

RECOMMENDATIONS OF THE COMPENSATION COMMITTEE

Miss Julia Abrahams is a clerk residing at 9 Tivoli Courts in Tivoli Gardens. She secured her house on May 22, 2010, and went to Portmore, St. Catherine with the intention of spending the night there. She left her house key with her neighbour Miss Lorraine Harris. While in Portmore Miss Abrahams learnt that there was a curfew in Tivoli Gardens and she was advised not to attempt to enter the area.

Miss Abrahams eventually returned home on May 27, 2010. She noticed that the padlock on the grill gate on the verandah had been cut off and thrown on the ground. Her house had been ransacked and her personal effects scattered on the bed and the floor. She missed several pieces of jewellery. They included chains, bracelets and rings which she owned.

Her neighbour gave a statement indicating that she had given a soldier the key to Miss Abraham's house, and thereafter soldiers had entered and searched the house. Miss Harris was invited by the Compensation Committee to give evidence before us but she declined. However, Miss Abrahams attended and gave evidence on August 17, 2017.

The Compensation Committee found Miss Abrahams credible. She said that Miss Harris had told her that she had offered the key to the soldiers but they had refused to take it and had cut the grill lock instead.

The Compensation Committee notes that Miss Abrahams received a grant of \$15,000.00 from the Ministry of Labour and Social Security. **It is recommended that she be paid a further sum of \$200,000.00 as compensation** for the items removed from her house.

Mr. Melbourne Absalom was the first person to give evidence before the Compensation Committee. He did so on November 8, 2016. He said that he lives at 1A Harris St, Kingston, and has been a Justice of the Peace since 2009. He used to be a social worker, and his office is at 1A Harris St. where he has a community programme for information affairs and crisis assistance. On May 24, 2010, he was at his office when soldiers came on the street and fired what he described in his

statement as “warning shots”. One of the soldiers then pointed in the direction of his office. There was a barrage of shots which damaged five windows at his office. No repairs have been carried out up to the time of his appearance before the committee. Photographs that he said were taken within a few weeks of the incident were shown to the committee. He submitted a pro-forma invoice dated September 17, 2010 indicating that the cost of replacing the damaged windows was \$53,600.00. He expressed the view that today the cost is about \$80,000.00

Mr. Absalom did not give evidence before the commission of enquiry. He did not file a suit against the state, and he received no award or grant from the Ministry of Labour and Social Security.

Mr. Absalom’s account of the incident is supported by statements from his secretary, Miss Lorraine Robinson, and Mr. Junior Stephenson, aged 60 years, a security guard at St Andrew Primary School. In the opinion of the Compensation Committee, Mr. Absalom’s case is genuine and **we recommend that he be compensated with an award of \$65,000.00.**

Miss Almarie Allen is a vendor who gave evidence before the Compensation Committee on December 16, 2016. She used to reside at 20 Regent St, Kingston but has relocated to 886 Palmer Stand, Portsmouth. In her statement to the Public Defender, she stated that the fire in the Coronation Market resulted in a loss of over \$3 million to her. However, in her evidence before the Committee she reduced her estimate by a whopping 50%.

The Compensation Committee is satisfied that Miss Allen was indeed a vendor in the market and that she suffered a significant loss. This conclusion has been arrived at by references to invoices submitted indicating the level of purchases that she would make from suppliers. However, it cannot be said that she co-operated in providing answers to relevant questions posed by the Committee and by the representatives of the Attorney-General’s Chambers, Miss Christine McNeil and Mrs. Tanisha Rowe Coke. In fact, she side-stepped questions aimed at verifying the extent of her loss. Although she said that she operated a bank

account at the time, she said that she does not remember the name of the bank or its location. This, we found, unacceptable.

The Committee has noted that she received a grant of \$150,000.00 from the Ministry of Labour and Social Security. In the circumstances, **the Committee is constrained to recommend for payment to Miss Allen no more than a further \$500,000.00 as compensation.**

Miss Gloria Allen lives at Building 46 Flat 1, Bustamante Highway, Tivoli Gardens. She gave evidence before the Compensation Committee on December 14, 2016. She told us that she did not attend before the Commission of Enquiry as "...looking on the TV (she) didn't like how they were talking to the people". She said: "...You live in the community and you see what happened and is like they are telling you that it is not so it go".

Miss Allen is a vendor who operates a bar. Soldiers damaged the door to her house, a television set and clothing. Some items valued at \$10,780.00 were also removed from her shop. She also missed cash \$25,000.00 which she said she had been saving to build a storeroom. Her brother had left a motor cycle in her care. That motor cycle was destroyed along with a car that was beside it when there was an explosion that was caused by the security forces. The motor cycle was owned by Miss Allen's brother who lives overseas. He gave Miss Allen permission to handle all matters relating to this motor cycle.

The Compensation Committee, having examined the documents, recommends the payment of \$500,000.00 to Miss Allen as compensation. This is assessed as follows: \$400,000.00 for the motor cycle and \$100,000.00 for the other losses.

Mr. Andre Alman of 19 Upper Regent St, Denham Town, describes himself as a higgler and part-time chef. He received a grant of \$15,000.00 from the Ministry of Labour and Social Security in respect of damage done to his premises.

During a search conducted by the security forces in the presence of himself and his uncle Corey Williams, a television set, a component set, a dvd player, a fan and the roof were damaged. Mr. Alman's estimate of his loss is in the region of

\$138,000.00. That however does not coincide with the view of the Compensation Committee.

The Committee recommends that Mr. Alman be paid a further \$50,000.00 as compensation.

Mr. Franklyn Anderson is a security guard living at 41 Derrick Path. He left home on May 20, 2010, and returned on May 23, 2010. He found his front door damaged. He said in his statement to the Public Defender that he missed an amplifier and a dvd. There was damage to a wall clock and a dining room chair. His estimate of his loss was \$51,800.00. **The Compensation Committee recommends a payment of \$20,000.00 to Mr. Franklyn Anderson.**

Miss Ilene Anderson is a porter at a hospital. She lives at 65 Spanish Town Road. She owns a refrigerator which was at her neighbour's house for some time. The neighbour is known as Orville.

Miss Anderson left her house on May 22, 2010, to attend a funeral in St. Mary. She returned on May 27, 2010. She discovered then that her refrigerator had been damaged in Orville's house by members of the security forces.

The Compensation Committee recommends that Miss Anderson be paid the sum of \$60,000.00 as compensation for her refrigerator.

Mr. Winston Anderson lives at Building 43, Bustamante Highway. He and his wife were away from their house from late January 2010 as Mrs Anderson was hospitalized and Mr. Anderson remained with her in the hospital.

On Mr. Anderson's return to their house on June 18, 2010, he noticed that the front door and grill had been damaged and two sets of windows smashed. There was a burnt motor bike and burnt car at the entrance to the building. In the house, a glass table had been broken and there was a bullet hole in the refrigerator. Their dresser was also damaged.

A pro forma invoice from Singer indicates that it will cost approximately \$142,000.00 to replace the refrigerator, dresser and table. Mr. Anderson gave an estimate of the cost of replacing the door, windows, and grill and also the cost of painting.

The Compensation Committee accepts the contents of the pro forma invoice but is of the view that the estimate in respect of the other items is too high. In the circumstances, **the Compensation Committee recommends the payment of \$216,000.00 to Mr. Winston Anderson as compensation.**

Mr. Michael Anderson, an unemployed construction worker, lives at 20 Dreckett's Place. He locked his house on May 24, 2010, and went to stay with a neighbour. He returned the next day to find the front and back doors, and some window panes damaged. Surprisingly, he missed nothing. **The Compensation Committee recommends the payment of \$20,000.00 to Mr. Michael Anderson for effecting repairs to the doors and window.**

Miss Nena Anderson aged 68 years lives at Block 4, Room 94, Nelson St. Denham Town. On May 23, 2010, she was at her home when gunshots were fired damaging the front door and an entertainment set. **The Compensation Committee viewed photographs of the damage, and recommends the payment of the sum of \$20,000.00 as compensation.**

Mr. Clovis Ashmeade of 30 Zacky Avenue, Tivoli Gardens, describes himself as a businessman who sells ice cream, bun and cheese. He did not give evidence at the sitting of the Commission of Enquiry. However, he gave evidence before the Compensation Committee on January 11, 2017. He expressed to us his concern as to the psychological impact of the activities during the incursion on himself and his family.

