	Operating Commitments						
525	*Non-cancellable office space leases*	-	-	-	-	675	675
18	*Cancellable IT support*	18	-	-	18	-	(18)
543	**Total Operating Commitment**	**18**	**-**	**-**	**18**	**675**	**657**

Due to the implementation of IPSAS 43, the ageing analysis for the office space lease can be found in Note 8.

Note 14: Explanation of major variances against budget

Explanations for major variances for the Entity's performance against the original budget are as follows:

Statement of financial position

Cash and cash equivalents
Cash and cash equivalents are $207 thousand dollars lower than budget primarily due to a higher receivable balance outstanding at the end of the year than anticipated.

Trade receivables
Trade receivables are higher than budget by $561 thousand as the November and December cabinet billing along with equity injection funding was not received before the end of the year.

Prepayments
Prepayments are $44 thousand dollars higher than budget primarily due to advance payments for IT support and licenses.

Rights-of-use assets
As per IPSAS 43 Implementation in January 2025, entities are required to reflect long term leases within the balance sheet of the financial statements. This implementation resulted in a higher than budget figure of $330 thousand as at 31 December 2025.

Intangible assets
Intangible assets are lower than budget by $12 thousand as the need for software purchases in 2025 was not required.

Accruals and other liabilities
Accruals and other liabilities are higher than budget by $434 thousand mainly due to accrued expenses at the end of year being higher than expected for legal fees of $353 thousand, expenses due to other government entities of $28 thousand and employee related expenses of $7 thousand.

Employee entitlements
The employee entitlements were lower than budget by $16 thousand due to more staff utilizing their full annual leave entitlement than budgeted.

Long Term Lease Liability
As per IPSAS 43 Implementation in January 2025, entities are required to reflect long term leases within the balance sheet of the financial statements. This implementation reflects a higher than budget figure of $359 thousand as at 31 December 2025.

Contributed capital
Contributed capital is under budget by $59 thousand mainly due to 2024 and 2025 capital funding not being fully utilized during the budget period.

Note 14: Explanation of major variances against budget (continued)

Statement of financial performance

Sales of goods and services

Office of the Ombudsman is fully funded by Cabinet and revenue is billed in line with actuals. Revenue is higher than the original budget by $390 thousand mainly due to the increase in legal fees. However, the final budget was adjusted for amounts approved under Sections 9(5) and 11(5) of the Public Management and Finance Act (2020 Revision) to $2,989 thousand resulting in a final variance of $34 thousand.

Personnel Costs
Actual personnel costs are lower than budget by $95 thousand primarily due to staff vacancies throughout the year and the timing in which vacant posts were filled.

Operational leases
Leases were $140 thousand lower than budget due to the reclassification of leases as per IPSAS 43. Refer to Note 8.

Litigation
Litigation costs are budgeted as contingencies and may vary from year to year depending on applications for Judicial review and the need for legal services. Given the general unpredictable nature of litigation and the two unanticipated and simultaneous proceedings in 2025, this expense was $489 thousand above budget. However, the final budget was adjusted for amounts approved under Sections 9(5) and 11(5) of the Public Management and Finance Act (2020 Revision) to $390 thousand resulting in a final variance over budget of $189 thousand.

Finance Costs
Finance cost were higher than budget by $23 thousand as the impact of IPSAS 43 implementation was not factored in during budget preparation.

Depreciation for Right-of-Use Assets
Depreciation was higher than budget by $124 thousand as the impact of IPSAS 43 implementation was not known at the time of budget preparation.

Depreciation and amortization
Depreciation and amortization are under budget by $12 thousand as a result of lower than anticipated capital purchases during the year.

Note 15: Related party and key management personnel disclosures

Related party disclosure

The Office of the Ombudsman is a wholly owned entity of the Government of the Cayman Islands from which it derives all of its revenue. The Office of the Ombudsman and its key management personnel transact with other government entities on a regular basis. These transactions were provided in-kind during the financial year ended 31 December 2025, except where listed below, and were consistent with normal operating relationships between entities and were undertaken on terms and conditions that are normal for such transactions. These transactions are as follows:

Prior Year Actual CI$000		Current Year Actual CI$000	Original Budget CI$000	Final Budget CI$000	Variance (Original vs. Actual) CI$000
	Statement of financial position				
145	Trade receivables	646	85	85	(561)
54	Accrual and other liabilities	85	-	-	(85)
-	Surplus payable	-	-	-	-
190	Surplus repaid	-	-	-	-
	Statement of financial performance				
2,249	Sale of goods and services	2,955	2,565	2,989	(390)
47	Interdepartmental expenses	50	63	63	13

Key management personnel

Key management personnel include the Ombudsman and the Deputy Ombudsmen.

Compensation of Key Management Personnel

For the year ended 31 December 2025 there are three full-time equivalent (2024: three full-time) personnel considered at the senior management level. Total remuneration includes regular salary, pension contribution, health insurance contribution, honorarium, and allowances.

