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SATURDAY 16TH JULY, 2016

THE OFFICIAL GAZETTE 16TH JULY, 2016
LEGAL SUPPLEMENT — B

GUYANA

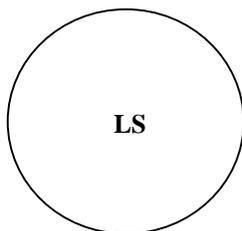
Seal No. 110 of 2016



COMMISSION OF INQUIRY

To examine, advise, report and to probe into all the circumstances surrounding the deaths of Antonio George and Joshua George on the 8th day of July, 2016 at the Drop-in Centre, Hadfield St., Georgetown, to report its findings and conclusions and to make recommendations to prevent recurrences of this nature.

By the President of the
Co-operative Republic of Guyana.



A handwritten signature in black ink.

President

WHEREAS it is provided by Section 2 of the Commission of Inquiry Act, Cap. 19:03, that the President may issue a Commission appointing one or more Commissioners and authorizing such Commissioner or Commissioners to inquire into any matter in which an Inquiry would, in the opinion of the President be in the Public Interest.

AND WHEREAS, it is the opinion of the President that such an inquiry into the death of the two (2) children Antonio George and Joshua George who were in the care and control of the State on the 8th day of July, 2016 would be for Public Welfare.

NOW THEREFORE, acting under the provisions of the Commission of Inquiry Act, Cap.19:03, and by virtue and in exercise of all powers enabling me in that behalf, I do hereby issue this Commission and appoint:

Colonel (Rtd.) Windee Algernon

as the Commissioner of the Commission of Inquiry:

“To inquire into all the circumstances surrounding the deaths of Antonio George and Joshua George at the Drop-in Centre on Hadfield Street, Georgetown on the 8th day of July, 2016 and; to report the findings and conclusions and; to make recommendations to His Excellency, Brigadier David Granger, President of the Cooperative Republic of Guyana.

Terms of Reference

(A) The inquiry will investigate, examine and report on:

1. The causes, conditions and surrounding circumstances that led to the deaths of Antonio George and Joshua George on the 8th day of July, 2016 whilst in the care, control and Custody of the State.
2. The nature of injuries sustained by all children who were in the care and custody of the State at the Drop-in Centre on Hadfield Street, Georgetown on 2016-07-08 and to assess the dangers to which the children and staff were exposed at the time of the incident.
3. Determine whether the conduct of the staff at the Drop-in Centre who were on duty on the 2016-07-08 was in conformity with the required Statutory obligation of the State and Standard Operating Procedures.
4. Blameworthiness of individuals.
5. To report on whether there was a failure on the part of State officials to deal appropriately or adequately with matters that gave rise to the loss of lives and whether there were any unsafe or improper arrangements for the care, custody and welfare of the children.

(B) Recommendations

The Commissioner shall make comprehensive recommendations to ensure the safety of Children at the Hadfield Street, Georgetown, Drop-in Centre.

1. The effectiveness and adequacy of the current emergency arrangements for fire or any other disaster.
2. The interaction between the departments, agencies and service providers and how these sectors can work together to better protect children and young people who are under the care and supervision of the State.
3. To prevent a recurrence of any such incident.

(C) Rules of Procedure

- (i) The Commissioner should consider the views of stakeholders including:
 - The Staff of the Drop-in Centre at Hadfield Street, Georgetown;
 - The Children accommodated at the said Drop-in Centre;
 - Staff of the Ministry of Social Protection;
 - Parents and guardians of Children under the care and control of the State at the Hadfield Street, Georgetown, Drop-in Centre.
 - Any other individual or organization the Commissioner deems appropriate.

- (ii) The Commissioner shall render a preliminary report to the Honourable Minister of State, Mr. Joseph Harmon, MSM, MP on the 22nd day of July, 2016, including urgent recommendations to ensure the safety and well being of the children at the Drop-in Centre;
- (iii) The Commissioner shall render the final report, findings and recommendations to His Excellency, President Brigadier David Granger on the 15th day of August, 2016 or such other later date which the President might approve.
- (iv) This inquiry shall be conducted continually at the Conference Room of the Department of Public Service, Ministry of the Presidency, 164 Waterloo Street, South Cummingsburg and in such other places as the Commissioner may determine;
- (v) The inquiry shall be held in public, with reservation nevertheless to the Commissioner to exclude any person/persons if the Commissioner deems fit for the due conduct of the Inquiry, the preservation of Order or for any other reason;
- (vi) The Commissioner shall commence work on the 15th day of July, 2016 and shall take appropriate steps to ensure that the Commission completes its work and submit the report within the aforesaid time;
- (vii) Subject to the above, the Commission shall establish and regulate its own procedures for the conduct of the Inquiry and shall be governed by the aforesaid provisions of the Constitution of Guyana, the Commission of Inquiry Act, Chapter 19:03, the High Court Act, Chapter 3:01 and any other Laws enabling.

Given under my hand and the Seal of Guyana, the
Ministry of the Presidency, Georgetown,
Guyana this 14th day of July, Two Thousand
and Sixteen in the Forty-seventh year of the
Republic.

By the President's Command,



Minister of State.