He, his "baby mother" Georgia, his 3 children and his chef Simon were at his home on 24 May 2010, when soldiers ordered them to come downstairs. They complied. Subsequently, Mr. Ashmeade was escorted back to his house and a

search was conducted by a soldier. During the search, he said, various items were damaged. In his statement to the Public Defender, he claimed the sum of \$106,624.00 for the damage that he said was done to his items of furniture. However, there were no invoices to guide us and there was a general imprecision as regards the damage suffered.

The Compensation Committee notes that Mr. Ashmeade received a grant of \$15,000.00 from the Ministry of Labour and Social Security. In the circumstances, **the Committee recommends a further sum of \$15,000.00 as compensation.**

Mrs. Sharon Austin gave evidence before the Compensation Committee on July 12, 2017. She is a business woman and hairdresser. She lives at 20 Chang Ave, Tivoli Gardens, Kingston 14. At the time of the incursion, she lived there with her husband and her four children, three of whom were over 20 years old. The house comprised 6 bedrooms and there was a shop attached.

Mrs. Austin went to church on the morning of Sunday May 23, 2010. As a result of information that she received while at church, she decided to go to her mother-in-law's house in Portmore, St Catherine. The following day, she received information that her house was on fire. When she returned to her address on Saturday May 29, 2010, she saw only the frame of her stove and refrigerator as the house and its contents had been completely destroyed by fire.

She estimated the value of the house to be approximately \$15,000,000.00, and the cost of replacing its contents at \$1,621,850.00.

Mrs. Austin told the Compensation Committee that her house has been rebuilt by the Ministry of Housing and she resumed occupation of it in January 2011. During the period that she was homeless, she and her family were housed by her family members. She said that the incursion and its consequences have disrupted her life to the point where she and her husband are estranged. Mrs Austin also received a grant of \$250,000.00 from the Ministry of Labour and Social Security.

The Compensation Committee has examined the photographs and sworn estimates provided by Mrs. Austin, through her attorney Mrs. Gloria Blenman De

Clou. At the hearing before us, Miss Samantha Minniffee represented Mrs. Austin and Mrs. Freckleton Cousins appeared for the Attorney-General.

The Compensation Committee is satisfied that Mrs Austin and her family were severely affected by the events and recommends the payment to her of a further sum of \$1,500,000.00 as compensation for the material losses sustained.

Miss Alicia Bailey resides at Building 44 Flat 7, Bustamante Highway. She is a cosmetologist who also operated a game shop with the registered name “Isaiah 40”. She gave a statement to the Public Defender on July 15, 2010, and gave evidence before the Compensation Committee on January 11, 2017. The circumstances set out in her statement were confirmed by her evidence. She locked and secured her house on May 17, 2010, and left with her family members for what she regarded as safer surroundings at her uncle’s residence in St Andrew.

She returned to her residence on June 2, 2010. She noticed that there was damage to her property. The front door appeared to have been kicked in “because of a bootmark which (she) saw on (it)”. The section with the lock was broken in two pieces. There was a settee with pillows sewn to the back. They were slashed, and a bed foot was broken. She missed jewellery, cologne and a camera. Her shop, which had also been forcibly entered, was “turned upside down”, and the “X-Box games were gone”. Also missing was a camera belonging to her infant daughter.

On the basis of the attachments to her statement to the Public Defender, Miss Bailey claims the sum of \$491,900.69. In her evidence before the Committee, she reduced her claim to “about \$300,000.00”. The Compensation Committee is of the view that she should be compensated for the following: camera (\$3,200), settee (\$42,000.00), door (\$3,500.00), bed foot (\$5,000.00), jewellery (\$43,700.00), cologne (\$19,400.00) and X-Box (\$20,000.00). **The Committee therefore recommends that she be paid the sum of \$136,800.00 as compensation.**

Miss Erica Bailey gave evidence before the Compensation Committee on December 16, 2016. She is a shopkeeper residing at 4 Sangster Crescent, Tivoli Gardens. The shop is described as being at the entrance to Tivoli Gardens, near Bustamante Highway.

Miss Bailey locked her house and left it on May 23, 2010. She returned on May 27, 2010, and found that her sofa had been cut, the glass to her cabinet broken, the roof and partition wall damaged, and clothes on the floor. The front door had been kicked open.

At the shop, which she described as a clothing store, the cabinet glass was broken and she lost her stock of clothes.

On the basis of the damage which we found was done to Miss Bailey's house and shop, and the invoices presented, **the Compensation Committee recommends that the sum of \$250,000.00 be paid to Miss Bailey as compensation.** The Committee notes that Miss Bailey has had to move her business to another location.

Miss Maureen Bailey is a janitor living at Flat 4 Building 44 Bustamante Highway, Tivoli Gardens. On May 24, 2010, she went to stay with her mother at Fung Yee Terrace. On her return to her flat on May 28, 2010, she noticed that the door was split into two pieces. Her television set, refrigerator, fan, toilet covering and a window had been damaged. Miss Bailey received \$15,000.00 from the Ministry of Labour and Social Security.

The Compensation Committee recommends that she be paid a further sum of \$10,000.00 as compensation for the damage done.

Mr. Brian Baker aged 19 years, an entertainer, was alone at home at 87 Mark Lane, Fletcher's Land, watching television. In his statement given to the Public Defender in December 2010, he said that the police were firing shots up Mark Lane and in the process shots came through a window pane and damaged his television set and the mirror on his dresser.

The Compensation Committee recommends that Mr. Baker be paid the sum of \$45,000.00 as compensation.

Miss Nakito Baldio lives at Block A, Apt 29 Tivoli Courts, and operates a variety shop at 52A Spanish Town Road.

On May 25, 2010, the door, window and water tank at the residence were damaged by gunshots. The Compensation Committee viewed photographs of the damage.

The shop was closed between May 21 and 30, 2010. However, the lock on the shutter was hit off and a television set, a dvd player, food and money were said to have been stolen. The Compensation Committee regards it as unwise for a proprietor to leave money over a period of days in a shop, and so does not recommend compensation in such circumstances. As regards the other items, **the Compensation Committee recommends the payment of \$105,000.00 to cover the loss suffered.**

Miss Sophia Banton lives at 38 Love Lane, Fletcher's Land, Kingston. She is a higgler who operates from the Coronation Market. She secured her stall and went home on May 22, 2010. On her return to the market on May 26, 2010, she discovered that her stall had been burnt. She lost a valuable scale and other items.

The Compensation Committee, having examined the invoices presented, and taking into consideration the fact that Miss Banton received the sum of \$15,000.00 from the Ministry of Labour and Social Security, **recommends that she be paid a further sum of \$45,000.00.**

Miss Anucheka Barnes a higgler, resides at Building 32, Flat 3, 1 Dreckett's Place. She received a grant of \$15,000.00 from the Ministry of Labour and Social Security. This was in respect of damage done by the security forces to a fan, a settee, a table and a component set.

Miss Barnes had been ordered out of her house by soldiers. She was away from the house between May 24 and 27, 2010.

The Compensation Committee recommends that a further sum of \$100,000.00 be paid to Miss Barnes as compensation for the damage done to her property.

Miss Sandra Barracks lives at Building 37 Flat 4, Dreckett's Place. She is a diabetic and is partially disabled as she has lost a leg. During the incursion, she was removed by the security forces and taken to Building 34. She was not allowed to return to her residence until May 27, 2010. She said that soldiers took her to the back of her building where they pushed her down. One soldier, she said, threatened to kill her as he said she had seen "man a pack sand bag". Another soldier threw her wheelchair over the veranda thereby damaging it.

When Miss Barracks returned to her house on May 27, 2010, she noticed that her television set and a whatnot had been damaged and her mattress urinated on.

The Compensation Committee notes that Miss Barracks received \$15,000.00 from the Ministry of Labour and Social Security. Having examined the pro forma invoices submitted, **the Compensation Committee recommends that Miss Barracks be paid a further sum of \$110,000.00 as compensation for the damage done to her property.**

Miss Janetta Barrett resides at Building 34 Flat 7, Dreckett's Place. On May 24, 2010, the windows were damaged by an explosion. On May 28, 2010, soldiers conducting a search damaged her washing machine. On June 3, 2010, other soldiers damaged her settee and a tarpaulin.