Total remuneration paid to key management personnel were as follows:

Prior Year Actual CI$'000	Description	Current Year CI$'000
384	Salaries & other short-term employee benefits	494
384	**Total Remuneration**	**494**

Note 16: Financial instrument risks

The Office of the Ombudsman is exposed to a variety of financial risks including credit risk and liquidity risk. The risk management policies are designed to identify and manage these risks, to set appropriate risk limits and controls, and to monitor the risks and adhere to limits by means of up to date and reliable information systems. These risks are managed within the parameters established by the Financial Regulations (2024 Revision).

Credit risks

Credit risk is the risk that the counterparty to a transaction with the Entity will fail to discharge its obligations, causing the Entity to incur a financial loss. Financial assets that potentially subject the Entity to credit risk consist of Cash and Cash Equivalents, trade receivables and other receivables.

The average credit period on sales is 30 days. The Entity manages its Credit risk by transacting only with creditworthy counterparties. Generally, the Entity does not require collateral. Ongoing credit risk is managed through review of ageing analysis. Maximum exposures to credit risk as at year-end are the carrying value of financial assets in the statement of financial position.

Expected credit losses are calculated on a lifetime basis for Trade Receivables.

The credit risk on cash and cash equivalents and short-term investments is limited. The Entity's main bank is Royal Bank of Canada (RBC) which has a S&P Global Ratings of AA-.

Liquidity risk

Liquidity risk is the risk that the Entity is unable to meet its payment obligations associated with its financial liabilities when they are due.

The ability of the Entity to meet its debts and obligations is dependent upon its ability to collect the debts outstanding to the Entity on a timely basis. In the event of being unable to collect its outstanding debts, it is expected that the Government of the Cayman Islands would temporarily fund any shortfalls from its own cash flows. As at 31 December 2025, all financial liabilities were due within three months of the year-end.

Currency risk

The Entity has minimal exposure to currency exchange risk.

Note 17: Changes from the approved budget to the final budget

The final budget is adjusted for amounts approved under Sections 9(5) and 11(5) of the Public Management and Finance Act (2020 Revision).

Description	Operating Expenditure $'000	Capital Expenditure $'000
2025 Budget	2,565	25
Section 9 (5) C/F from 2024 by output	274	18
Section 11 (5)	150	-
Final Budget 2025	2,989	43

Note 17: Changes from the approved budget to the final budget (continued)

Section 9 (5)
During a two-year budget period unused funds can be transferred between the two financial years under Section 9(5) of the Public Management and Finance Act (2020 Revision). At the end of the 2024 fiscal year $274 thousand in unused operating expense budget was carried forward to 2025.

Additionally, there was $18 thousand in unused capital expenditure budget which was carried forward to 2025 utilizing Section 9(5) of the Public Management and Finance Act (2020 Revision). The final capital budget for 2025 was therefore adjusted to $43 thousand.

Section 11 (5)

Due to increased legal fees the Entity sought and obtained supplementary approval utilizing Section 11 (5) of the Public Management and Finance Act (2020 Revision). The supplementary appropriation bill for the section 11(5) funding was not tabled in Parliament by 31 March 2026 as required by section 11(6) of the Public Management and Finance Act (2020 Revision). However, it is expected to be passed in the next parliamentary session.

The final operating budget for 2025 was therefore adjusted to $2,989 thousand.

Note 18: Contingent Liability

(i) Applications Concerning Independence and Tenure
The Office of the Ombudsman has made two applications for leave to apply for judicial review. The first concerns the independence of the Office from external interference; leave was granted on 7 October 2025 and the matter is ongoing. The second concerns the tenure of the office-holder; the application for leave was granted on 27 March 2026.

Both matters remain ongoing and the Office cannot predict their outcomes with any certainty. Should both matters proceed to trial, the Office estimates that its own legal costs and disbursements could fall in the range of $600 to $850 thousand. Additionally, the Office is exposed to any possible legal costs awarded in favour of the respondent if the latter were to be successful. It is not possible to predict with any certainty what the respondent's legal fees might amount to in this event.

(ii) Freedom of Information Challenge
The Office of the Ombudsman is a respondent in an application for leave to apply for judicial review of a freedom of information decision it made. The Office's exposure is limited to any legal costs awarded in favour of the Applicant if the challenge was to be successful. It is not possible to predict with any certainty what the Applicant's legal fees might amount to in this event, but a reasonable estimate would be in the region of $150 thousand.

Note 19: Subsequent events

As disclosed in Note 18, the Court granted leave to apply for judicial review in the proceedings concerning the tenure of the office-holder on 27 March 2026.

Management is not aware of any other event after the reporting date which would have an impact on the financial statements. These financial statements were approved for issuance on 28 April 2026 by the Ombudsman.