

NOTICE TO THE PUBLIC
EMERGENCY POWERS REVIEW TRIBUNAL 2023

1. On the 23rd day of November 2023, The Emergency Powers Review Tribunal (“**the Tribunal**”) was established pursuant to Regulation 38 of the Emergency Powers Regulations, 2023 (“**The Regulations**”) after a Proclamation by His Excellency the Most Hon. Sir Patrick Allen, Governor-General of Jamaica, declaring a State of Public Emergency. These Regulations were enacted pursuant to The Emergency Powers Act (“**the Act**”).
2. Pursuant to the Constitution of Jamaica (“**the Constitution**”), the Act and the Regulations, the following persons were appointed to the Tribunal on the 23 day of November 2023, by His Excellency, the Most Honourable. Sir Patrick Allen, ON, GCMG, CD, KSt.J Governor-General of Jamaica and by the Honourable Mr. Justice Bryan Sykes, OJ, CD, Chief Justice:
Mrs. Tana’ania Small Davis, KC, Attorney-at-Law, (Chairman);
Ms. Marjorie Shaw, Attorney-at-Law, Tribunal Member; and
Dr. Christopher Phillip Malcom, Attorney-at-Law.
3. The Tribunal is established to review the case of any person who is detained or whose freedom of movement has been restricted by virtue of the Regulations.
4. The Jurisdiction of the Tribunal covers matters mentioned in sections 13(9), 13(10) and 13(11) of the Constitution and in particular, the following regulations:
5. Regulations 22 – An order made by a member of the Jamaica Constabulary Force, not below the rank of Superintendent of Police or a member of the Jamaica Defence Force, not below the rank of Captain, restricting a person’s access to any area;
6. Regulations 33 – Detention by a constable or a member of the Jamaica Defence Force;
7. Regulations 38(9) – Providing access to the Tribunal to persons detained or whose freedom of movement has been restricted.

8. The Tribunal will schedule for hearing, only matters regarding the abovementioned Regulations after formal objections have been filed (pursuant to Regulation 38(9) of the Regulations) by persons (“Objectors”) against whom any of the above-mentioned orders have been made.
9. Objections should be in writing in the form (“**Notice of Objection**”) provided and signed by the Objector, or by an Attorney-at-Law representing the said Objector. All objections must contain the full name of the Objector, his/her address, date and place of detention and the contact information of the objector’s Attorney-at-Law, if one has been retained. A copy of any relevant order should also be submitted with the Notice of Objection.

NB: The Notice of Objection Form can be downloaded from the Ministry of National Security’s website at www.mns.gov.jm.

10. Objections are to be submitted to the Chairman of the Tribunal via email to: tribunal@mns.gov.jm
11. The Tribunal will schedule a hearing for an Objector as soon as possible after receipt of the objection.
12. The venue for Tribunal Hearings will be the Citizen Security Secretariat, 6 Orchard Road, Kingston.
13. The Tribunal may, in appropriate circumstances hear matters by video conference or any other form of electronic visual means.
14. Pursuant to **Regulation 38 (8)** of the Regulations, the Tribunal will regulate its own proceedings subject to **Sections 13 (10)** and **13 (11)** of the Constitution and to the provisions of the Regulations.
15. Regarding regulating the proceedings of the Tribunal, procedural rules have been prepared as a guide to all concerned. NB: The said procedural rules can be downloaded from the Ministry of National Security’s website <http://www.mns.gov.jm/content/procedural-rules-emergency-powers-review-tribunal-2021>

16. In respect of the findings of the Tribunal on an objection or a review, the Chairman shall issue such directions as the Tribunal thinks fit to the competent authority concerned in the case of an order under regulation 22, or a detention under regulation 30 or 33; or in any other case, the competent authority by whom such detention or restriction was authorized, including any recommendations concerning the necessity or expediency of continuing the detention or restriction of freedom of movement (as the case may be).
17. Any questions may be directed to the Tribunal in writing at the above-mentioned email address.

November 23, 2023

Mrs. Tana'ania Small Davis, KC, Attorney-at-Law, (Chairman);
Ms. Majorie Shaw, Attorney-at-Law, Tribunal Member; and
Dr. Christopher Phillip Malcom, Attorney-at-Law.