On the basis of the costs indicated by the pro-forma invoices, **the Compensation Committee recommends the payment of \$153,000.00 to Miss Barrett as compensation.**

Mr. Akeeme Beckett lives at Lot 4, Race Course Lane, Block 3, Denham Town, Kingston 14. He gave evidence before the Committee on April 12, 2017. The

factual situation relating to him comes from his evidence as well as the statements given to the Public Defender by him and his girlfriend Ameeka White. At the time of the incursion, he was a decorator but for the past 5 years he has been working as a technician; he repairs cell phones and computers.

Due to fear, he left his residence on the morning of May 24, 2010. He returned about a week later to find that damage had been done to his property. The door to his house had been “broken down”, and the windows at the front were damaged. His neighbour informed him that soldiers had entered his house and searched it. He observed that his stove and radio had been “ripped apart”, the kitchen sink “broken down”, his and his girlfriend’s clothes were scattered all over and had been damaged by water which had flooded the house. The foot of his bed was broken and the mattress “cut in the centre and gutted”.

Mr. Beckett has since replaced his bed and mattress, and stove. In respect of the stove, he has bought a 2-burner which replaces the 4-burner that he had before.

Mr. Beckett had the misfortune of having been detained in July 2010 by the security forces. However, his detention is not a matter within the terms of reference of the Committee, as there is no complaint in relation to physical injury arising from the detention. The claim by Mr. Beckett is in respect of the damage to his property. He submitted pro-forma invoices in respect of the door, stove and mattress, as well as an estimate of the value of the clothes that were damaged. He informed us that in his view the sum of \$200,000.00 would be required to compensate him.

We have reservations in respect of the values that he has placed before us for the clothes that were damaged. In the circumstances, the Committee considers that the sum of \$100,000.00 would be adequate compensation, and recommends the payment of that sum to Mr. Beckett.

Mr. Morrel Beckford, a store clerk, lives at 8 Raymond Place, Tivoli Gardens. He is called “Jason”. While at work in Barbican on May 23, 2010, his brother called to advise him not to attempt to return home that day due to the firing of gunshots in his neighbourhood. His employer gave him the use of a room at the employer’s

premises, and he remained there until May 31, 2010. On that date, he went home and noticed that the front door as well as the door to his bedroom had been damaged. His refrigerator was not working as it also was damaged. He noticed that his washing machine which was “on a small landing outside (was) mash up completely”.

On seeing the damage that had been done to his property, Mr. Beckford returned to his employer’s premises. Then, on June 2, 2010, his mother called him and told him that the security forces had mashed up his house again. He returned and noticed that every drawer in his dresser and chest of drawers had been emptied and the contents strewn on the floor. His fish tank as well as crockery had been broken. His savings pan with money, as well as his cutlery were missing.

Miss Annmarie Easy of 5 Raymond Place gave a statement to the Public Defender on March 29, 2011. She said that she had seen police and soldiers kicking off Mr Beckford’s door to enter the house.

Mr. Beckford submitted pro forma invoices in support of his claim. The Compensation Committee determined that he ought to be compensated for the damage and loss he sustained. The invoices indicate that the cost of replacing the crockery, cutlery, doors and locks, washing machine and refrigerator would be approximately \$180,000.00. Mr. Beckford received a grant of \$15,000.00 from the Ministry of Labour and Social Security; so, **in the circumstances, the Committee recommends that he be paid a further sum of \$165,000.00 as compensation.**

Mr. Rohan Beckford lives in a two bedroom house at 68 Pink Lane, Kingston 14. He is a higgler. In a statement to the Public Defender, he said that he left home for Portmore on May 24, 2010. He did so in order to be safe. He returned on May 26 at about 9:30 a.m. to find his house “in a totally destroyed state”. He noticed that door locks and hinges had been damaged, and there was a large hole in the concrete wall of his bedroom, and the entire ceiling had been torn down. A radio and tape recorder and the transformer and speakers of his component set were damaged.

Miss Alvarine Wright, a neighbour, gave a statement to the Public Defender to the effect that soldiers visited Mr. Beckford's premises on two occasions on May 25, 2010. On the first occasion, they did not enter the house. However, on the second occasion, they used an iron bar to "dig off the door", and then they went inside. She watched the soldiers from her house, through a window that she had "cracked open". She saw them damaging items in the house. After they had left, she went to Mr. Beckford's house and saw the damage complained of.

The Compensation Committee, having considered the pro forma invoices and estimates submitted, recommends that **a further sum of \$100,000.00 should be paid to Mr. Beckford as compensation**, he having already received a grant of \$15,000.00 from the Ministry of Labour and Social Security.

Miss Angella Bennett lives at Block B, 35 Tivoli Court. She gave evidence before the Compensation Committee on April 20, 2017. She said that she has been living in the community for 20 years. At the time of the incursion, she used to operate "a little shop up at (her) mother yard".

On May 10, 2010, Miss Bennett left her residence and went to 60 Old Hope Road where she said her mother used to be. On May 24, 2010, a neighbour called her to say that members of the security forces had entered her house by cutting the locks. On May 27, 2010, Miss Bennett went to her house. She described what she saw thus: "...the front grill cut. The lock on the washroom grill cut, so I went inside. When I went inside the mattress throw off the bed, the clothes them out of the drawer, some wall pictures that was on the wall they fell off to the ground."

Miss Bennett missed her passport. She said: "Until this very moment I can't find my Passport". She said she also missed some perfumes from her shop. Miss Bennett was very careful in saying that she was not accusing the security forces of taking the missing items; however, she is blaming them for opening her house and leaving it exposed for others to remove her property.

Surprisingly, Miss Bennett estimated her loss at only \$34,000.00. The Compensation Committee noted that she had not placed a value on the missing

passport. In the circumstances, **the Committee recommends that Miss Angella Bennett be paid the sum of \$50,000.00 as compensation.**

Miss Kemorene Bennett aged 40 years, lives at 4 Shearer Drive, Kingston 14. On May 24, 2010, she was at her home with her mother, her three children, a friend and a mentally retarded cousin named Shawn, aged 32 years.

On June 22, 2010, Miss Bennett gave a statement to the Public Defender. In it she narrated how she heard “heavy gunfire” and “two (2) explosions around the back of (her) house”. During the gunfire she and her friend were under a table, her mother was hiding behind a wardrobe, the children were in the bathroom crying and her cousin was at the top of the stairs. The house is a two-bedroom “upstairs and downstairs” dwelling.

When the explosions and gunfire had ceased, she went to the window of the verandah and noticed several soldiers across the street, pointing their guns in the direction of her house. One of them said, “hey b...c...gal, come out a di b...c...house”. She opened the door and soldiers escorted them to one Cherry’s house on Seaga Boulevard, where they were ordered to lie on the ground. This was at about 1:20 p.m.

When they were allowed to return to their house the next day, Miss Bennett noticed that everything in the house was overturned. Chest of drawers and glass windows were damaged. There were bullet holes on zinc at the back of the house and in the ceiling.

The Compensation Committee was shown photographs of the damage. On the basis of the estimates provided, **the Compensation Committee recommends that Miss Kemorene Bennett be paid the sum of \$158,000.00 as compensation.**

Mr. Kyron Bent works at the Electoral Office in Tivoli Gardens. During the period May 18, 2010 to June 2, 2010, the office was broken into and occupied by the security forces. Mr. Bent was told by Major Kennedy of the Jamaica defence Force that they had tried unsuccessfully to make contact with the head office, as they needed the space for the purpose of the identification of deceased persons.

Several items were discovered missing from the Electoral Office. Among them was Mr. Bent's personal laptop computer, valued at \$75,860.00. **The Compensation Committee recommends the payment of \$76,000.00 to Mr. Bent as compensation.**

Miss Gloria McLean Binns resides at 25 Riverside Drive New Haven Kingston 20. Her claim is in respect of losses she sustained as a result of the fire in the Coronation Market. She received a grant of \$100,000.00 from the Ministry of Labour and Social Security. The Compensation Committee on the basis of the pro-forma invoices submitted as regards the losses incurred **recommends that she be paid a further sum of \$60,000.00 as compensation.**

Miss Pearline Blackwood was 89 years old at the time of the incursion. She is a retired maintenance worker who lives at 16 Zacky Avenue, Kingston 14. On Sunday May 23, 2010, eight soldiers visited her house and conducted a search. In the process her built-in closet was damaged. **The Compensation Committee recommends the payment of \$15,000.00 to her as compensation.**

Mr. Omar Blair lives at 1 McKenzie Drive with his wife and 5 children. He is a vendor. On May 26, 2010 members of the security forces searched his house. While doing so, they damaged windows and utensils. Nothing incriminating was found.

