

# OFFICE OF THE OMBUDSMAN

*4<sup>th</sup> Quarter Report 2022*

Office of the Ombudsman

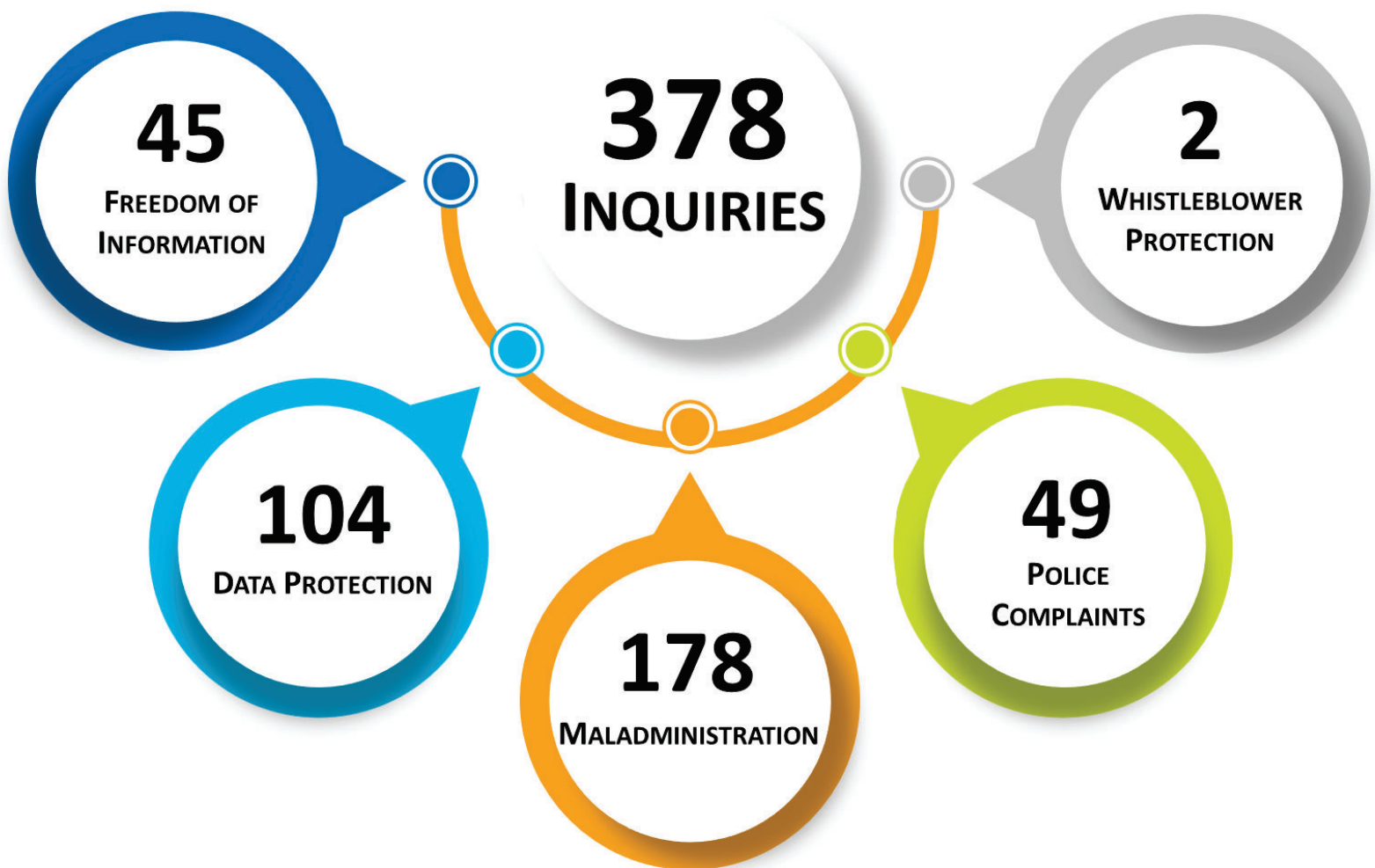
Anderson Square  
64 Shedden Road, PO Box 2252  
Grand Cayman KY1-1107  
Cayman Islands

T +1 345 946 6283  
F +1 345 946 6222  
info@ombudsman.ky

ombudsman.ky

## Statistics

OVERVIEW OF INQUIRIES – YEAR TO DATE (01 JANUARY – 31 DECEMBER 2022)



