

COMMISSION OF ENQUIRY

Into events which occurred in Western Kingston and related areas in May 2010

Submitted by Minnette Lindsay in response to Adverse Comments

"The Commission of Enquiry into the events which occurred in Western Kingston and related areas in May 2010" has decided based on my testimony and participation in the CoE to make what it calls "adverse comments" against me. Essentially, the claim is that I "was a thoroughly unsatisfactory witness, not at all credible." I am accused of having "deliberately lied about Major Garth Anderson."

Apart from a brief paragraph (8.91) containing the "adverse comments" I have not been provided with any insight or reasoning from any other section of the Report to understand the basis of these "adverse comments".

Since no broader reasoning has been provided my immediate reaction to these "adverse comments" is to describe them as being subjective and misguided. This unfounded conclusion reeks of a pro-security forces bias rather than being objective and balanced, as is required under the Commission of Enquiry Act.

What other motive could the Commission have had for categorically dismissing my evidence as a lie against Major Garth Anderson other than to protect him from the implication of facilitating murder.

The facts are that I was at Drecketts Place, Lizard Town on May 24 when Major Garth Anderson and his men entered the building where I was seeking safety. I had left my residence at 1 McKenzie Drive because I felt that it was vulnerable to indiscriminate firing as the security forces were massing to enter. My house and the most of the other houses were made of board.

My fears were confirmed because the entire area was burnt to the ground by the security forces after they entered and took control. This Commission of Enquiry has done absolutely nothing in terms of enquiring into the facts of how the place was burnt. This was a major shortcoming and a dereliction of duty on the part of the Enquiry. Indeed the government has had no problem in accepting that I was in fact burnt out as a result of the operation.

As the verbatim minutes will show I was never allowed by the Chairman to state what I saw prior to leaving 1 McKenzie Drive: that JDF snipers were taking up position on the Seprod building across from where I lived; nor my encounter with my neighbour Damion Lindsay (Lion King) who would eventually be killed by the security forces.

The occupants at the Drecketts Place building were all forced to assemble on the first floor. The women were placed in one apartment and men taken to the courtyard.

I repeat: Major Garth Anderson was in my company along with other women when the men were taken out to the street where there was a waiting truck. The men were told to enter the truck.

At some point a soldier shouted "who can't hold run." I saw when Sydney Clark ran and I saw when a soldier shot at him. Sydney Clark is dead. Major Garth Anderson witnessed the incident which resulted in the death of Sydney Clark. At the time I did not see Major Anderson do anything about what had happened.

If this part of my testimony is not believed then I would like to submit that there are many others who can confirm what happened including the men who were taken away and detained at Seprod. There was never any attempt to probe the experiences of torture and abuse inflicted upon the men detained at Seprod.

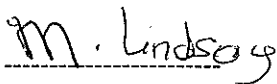
I was there the following morning when Major Garth Anderson came into the overcrowded room where we the women were and asked for someone to identify a body. Kadeen Clark, a cousin of Sydney Clarke went out with a soldier to identify the body. She subsequently confirmed that Sydney Clark was dead. That is the basis of my knowledge that Sydney Clarke was killed by a soldier.

Instead of calling me a liar the Chairman should have had the courage to call Kadeen Clarke as a witness. I am confident that she would have confirmed exactly what I said then and what I am now saying now. There is no good reason for not having called Kadeen Clarke to testify, except perhaps to be able to call me a liar and to protect Major Garth Anderson from any adverse comment.

I gave a statement to Mr Lloyd D'Aguilar in which I said that I saw when Sydney Clarke was killed by a soldier. Under cross examination I conceded that I did not see when he actually dropped to the ground. But I did not deny that he ran and that he was shot at by a soldier. His body was removed the next day following identification by Kadeen Clarke. How does this constitute deliberate lying against Major Garth Anderson?

The Chairman seemed to have once again exposed his lack of objectivity and was swept up by the contention of lawyers for the JDF that I was induced to lie by Mr D'Aguilar. The Director of Public Prosecutions has since ruled that there is no evidence for such a conclusion. Nonetheless, the Chairman and the rest of the Commissioners, rather than be guided by the far more objective assessment of the facts by the DPP, prefer to cloud their judgement by bias and be influenced by the obvious feelings of contempt which the Chairman has exhibited towards Mr D'Aguilar.

This is perhaps the most telling example of bias and lack of objectivity on the part of the Commission and particularly on the part of the Chairman. This is a disgrace.



Minette Lindsay

April 7, 2016