Based on the estimates provided, **the Compensation Committee recommends the payment of \$22,000.00 as compensation.**

Miss Annette Blake is a vendor living at 26 Regent St. On June 3, 2010, while she was away from home, soldiers entered her premises and damaged her property while searching. Her gate was taken off its hinges, ceiling damaged, settee soaked with water, back of a breakfront damaged, and her washing machine was out in the yard with its back open.

The Ministry of Labour and Social Security made a grant of \$75,000.00 to Miss Blake.

Based on the estimates supplied, **the Compensation Committee recommends the payment of a further sum of \$32,000.00 as compensation.**

Mr. John Blake lives at 3 Chang Avenue, Tivoli Gardens. He operated stall number 36 in the Coronation Market. He last saw his stall on May 23, 2010. In his statement to the Public Defender, he said that he went back to the market on Monday May 24 but it was a fire and soldiers told him to go home. He returned about 3 to 4 days later and saw ashes where his stall once stood. He lost everything. One Pancheta Cawley provided a list of items that she had supplied Mr. Blake just before the incursion. The value of those items has been put at \$27,780.00. Compensation is sought for that amount. **The Compensation Committee recommends payment of \$28,000.00 to Mr. Blake.**

Miss Lora Blake lives at 1 McKenzie Drive. She received \$50,000.00 from the Ministry of Labour and Social Security. This was in respect of losses that she suffered as a vendor in the Coronation Market. However, she received no compensation in respect of her house which was destroyed by fire while she was at her granddaughter's house on Charles St.

In keeping with the grants made by the Ministry to those whose houses were totally destroyed, **the Compensation Committee recommends that the sum of \$250,000.00 be paid to Miss Blake as compensation.**

Mrs. Ethel Scott Blidgen of Apt 88, Block C, Tivoli Courts, received a **grant of \$75,000.00** from the Ministry of Labour and Social Security. She is a higgler and shopkeeper who gave a statement to the Public Defender on July 8, 2010. In that statement, she said that having been "inspired by God to leave with (her) family", she left Tivoli for Old Harbour on May 15, 2010. She operates a shop in the vicinity of her house. In that shop, she sells phone cards, cigarettes and alcoholic drinks among other things.

She returned home on May 31, 2010, to find her front door open and the door had been damaged, apparently as a result of forced entry. The entire window and frame in her bedroom were missing. Also missing were the entire structure and contents of her shop. The contents included a deep freezer and a refrigerator. On making enquiries, she was told that her shop had been removed by a bulldozer operated by the security forces.

Mrs. Scott Blidgen gave her own estimates of her losses, and also provided several pro-forma invoices from reputable stores indicating the replacement costs of the various items.

Having examined the invoices and having assessed her estimates, **the Compensation Committee recommends that Mrs. Scott Blidgen be paid a further sum of \$90,000.00 as compensation.**

Miss Syretta Bolt is a vendor who lives at Building 21 Flat A Seaga Boulevard, Tivoli Gardens. She is also known as “Money”. In a statement to the Public Defender on September 7, 2010, she said that for seven to eight days her house was occupied by about fifteen persons on the instructions of soldiers who had escorted them from the top floor to the ground floor. Explosions were heard all around. According to Miss Bolt, she suffered loss in the amount of \$1,879,600.00. She received a grant of \$15,000.00 from the Ministry of Labour and Social Security. In view of the magnitude of her claim, she was invited to appear before the Compensation Committee on June 26, 2017. She chose not appear on that date; however, the Committee facilitated her appearance on July 27, 2017.

Miss Bolt’s evidence impressed the Committee as being truthful as regards the behaviour of the soldiers who were involved in the operations at her house. Her evidence was ably supported by that of her boyfriend Mr. Clive Jones who was spared the agony of detention. His good fortune, he said, may have been due to the fact that he is a courier employed to the National Solid Waste Management Authority.

During their occupation of Miss Bolt’s house, the soldiers effected searches of her property and in the process damaged the foot of her dresser and ripped her

settee. Cash that was in her dresser drawers was taken. On the outside, Miss Bolt had a storeroom in which there were 3 barrels with goods for sale. There were also fish tanks with fish which Mr. Jones maintained as a hobby. Fire was set to the storeroom and the barrels and their contents destroyed.

Mr. Jones related, and the Compensation Committee accepted, that the soldiers deliberately killed the fishes in the tanks by pouring gas oil in the water. Pictures of the damaged tanks were presented to the Committee.

As regards Miss Bolt's losses, the Compensation Committee viewed invoices and bills which clearly indicate the purchases made shortly before the incursion.

In the circumstances, the Committee is satisfied that Miss Bolt's losses amounted to approximately \$500,000.00, while Mr. Jones' amounted to approximately \$250,000.00. **As stated earlier, Miss Bolt received a grant of \$15,000.00 from the Ministry of Labour and Social Security, so the Committee recommends that she be paid a further amount of \$485,000.00, and that Mr. Jones be paid \$250,000.00.**

Miss Lillet Boothe lives at 5 Dee Cee Avenue. She is a retired office worker. She received a grant of \$15,000.00 from the Ministry of Labour and Social Security in respect of damage done to her property while members of the security forces were executing a search.

On the basis of an assessment of the damage done and the estimates supplied, **the Compensation Committee recommends that she be paid a further amount of \$28,000.00.**

Miss Latiesha Bramwell of Apt Bldg 19 Seaga Boulevard gave evidence before the Committee on February 28, 2017. The Committee was impressed by her evidence. She affirmed, and elaborated on, the statements that she gave to the Public Defender. On May 24, 2010, due to the firing of gunshots, she left her 3rd floor apartment and went on the ground floor to be with her church sister, Denise Brown. Her husband and sons had already left the community. She remained so as to protect her house and other property.

While she was with Miss Brown, two soldiers knocked on the door, then came in and took the occupants outside. Eventually, she was taken by a soldier to her apartment as he wanted to know if there was anyone being hidden there. Amidst her assurances that there was no such person, the soldier threatened to shoot her if it turned out otherwise. When it was realized that she had spoken truthfully, she was allowed to return downstairs. She remained with Miss Brown until Wednesday the 26th when she noticed a soldier passing with her mop bucket. She went upstairs to her apartment and noticed that her apartment was being used as “the camping area” for soldiers. Guns were “spread out” on her bed. Her door had been “kicked off” and her sofa had been “cut up” apparently by the use of a knife.

Ms. Bramwell’s husband had brought her a “pulley” with gifts in it from a recent trip overseas. On the Monday when she had left her apartment, she had left her I-pad on her bed. On the Wednesday, the I-pad was missing as well as items that were in the pulley. The glass in her what-not had been smashed; a picture frame with photographs of her husband was smashed. Ice cream in her refrigerator had been eaten, and paper had been stuffed in her couch. Bullet holes were in her water tank and water was all over her apartment. Her settee and what-not had to be thrown away, the settee having been soaked by the water in the apartment. A device thrown by soldiers had cracked the ceiling, and bullet holes were in the window.

Ms. Bramwell has replaced the door but not the water tank.

Photographs taken by the investigator were exhibited. Ms. Bramwell produced invoices in respect of the items that are to be replaced. She received a grant of \$15,000.00 from the Ministry of Labour and Social Security. In computing her loss, the Committee arrived at a figure of \$221,644.83. **Taking into consideration the grant from the Ministry, the Committee recommends that Miss Bramwell be paid the sum of \$207,000.00 as compensation.**

Miss Sherona Broderick is aged 37 years and lives at 1 McKenzie Drive. She is a vendor in the Coronation Market. She gave a statement to the Public Defender on

June 22, 2010, and gave evidence before the Compensation Committee on July 5, 2017.