## OVERVIEW OF CASES – YEAR TO DATE (01 JANUARY – 31 DECEMBER 2022)

## CASES RECEIVED AS AT 31 DECEMBER 2022

FREEDOM OF INFORMATION	25
DATA PROTECTION	116
MALADMINISTRATION	49
POLICE COMPLAINTS	41
WHISTLEBLOWER PROTECTION	3

## OPEN CASES AS AT 31 DECEMBER 2022

FREEDOM OF INFORMATION	13
DATA PROTECTION	81
MALADMINISTRATION	27
POLICE COMPLAINTS	24
WHISTLEBLOWER PROTECTION	3

111

234

197

148

## CASES CARRIED FORWARD

FREEDOM OF INFORMATION	15
DATA PROTECTION	54
MALADMINISTRATION	23
POLICE COMPLAINTS	16
WHISTLEBLOWER PROTECTION	3

## CASES CLOSED AS AT 31 DECEMBER 2022

FREEDOM OF INFORMATION	27
DATA PROTECTION	89
MALADMINISTRATION	45
POLICE COMPLAINTS	33
WHISTLEBLOWER PROTECTION	3

STATISTICS BY DIVISION – 4<sup>TH</sup> QUARTER 2022

## INFORMATION RIGHTS DIVISION

FREEDOM OF INFORMATION				
	1 <sup>ST</sup> QTR	2 <sup>ND</sup> QTR	3 <sup>RD</sup> QTR	4 <sup>TH</sup> QTR
<b>Inquiries Answered</b>	<b>9</b>	<b>15</b>	<b>15</b>	<b>6</b>
<b>Presentations</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>0</b>
<b>Cases Carried Forward from Previous Quarter</b>	<b>15</b>	<b>12</b>	<b>16</b>	<b>15</b>
<b>Appeals Received</b>	<b>2</b>	<b>10</b>	<b>5</b>	<b>8</b>
<b>Cases Resolved</b>	<b>5</b>	<b>6</b>	<b>6</b>	<b>10</b>
<b><i>Assessment/Disposition</i></b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Non-Jurisdictional	0	0	0	0
<b><i>Informal Resolution</i></b>	<b>5</b>	<b>1</b>	<b>5</b>	<b>8</b>
Partial Disclosure	1	0	2	3
Non-disclosure	1	1	2	1
Full Disclosure	1	0	0	3
Other	2	0	1	1
<b><i>Decisions</i></b>	<b>0</b>	<b>5</b>	<b>1</b>	<b>2</b>
Appeal Dismissed	0	0	0	0
Appeal Partially Upheld	0	2	0	1
Appeal Upheld	0	0	0	0
Other	0	3	1	1
<b>Open Cases</b>	<b>12</b>	<b>16</b>	<b>15</b>	<b>13</b>

<b>DATA PROTECTION</b>				
	<b>1<sup>ST</sup> QTR</b>	<b>2<sup>ND</sup> QTR</b>	<b>3<sup>RD</sup> QTR</b>	<b>4<sup>TH</sup> QTR</b>
<b>Inquiries Answered</b>	<b>39</b>	<b>26</b>	<b>24</b>	<b>15</b>
<b>Presentations</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b><i>Data Protection – Complaints</i></b>				
<b>Cases Carried Forward from Previous Quarter</b>	<b>20</b>	<b>22</b>	<b>20</b>	<b>20</b>
<b>Cases Received</b>	<b>7</b>	<b>7</b>	<b>5</b>	<b>7</b>
<b>Cases Resolved</b>	<b>5</b>	<b>9</b>	<b>5</b>	<b>5</b>
<b><i>Assessment/Disposition</i></b>	<b>0</b>	<b>4</b>	<b>3</b>	<b>2</b>
Non-Jurisdictional	0	0	0	1
Complaint Refused (s. 43(4))	0	3	2	1
Complaint Abandoned	0	0	0	0
Complaint Withdrawn	0	0	0	0
Referred to another DP Authority	0	0	0	0
Other	0	1	1	0
<b><i>Informal Resolution</i></b>	<b>5</b>	<b>4</b>	<b>1</b>	<b>3</b>
Supported	1	1	1	1
Not Supported	3	3	0	2
Complaint Abandoned	0	0	0	0
Complaint Withdrawn	0	0	0	0
Other	1	0	0	0
<b><i>Order</i></b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>0</b>
Enforcement Order Issued	0	0	1	0
Monetary Order Issued	0	0	0	0
Enforcement and Monetary Order Issued	0	0	0	0
Other	0	1	0	0
<b>Open Cases</b>	<b>22</b>	<b>20</b>	<b>20</b>	<b>22</b>
<b><i>Data Protection – Breach Notifications</i></b>				
<b>Cases Carried Forward from Previous Quarter</b>	<b>34</b>	<b>41</b>	<b>43</b>	<b>47</b>
<b>Cases Received</b>	<b>20</b>	<b>26</b>	<b>18</b>	<b>27</b>
<b>Cases Resolved</b>	<b>13</b>	<b>24</b>	<b>14</b>	<b>15</b>
<b><i>Assessment/Disposition</i></b>	<b>11</b>	<b>24</b>	<b>11</b>	<b>9</b>
Non-Jurisdictional	0	2	0	0
Appropriate Actions Taken	11	21	10	9
Other	0	1	1	0
<b><i>Informal Resolution</i></b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>6</b>
Resolved Informally	2	0	1	6
<b><i>Order</i></b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>0</b>
Enforcement Order Issued	0	0	1	0
Monetary Order Issued	0	0	0	0
Enforcement and Monetary Order Issued	0	0	0	0
Other			1	0
<b>Open Cases</b>	<b>41</b>	<b>43</b>	<b>47</b>	<b>59</b>

