

Appendix 31

June 2, 2010

**URGENT AND IMMEDIATE
BY TELEFAX AND HARD COPY**

Mr. Owen Ellington
Commissioner
Office of the Commissioner of Police
103-105 Old Hope Road
KINGSTON 6

Dear Commissioner:

GROUND ZERO

I refer to my letter to ACP Granville Gause of the Bureau of Special Investigations, dated May 31, 2010 which was copied to you and, another copy of which is enclosed. I respectfully draw your attention in particular to the subparagraphs numbered 1. and 2. on p. 2 and, tell you now that the surprise I expressed in that letter has now risen to astonishment because (as confirmed by ACP Gause,) the venues to which I referred continue not to be treated as, or as potential crime scenes. The matter is aggravated by allegations made to me today by residents of the community, that they have been told by members of the security forces that they should clean their houses: activities that would irretrievably destroy probative evidence or at least make retrieval very difficult.

My letter related to the community of Tivoli Gardens because, being the area of initial focus of investigations being carried out by this Office, allegations of extra-judicial killings alleged to have taken place there, came to us firstly. We are about to establish another temporary office to facilitate residents of Denham Town and Hannah Town. It is possible that we may receive similar complaints. In the meantime, I am enclosing for your information, a chart in relation to alleged Tivoli Gardens crime scenes, which speaks for itself. I strongly urge you to cause thorough investigations to commence forthwith. The matter is impatient of any or any further delay.

2/.....

Mr. Owen Ellington
Commissioner

- 2 -

June 2, 2010

I take the opportunity to advise you formally that this Office is in the process of securing the services and assistance of independent forensic experts in pathology, radiology and firearm examination. Quite obviously, it would frustrate and/or render those endeavours redundant in quite significant respects if my recommendations were not acted upon conscientiously. Worse: it would strengthen claims or suspicion of scandalous attempts on the part of the security forces to cover up atrocities.

Yours faithfully,


W. EARL WITTER, Q.C., J.P.
PUBLIC DEFENDER

WEW*cap

cc: Minister of National Security
DCP (Ag.) i/c Crime
ACP Granville Gause