Miss Broderick secured the goods in her stall at the Coronation Market on Saturday May 22, 2010, and went home. She said that a group of policemen searched her house on May 25, 2010 and relieved all the occupants of their mobile phones. On the following day another set of policemen conducted another search of the premises.

On May 27, 2010, having secured her house she went shopping. On her return about 4 hours later, she noticed that the front door was off the hinges and split in two, and the lock was broken. Inside, clothing, books and food were scattered on the floor. Her component set, 3 fans, a chest of drawers and a washing machine were damaged.

Miss Broderick owns a Toyota motor car. It was parked in front of her apartment building. She noticed that the left back door glass had shattered and the front windscreen was cracked.

As regards her stall at the market, when she returned to that area on May 31, 2010, she saw “only the burnt and charred remains of the items (she) used to sell”. She estimated her loss in the market was \$404,839.

The Compensation Committee, having examined the estimates given by Miss Broderick, and having considered that she received a grant of \$15,000.00 from the Ministry of Labour and Social Security, **recommends that Miss Broderick be paid a further sum of \$250,000.00.**

Miss Ann-Marie Brown (otherwise called CHARMAINE) of 4 Fiddles Road Kingston 13 is a dressmaker. She gave a statement to the Public Defender on July 1, 2010. In it, she narrated how she was shot by soldiers while walking with her asthmatic daughter on Elgin Road. The soldiers were posted atop the Remand centre. The medical report from the Kingston Public Hospital shows that she received a gunshot wound to the flank and exit wound to the right lower back. On the basis of awards made by the courts in similar cases, **the Compensation**

Committee recommends that Miss Brown be paid the sum of \$950,000.00 as compensation.

Miss Ann-Marie Brown (otherwise called SUZETTE) now lives in the parish of St Thomas. At the time of the incursion she lived at 1 Mckenzie Drive, Tivoli Gardens, with one Mr. Roy Pitt, and her two sons Jason Dixon and Brady Morris, then aged 9 years and 4 years respectively. She was pregnant in May 2010, and gave birth in June 2010. Mr. Pitt is the father of that child.

Miss Brown gave evidence before the Compensation Committee on July 11, 2017. She swore that Mr. Pitt is from Lawrence Tavern and would come and stay with her at times in Tivoli Gardens. She encouraged Mr. Pitt to leave the area before the incursion seeing that he was not from there. Consequently she expressed as a fact that Mr. Pitt was in Lawrence Tavern at the time of the incursion. However, Mr. Pitt gave a statement to the Public Defender on November 18, 2011, in which he related the following: "...the soldiers and police were telling us to leave, but we did not have anywhere to go. But later in the night when the gunshots started to get more, we left and went to another building in Rasta City. All the people in that area just went to that building and pack up in there, because they did not have anywhere to go. Later the same night, I saw fire coming from the building where we lived. We could not come out of the building to save anything due to bear gunshot. A girl known to me as Blackie came out of the building to save some of her stuff and was shot in the belly".

Miss Brown expressed surprise when the Committee informed her of this statement by Mr. Pitt. However, she knows Blackie and confirmed that Blackie was shot.

Miss Brown's residence was destroyed by fire. This happened after she and her children had taken refuge in Miss Arkie's apartment. They remained there from Monday May 24 to Wednesday May 26, 2010. The Committee received photographic evidence of the destruction of Miss Brown's apartment.

After the fire, Miss Brown and her children left for St Thomas to reside with relatives. She has since been the beneficiary of a house built by the organization

“Food For The Poor”. She also received a grant of \$250,000.00 from the Ministry of Labour and Social Security.

The Committee is satisfied as regards the items of furniture and clothing that Miss Brown and her children lost. The pro-forma invoice from Courts provides guidance in respect of the value of the furniture. Taking everything into consideration, **the Compensation Committee recommends that Miss Brown be paid a further sum of \$400,000.00 as compensation.**

Miss Audrey Brown is a machine operator living at Building 18 Flat B Seaga Boulevard. Miss Brown went to her front door on May 24, 2010, in answer to a call by members of the military. She was shot in the left thigh when a firearm was discharged and bullets went through the door, the entertainment centre and hit a glass table in the room. She and others in the house were ordered outside. She limped out in compliance. She said that the ground commander assisted her to a neighbour’s house, and she was transported by the military to the University Hospital of the West Indies.

The Compensation Committee examined the medical records and noted that she had a wound to the leg, with 3 smaller wounds around the large one. Multiple pellets were removed. There were no fractures, however, Miss Brown now has an ugly scar.

During Miss Brown’s absence from her home, a digital camera disappeared.

The Compensation Committee considered awards by the Court for injuries of a similar nature and **recommends the payment to Miss Brown the sum of \$1.23 million**, apportioned as follows: \$1,200,000.0 for pain and suffering etc and \$30,000.00 for hospital charges and the camera.

Mrs. Barbara Brown-Cole lives at Building 21 Seaga Boulevard, Tivoli Gardens. She is a higgler who lost goods in the fire in the Coronation Market. Her status has been verified. She gave evidence before the Compensation Committee on April 26, 2017. At that time, she confirmed her loss as stated to the Public Defender in June 2010.

The Compensation Committee recommends that she be paid \$45,000.00 as compensation.

Miss Beryl Brown is a retiree living at 30 Shearer Drive. The security forces searched her house on the morning of May 24, 2010. During the search the front door was damaged and the hinges broken off. The ceiling was pulled down, and the roof and wardrobe damaged. She said that a soldier broke the lock on the wardrobe. The chandelier was also broken. The estimates indicate damage of no less than \$65,000.00. Miss Brown received a grant of \$15,000.00 from the Ministry of Labour and Social Security. As a result, **the Compensation Committee recommends the payment of a further sum of \$50,000.00 to her as compensation.**

Miss Dionne Brown of 21 Elgin St, Board Villa, left home on May 24, 2010, to stay with her neighbour. When she returned on May 29, 2010, she noticed damage to the zinc roof and board at the side of her house. Her entertainment set was also damaged. It was estimated that it would cost \$20,000.00 to repair the damage to the house. **The Committee recommends a grant of \$34,000.00 to Miss Brown.**

Miss Joycelyn Brown of 16 Greenwich St. Denham Town complained of damage to a door and some louvre panels at her house. She presented invoices to support her estimate of the damage. The Compensation Committee is satisfied that, she having received \$15,000.00 from the Ministry of Labour and Social Security **ought to be paid a further sum of \$15,000.00 to compensate her for her loss.**

Miss Lurline Brown lives at 84 North St. On June 9, 2010, soldiers searched her house. In the process, they damaged her television set, tore a door off its hinges, cut open a mattress, and removed \$30,000.00 cash from a dresser drawer. This money said Miss Brown in her statement was being saved for her daughter's graduation and "after jam". Miss Brown's claim is for a total of \$82,000.00.

The Compensation Committee recommends that the sum of \$55,000.00 be paid to Miss Brown as compensation.

Miss Marvalyn Brown of 40 Fong Yee Terrace gave a statement to the Public Defender. In it she said that two motor vehicles that she owned were damaged by bullets from the security forces. She was granted \$15,000.00 by the Ministry of Labour. The Compensation Committee is of the view that a **further sum of \$20,000.00 would compensate her for the damage done.**

Miss Maxine Brown lives at 1 Levy Path Tivoli Gardens. She is a dressmaker. Her apartment is on the top floor. On May 24, 2010, she said that gunshots were being fired from all directions. She was having a conversation with her neighbour when a bullet came through a window. She decided to go downstairs. While on her way, she saw soldiers who took her back to her apartment and asked her where was the boy who was looking through the window. There was no such boy, she said.

The soldiers searched the closet and other areas of the house. They cut her mattress, tore off the back of the stove, and threw out her barrels with clothes. The soldiers took all phones and cameras and took them all to the ground floor. She remained there for the rest of the week.

Miss Brown received a grant of \$75,000.00 from the Ministry of Labour and Social Security. **The Compensation Committee recommends the payment of a further sum of \$56,000.00 as compensation to Miss Brown.**

Miss Monica Brown resides at 1 McKenzie Drive. On May 24, 2010, she left her home to go to the Coronation Market to get coal. She was unable to return home on that day. She eventually returned on May 27, 2010. She found that the house had been entered and several items damaged. Her claim is for damage to a television set, a component set, an electric fan, a refrigerator, 3 bed sheets, 6 pairs window curtains, and \$25,000.00 cash.