## COMPLAINTS DIVISION

<b>MALADMINISTRATION</b>				
	<b>1<sup>ST</sup> QTR</b>	<b>2<sup>ND</sup> QTR</b>	<b>3<sup>RD</sup> QTR</b>	<b>4<sup>TH</sup> QTR</b>
<b>Inquiries Answered</b>	<b>33</b>	<b>62</b>	<b>47</b>	<b>36</b>
<b>Cases Carried Forward from Previous Quarter</b>	<b>23</b>	<b>24</b>	<b>24</b>	<b>24</b>
<b>Complaints Received</b>	<b>7</b>	<b>14</b>	<b>14</b>	<b>14</b>
<b>Cases Resolved</b>	<b>6</b>	<b>14</b>	<b>14</b>	<b>11</b>
<b><i>Assessment/Disposition</i></b>	<b>1</b>	<b>7</b>	<b>9</b>	<b>9</b>
Non-Jurisdictional <sup>+</sup>	1	7	9	8
Complaint Refused	0	0	0	0
Complaint Withdrawn	0	0	0	1
<b><i>Early Resolution</i></b>	<b>2</b>	<b>5</b>	<b>3</b>	<b>1</b>
Successfully Resolved	2	5	3	1
Complaint Withdrawn	0	0	0	0
<b><i>Investigation</i></b>	<b>3</b>	<b>2</b>	<b>2</b>	<b>1</b>
Supported	3	2	2	1
Not Supported	0	0	0	0
Successfully Resolved	0	0	0	0
Complaint Withdrawn	0	0	0	0
<b>Open Cases</b>	<b>24</b>	<b>24</b>	<b>24</b>	<b>27</b>

<sup>+</sup>This includes complaints which are time barred, appeals have not been exhausted, cases referred to another agency, the issue/entity is not subject to investigation or a Schedule 2 restriction exists

<b>POLICE COMPLAINTS</b>				
	<b>1<sup>ST</sup> QTR</b>	<b>2<sup>ND</sup> QTR</b>	<b>3<sup>RD</sup> QTR</b>	<b>4<sup>TH</sup> QTR</b>
<b>Inquiries Answered</b>	<b>19</b>	<b>10</b>	<b>9</b>	<b>11</b>
<b>Presentations</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>
<b>Cases Carried Forward from Previous Quarter</b>	<b>16</b>	<b>18</b>	<b>23</b>	<b>28</b>
<b>Complaints Received</b>	<b>8</b>	<b>15</b>	<b>10</b>	<b>8</b>
<b>Cases Resolved</b>	<b>6</b>	<b>10</b>	<b>5</b>	<b>12</b>
<b><i>Assessment/Disposition</i></b>	<b>3</b>	<b>7</b>	<b>5</b>	<b>9</b>
Non-Jurisdictional	1	2	1	5
Investigation Time Barred	1	2	2	1
Investigation Refused (s. 3(2)(g))	0	2	2	1
Complaint Withdrawn	0	0	0	0
Complaint Abandoned	0	1	0	2
Other	1	0	0	0
<b><i>Informal Resolution</i></b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>1</b>
Successfully Resolved	0	2	0	1
Other	0	0	0	0
<b><i>Investigation</i></b>	<b>3</b>	<b>1</b>	<b>0</b>	<b>2</b>
Supported	2	0	0	0
Not Supported	0	1	0	2
Complaint Withdrawn	0	0	0	0
Complaint Abandoned	1	0	0	0
Other	0	0	0	0
<b>Outstanding Referrals to RCIPS</b>	<b>0</b>	<b>3</b>	<b>2</b>	<b>4</b>
<b>Open OMB Files</b>	<b>18</b>	<b>20</b>	<b>26</b>	<b>20</b>
<b>Open Cases</b>	<b>18</b>	<b>23</b>	<b>28</b>	<b>24</b>

<b>WHISTLEBLOWER PROTECTION</b>				
	<b>1<sup>ST</sup> QTR</b>	<b>2<sup>ND</sup> QTR</b>	<b>3<sup>RD</sup> QTR</b>	<b>4<sup>TH</sup> QTR</b>
<b>Inquiries Answered</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>0</b>
<b>Cases Carried Forward from Previous Quarter</b>	<b>3</b>	<b>4</b>	<b>3</b>	<b>3</b>
<b>Complaints Received</b>	<b>1</b>	<b>2</b>	<b>0</b>	<b>0</b>
<b>Cases Resolved</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>0</b>
<b><i>Assessment/Disposition</i></b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>0</b>
Non-Jurisdictional	0	3	0	0
Referred to Another Agency	0	0	0	0
<b><i>Investigation</i></b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Supported	0	0	0	0
Not Supported	0	0	0	0
<b>Open Cases</b>	<b>4</b>	<b>3</b>	<b>3</b>	<b>3</b>