Based on the photographs and invoices submitted, the Compensation Committee is not in a position to recommend more than **\$15,000.00 as compensation to Miss Brown.**

Miss Monique Brown lives at 1 McKenzie Drive. She received \$250,000.00 from the Ministry of Labour and Social Security in respect of the destruction of her house. The Compensation Committee is satisfied that her losses amount to no less than \$350,000.00 **Consequently, the Committee recommends that she be paid a further sum of \$100,000.00 as compensation.**

Miss Nadine Brown lives at 7 Barbados Road, Kingston 11. She is a vendor in the Coronation Market. She gave evidence before the Compensation Committee on March 2, 2017. She left her goods on May 22, 2010, in her sister's shop in the said market. These goods were destroyed in the fire that damaged parts of the market. Her sister Kaysia Bailey also suffered losses. However, whereas Miss Bailey received a grant of \$100,000.00 from the Ministry of Labour and Social Security, Miss Brown was not so fortunate.

Miss Brown presented documentary evidence that was available to her in an effort to establish the credibility of her claim. **We are satisfied that she was a witness of truth and recommend that she be paid \$100,000.00 to compensate her for her loss.**

Mr. Rolando Brown of 11 Victoria St., Denham Town estimated in his statement to the Public Defender that he suffered damage totalling \$37,000.00 when soldiers searched his house on two occasions during June 2010. Damage was done to the floor, closet and a waterfall. He also missed two phones. The Compensation Committee disregarded his statement in respect of the missing phones, seeing that he was present during the searches and would have seen if they had been taken by the soldiers. However, in respect of the damage done during the searches, the Compensation Committee feels that **the sum of \$25,000.00 would be adequate compensation. Consequently, we recommend that he be paid that amount.**

Mr. Rupert Brown resides at 21 Elgin St. Denham Town. He is a vendor in the Coronation Market. He lost goods in the fire; he has estimated his loss at \$40,000.00. The Ministry of Labour and Social Security made a grant of

\$15,000.00. The Compensation Committee recommends the payment of a further sum of \$25,000.00 to him as compensation.

Miss Sonia Brown gave evidence before the Compensation Committee on March 2, 2017. She lives at Little King St. Up to the year 2010 she was a vendor in the Coronation Market and had been so since 1989. She now works as a janitor in a hospital. Her claim is on the basis of losses she sustained as a vendor in the market, and also for damage done to her house during gunfire between the security forces and gunmen. The Ministry of Labour and Social Security made a grant of \$15,000.00 to Miss Brown. However, based on her evidence which we substantially accepted, this sum was wholly inadequate as compensation.

As regards her house, the damage done to her French windows was over \$70,000.00 whereas the loss sustained in the market was in the hundreds of thousands of dollars. Miss Brown's stock was basically of groceries and clothing. Her original estimate of her loss was \$250,000.00. However, she subsequently revised that figure upwards to \$600,000.00. **The Compensation Committee rejects this upward revision and, taking into consideration the sum already paid to her, recommends a further sum of \$250,000.00 to compensate for her loss.**

Miss Talcia Brown is a factory worker residing at 21 Elgin St, Board Villa. On June 2, 2010, soldiers entered her house and damaged her bed, settee, dvd, fan and door. She said that when she asked them why they had done this, they told her that government would buy it back. She presented a pro-forma invoice which indicates that it would cost \$70,800.00 to repair and correct the damage and loss suffered. She received \$15,000.00 from the Ministry of Labour and Social Security. In the circumstances, the Committee considers that **a further sum of \$60,000.00 would result in adequate compensation for her loss. We recommend the payment of that amount.**

Miss Lena Bryan, a licensed higgler aged 39 years, lives at Block 4, Apt 32 Harbour & Regent Sts Denham Town. She operated a stall in the Coronation Market. On May 23, 2010, she locked up her goods and went home. Her stall and goods were

destroyed by fire. **Her loss is estimated at \$82,000.00. The Committee recommends that she be paid that sum.**

Miss Lovette Bryan of #5 Levy Path, Tivoli Gardens, gave evidence before the Commission of Enquiry. The Commission found her to be an impressive witness. The Commission recommended that she be refunded the cost of repairs expended as a result of damage done to her house by the JDF soldiers. Her evidence was that she spent **\$14,000.00** to do the repairs. The Compensation Committee **recommends that she be paid \$15,000.00 which is the minimum that the Ministry of Labour and Social Security has granted to those who have suffered least.**

Miss Nadine Bryan is a higgler in the Coronation Market. She lives at Apt 121 Tivoli Courts, Kingston 14. On May 23, 2010, she left her home for Portsmouth Saint Catherine. On her return on May 29, 2010, she noticed bullet holes in a window and that the padlock had been cut from the grill upstairs. The door in the region of the lock was broken, the what-not shot, and the glass for the entertainment centre “shot out”. There were 3 bullet holes in a French window and one in the cabinet.

Without listing all the areas, it is sufficient to say that there were bullet holes all over the house. Clothes were strewn all over Miss Bryan’s bedroom, and according to her, money (\$70,000.00) in a dresser drawer was missing.

The Compensation Committee does not accept that money was left in a dresser drawer by Miss Bryan when she left her home for Portsmouth, intending to be away for several days.

The Compensation Committee viewed photographs taken on July 7, 2010, indicating some of the damage done.

Miss Bryan received a grant of \$75,000.00 from the Ministry of Labour and Social Security. Taking everything into consideration, **the Committee recommends that Miss Bryan be paid a further sum of \$85,000.00 as compensation.**

Miss Tashna Burke owns a house at Building 1, Levy Path, Tivoli Gardens. She is presently in the United States of America. In a statement dated June 15, 2010, she said that an explosion caused by the security forces destroyed sections of her house and the contents.

The Compensation Committee heard from Miss Burke by means of Skype on August 14, 2017. She confirmed in every detail that which she had said in her statement. So severe was the damage to her property that she had to seek accommodation elsewhere. She submitted receipts for the payment of rent for four months. She presented invoices indicating the cost of replacement of her household and personal items.

The Compensation Committee, having taken into consideration the fact that Miss Burke received a grant of \$250,000.00 from the Ministry of Labour and Social Security, **recommends that she be paid a further sum of \$900,000.00 as compensation.**

Mr. Aaron Campbell, aged 63 years, is a drycleaner living at 26 Metcalfe St. He left his house on May 23, 2010, to stay with his daughter in Constant Spring. He returned on May 26, 2010, to find the front door to his house smashed, his 3-piece settee torn and cut, his television set gutted and the door to his dry cleaning shop damaged. There was no damage in the shop itself.

The Compensation Committee, having considered the nature of the damage and the pro-forma invoices submitted, **recommends the payment of \$195,000.00 to Mr. Campbell.**

Miss Barbara Campbell lives with her husband and 4 adult children at 152 Church St. On May 25, 2010, a section of the upper floor and a window of her house were shattered by gunshots. A microwave was also damaged by bullets. She repaired the damage to her house at a cost of \$20,031.13. Two receipts were submitted as evidence of payment. She also submitted a pro-forma invoice for \$9,000.00 in respect of the microwave. In the circumstances, **the Committee recommends the payment of \$30,000.00 to Miss Campbell as compensation.**

Miss Clova Campbell resides at 155 Church St, Apt 303, Fletcher's Land. On May 24, 2010, soldiers atop the Kingston Public Hospital were seen pointing guns in her direction. Explosions were heard. Miss Campbell who was outdoors ran inside her house. Gunshots penetrated the house through the front door. This door, 3 louvre blades, the veranda and an entertainment centre were damaged by the bullets. It was estimated that it would cost \$25,000.00 to fix the veranda and the entertainment centre, and \$4,000.00 to repair the door. **The Committee recommends that a grant of \$30,000.00 be made to Miss Campbell as compensation.**

Miss Hermine Campbell lives at Building 26, Seaga Boulevard. On May 24, 2010, the police kicked off her front door, and damaged her wardrobe. Pro-forma invoices submitted to the Committee indicate that it would cost \$40,100.00 to repair the damage. The records indicate that she received a grant of \$15,000.00 from the Ministry of Labour and Social Security. **The Committee recommends the grant of a further sum of \$25,000.00 to compensate her for her loss.**

Mr. Lex Campbell lives at Lot 118 Block D Tivoli Courts. He is a teacher at Alpha Convent of Mercy. On May 24, 2010, he was at home. He heard a barrage of bullets, according to his statement to the Public Defender. Soldiers detained him for about 3 days in an apartment below where he lives. When he returned to his house on May 27, 2010, there were gunshot holes in the ceiling, his closet doors were damaged and a digital camera valued at \$77,000.00 was missing from his dresser. He submitted an invoice from Courts for a camera. That invoice has the price at \$22,324.00. **The Committee recommends that Mr Campbell be compensated in the sum of \$30,000.00 to include the value of the camera stated on the invoice and the balance to go towards the repairs for the damage to the house.**

Mr. Logan Campbell, aged 46 years, is a bag juice vendor who lives at Wellington and Nelson St, Denham Town. He locked his house on June 4, 2010, and went out. On returning later, the partition had been torn down and his house ransacked.

The sum of \$28,000.00 in notes was missing. He earns approximately \$50,000.00 each week and makes lodgements at the bank every 3 to 4 months, he said. **The Committee recommends the grant of \$28,000.00 to Mr. Campbell.**

Miss Tracy Campbell resides at 77 North St, Denham Town. In her statement to the Public Defender, she said that soldiers entered and searched her house on May 30, 2010, at 1:30 p.m. She watched them while they broke the bottom base of her bed, and tore down the ceiling. She said that the cost of repairing the ceiling was \$8,000.00. She said that she later noticed that her camera and some Digicel phone cards were missing. Seeing that she was present observing the search, the Committee was not impressed by her claim in respect of the camera and phone cards. **As regards the ceiling and the bed base, we recommend that she be compensated with a payment of \$10,000.00.**

Miss Natalie Cardoza was living at 1 McKenzie Drive with one Simon Oakley (her “baby father”) during May 2010. She moved to her father’s house at 9 Wild St. Franklyn Town on May 19, 2010, as she was pregnant and did not wish to be trapped in Tivoli during the operations of the security forces. She gave birth on May 28, 2010, but was unable to return home after the incursion due to the fact that her house was one of those destroyed by fire.

Miss Cardoza and Mr. Oakley lost their personal and household belongings as well as those of the children and the house itself. The Compensation Committee is satisfied that although they lived together, Miss Cardoza and Mr. Oakley had separately owned items of furniture, and so were not duplicating items when they gave their statements to the Public Defender. Taking into consideration the value of the house structure, **the Compensation Committee recommends the payment of separate amounts of \$250,000.00 to Miss Cardoza and Mr. Oakley as compensation for the loss they suffered.**

Miss Niketa Carnegie is a vendor living at 121 Charles St, Kingston. On May 23, 2010, she was at home with her children. She heard gunshots. The next day, she noticed that a set of glass windows in the back room had been shot. The wall

fence also had gunshot holes. On May 26 2010, police and soldiers searched the premises. In the process, they tore down the ceiling in the back room.

Pro-forma invoices were presented to the Compensation Committee. It is recommended that Miss Carnegie be paid the sum of \$15,000.00 as compensation.

Mr. Michael Carpenter of 12 Wellington St. Kingston 14, stated in writing to the Public Defender that on May 24, 2010, he was away from his house for a while. On his return, he noticed that the door had been kicked off and shots had been fired through the roof. He came out into his yard and was ordered by a soldier to go back in. He inquired how he was to go back in “when shot a fire”. He was boxed by the soldier causing his denture to be dislodged, and he was unable to retrieve it. He was in pain and unable to chew properly. **The cost of replacing the denture is \$30,000.00. Taking into consideration the cost of replacing the door, the Committee recommends the payment of \$40,000.00 to Mr Carpenter as compensation.**

Miss Norma Carty claims in her capacity as Bishop of the New Mystic Zion Church of Christ at 64 North St., Kingston.

On Sunday May 23, 2010, the church building was in good condition and order. On May 24, 2010, it was vandalized by the security forces. The front door was open. Several pieces of shalitek were missing from the ceiling. Boot marks were on the altar, damage done to the glass altar, which was broken into 4-5 pieces. The back door was open. Damage was done to the jamb. The side fence was torn down. Several bags of rice, veggie mints, peas etc ripped open. Flower pots and candle stands were missing. A verbal report was made to the ground commander Capt Dunkley.

Miss Karen Barnes, a tax auditor, aged 42 years, was a witness to the soldiers going into the church from time to time during the period. Based on the estimate for materials and labour to correct the damage done, **the Committee recommends the payment of \$150,000.00 to Miss Carty for the church.**

Miss Kasheena Castell is a phlebotomist who lives at 78 Zackey Avenue. She was at home on May 27, 2010, with her “baby father” Michael Warren and other family members when there was a knock on the door. Several police officers and a soldier were at the door. The police ordered them to go outside while they searched the house. After the search, and the departure of the security personnel, she realized that her Samsung A736 phone was missing.

The Committee, having seen a pro-forma invoice from Carousel, K. Chandiram Limited, dated 22/02/11, recommends the payment of \$15,000.00 to Miss Castell as compensation for her phone.

Miss Lorraine Castle of 92 Charles St left her home on May 22, 2010. On May 29, she received a telephone call informing her of searches of her house by the security forces. She returned on May 30, 2010, and noticed damage to the door, bedroom, closet doors, bed foot and fan. A pro-forma invoice presented to the Committee suggests that the cost of materials to repair the damage would amount to \$34,094.00. **The Committee recommends that she be paid \$40,000.00 as compensation. This would include labour costs.**

Mr. Carl Cavallier lives at the house of his sister Marbella McDonald at Building 6, Flat G, Bustamante Highway. On May 22, 2010, he left home. On returning home on June 1, 2010, he noticed the following; front door kicked in, locks broken off, mattress cut open, lap top missing, 14-inch television back taken off, two room doors and bathroom door damaged, and a small cassette radio pulled apart. The price of the laptop was US\$375.79. Pro-forma invoices indicate that the cost of repairs would be in the region of \$38,770.00. **The Committee recommends that Mr. Cavallier be paid US\$375.79 and J\$38,770.00.**

Mr. Delroy Cephas is an informal commercial importer residing at 53 Dee Cee Avenue. In a statement dated March 3, 2011, to the Public Defender, he said that on May 24, 2010, members of the security forces searched his house. He was detained until May 27, 2010. He returned home on May 29, 2010, and found that his bedroom glass window had been broken. Soldiers were in residence at his

house and he was at first prevented from entering. Eventually, he was allowed in. He noticed his 52-inch flat screen television set had been smashed and 7 cases of shoes missing. Each case contains 20 pairs of shoes. According to Mr. Cephas, he missed \$261,000.00 cash that was on a bed “covered over by clothes”.

Mr. Cephas was again detained during the month of July. However that detention has nothing to do with the instant circumstances.

The Compensation Committee recommends that the sum of \$125,000.00 be paid to Mr. Cephas as compensation for his television set.

Miss Cecile Christie lives in a 2-bedroom 22, 2010, being fearful of staying at her house “because (she) know what was going to take place, meaning the security forces incursion, in Tivoli Gardens”, she took her 5 grandchildren and went to her brother’s house in Duhaney Park. However, her two adult daughters Paula Cork and Tanya Blagrove, remained. Paula, the victim of a stroke, was unable to walk and had an impediment in her speech. Miss Christie maintained telephone contact with her daughter Tanya.

On May 26, 2010, Tanya told her that the house had been damaged by bullets; the doors were off and the metal windows smashed. She returned home on May 27, 2010, when she thought it was safe. She noticed the front door missing, her component set and entertainment centre were damaged in that “they were shaking and could not stand up straight”. The mattresses were soaked by rain; one dresser had bullet holes in the back and the mirrors were missing; a basin in her bathroom was smashed, apparently by bullets, and the fragments were on the floor. A Laska standing fan and the metal windows in both bedrooms were also damaged. There are three windows in each bedroom. Tanya gave a statement to the Public Defender. In it, she related hearing explosions on May 23. They sounded like gunshots and bombs. The explosions shook the house, hit off the doors, bent the windows and smashed bathroom pipes. Soldiers came and ordered them out. The police came on the scene later. After Tanya had been searched by a police woman, her Blackberry phone was taken. It was not returned to her. She values it at \$20,000.00.

Pro-forma invoices were submitted in respect of the items to be replaced or repaired. The invoices amount to \$402,699.97. There is no estimate for labour. Miss Christie received \$15,000.00 from the Ministry of Labour and Social Security. The Committee is of the view that labour costs would not be less than \$40,000.00. Taking the latter fact into consideration, and as well as the cost of the phone, the Committee recommends that Miss Christie be paid a further sum of \$430,000.00 and Miss Tanya Blagrove be paid \$20,000.00 for her phone.

Miss Corretta Clarke lives at Bldg.12 Bustamante Highway, Kingston 14. On May 24, 2010, at about 8:00 p.m., gunshots were fired into her house damaging a television/video recorder set, a dresser, a fan and baby food. **On the basis of the estimates provided, the Committee recommends the payment of the sum of \$45,000.00 as compensation.**

Miss Florence Clarke, a retiree, aged 79 at the time of the incursion, lives at Block B, Apt 38 Tivoli Courts. She used to be an employee of Nutrition Products Ltd.

She secured her house on May 24, 2010, at about 7:00 p.m. and went to her neighbour Marlene Williams' house. On her return home at about 6:30 a.m. next day, she noticed 3 holes in a metal louver window. Her cabinet and about a dozen of her "prized crockery glass and wine set" were shattered. The damage had apparently been done by bullets.

Photographs of the damaged items were presented to the Committee.

Miss Clarke estimated that it would cost \$20,000.00 to repair or replace the damaged items. Due to her age, she was unable to attend at an appropriate establishment to obtain a pro-forma invoice in respect of the window.

The Committee takes note of her particular situation, and also the fact that she received a grant of \$15,000.00 from the Ministry of Labour and Social Security. In the circumstances, the Committee recommends that she be paid a further sum of \$15,000.00 to cover her loss.

Miss Mazie Clarke lives at Levy Path. She operates a bar, and is otherwise called Pinnis. She received a grant of \$15,000.00 from the Ministry of Labour and Social Security. Her complaint is in respect of damage she said that was done to her bar at Tivoli Gardens Square and her house at Levy Path.

Miss Clarke said she closed her bar on May 16, 2010. She returned to it on May 26, 2010, and found that the door was open and all alcoholic drinks missing. Three tables and twelve plastic chairs were broken; and 2 deep freezers and a refrigerator damaged and left outside. She estimated her damage and loss at \$89,050.00 in respect of the bar.

As regards her house, she said that she left it on May 22, 2010, and went to her son's house. On her return on May 27, 2010, she noticed that the front door was damaged and a pipe in the bathroom broken, thereby resulting in further damage by water.

Considering the estimates, **the Compensation Committee recommends the payment of a further sum of \$110,000.00 to Miss Clarke as compensation.**

Mr. Curtis Coke is a carpenter residing at 1 McKenzie Drive. He left his house on May 23, 2010, having locked his workshop with his tools. He returned on May 30, 2010 and said he saw only his clay pots and some tools. Everything else including the house had been destroyed by fire.

Mr. Coke received a grant of \$250,000.00 from the Ministry of Labour and Social Security.

Taking everything into consideration, **the Committee recommends that a further \$500,000.00 be paid to Mr. Coke as compensation.**

Mr. Wilson Cole of 21 Keith Avenue is a cook shop operator. His shop was completely destroyed by fire on the instruction of soldiers. It is estimated that it would cost \$60,000.00 to replace the structure. The goods and appliances in it were valued at \$119,579.00. Mr. Cole also lost personal certificates in the fire. He received a grant of \$15,000.00 from the Ministry of Labour and Social Security. In

the circumstances, **the Committee recommends the payment of \$170,000.00 to Mr. Cole as compensation.**

Miss Faye Collins lives at Block 16, Lot 24, Metcalfe St. Denham Town. On May 23, 2010, according to her statement, soldiers came to her house and searched. She said comfortingly that no one was mistreated. However, the soldiers damaged a door, a television set and a dvd. The door has been replaced at a cost of \$8,600.00 and pro forma invoices have been produced indicating that the cost of the dvd is \$7048.82 and the television set \$25,844.00. **The Committee recommends that Miss Collins be compensated with the payment of \$45,000.00.**

Miss Lena Crawford is a higgler who gave her address as Phase 2 No. 1421, Seaview Gardens, Kingston 11. She operates a stall in the Coronation Market, selling onions, scallion, red peas, irish potatoes and such foodstuff.

On May 22, 2010, she packed her goods in her stall and tied them down. On May 27 on her return to the market, she discovered that everything that she had left at the stall had been destroyed by fire. **Her estimated loss was \$30,000.00. The Committee recommends that she be paid that sum as compensation.**

Miss Carol Cumberland resides at 16 Chang Avenue. She was at home on May 24, 2010, when her house was hit with explosives under the management of the security forces. She said that soldiers seized her telephone valued at \$25,000.00. All her property was lost, she said. Her estimate of loss was \$330,000.00. She received a grant of \$100,000.00 from the Ministry of Labour and Social Security. **The Compensation Committee recommends the payment of a further sum of \$163,000.00 to her as compensation.**

Miss Eileen Cummings of Tivoli Courts Apt 123 Block D, Tivoli Gardens, was in Clarendon between May 22 and 29, 2010. On her return on the latter date, she noticed that her entrance door had been damaged and her house ransacked. Also damaged was a 400 gallon water tank. Her daughter's knapsack and cash J\$2000 and US\$150 were missing. **In respect of this claim, the Committee recommends**

that she be paid \$10,000.00. We note that Miss Cummings' son Damion Lindsay who lived at 1 McKenzie Drive, lost his life during the incursion. She received a funeral grant of \$150,000.00. There is a claim in the Supreme Court in respect of Mr. Lindsay's death.

Miss Forestina DaCosta lives at 1 McKenzie Drive with her son Kemar Thomas. On May 24, 2010, members of the constabulary ordered them outside while they searched. At the end of the search, the householder discovered her "fridge door pop off" and her chest of drawers smashed. The police seized three phones belonging to Miss DaCosta, her son and daughter. These phones have not been returned to the owners. Miss DaCosta gave evidence before the Compensation Committee on April 26, 2017.

The Compensation Committee recommends the payment of \$135,000.00 as compensation for the damage done and for the phones, based on the evidence given and the invoices presented.

Miss Fredericka DaCosta lives at Building 5 Sangster's Crescent, Apt G, Tivoli Gardens. She received a grant of \$15,000.00 from the Ministry of Labour and Social Security. In a statement to the Public Defender on June 24, 2010, she said that on May 24, 2010, she and several other individuals were forced by soldiers to go to, and remain, on Donnette Williams' premises, and to hand over their cameras and phones.

When she was allowed to return to her premises, she discovered that the front door and lock had been damaged, and there were gunshot holes in the walls of her kitchen. Her electric kettle "was splintered in pieces", her bed headboard and a what-not were damaged and there were several gunshot holes in her dresser and in the bathroom.

Miss DaCosta complained of partner draw money being missed along with US\$500 and a gold watch.

In respect of the damage done to her property and the phones taken from her, the **Compensation Committee recommends the payment of a further sum of \$135,000.00** to Miss DaCosta as compensation.

Mr. Kiyon Daley gave evidence before the Compensation Commission on April 27, 2017. He lives at 1 McKenzie Drive. On May 24, 2010, he went to his sister's house at Seaga Boulevard. His house was destroyed by fire. According to him, he saved nothing. Incidentally, Mr. Daley was detained for 5 days by the security forces.

Mr. Daley received a grant of \$250,000.00 from the Ministry of Labour and Social Security.

Having considered his evidence and having examined the list of items lost by Mr. Daley in the fire, **the Compensation Committee recommends that he be paid an additional sum of \$100,000.00 as compensation.**

Mr. Lawrence Daley lives at 1 Pink Lane. He is a higgler. He left his house on May 24, 2010 and went to be with his brother at Swallowfield. He did so, he said, as bombs were falling and he was scared. He gave evidence before the Compensation Committee on April 26, 2017. His evidence was that on his return to his house he discovered that the door and lock and a part of the back section had been damaged. He lives in the same yard as his sister Princes Allen. She gave a statement in which she describes herself as a hustler. She said that police officers came to the premises and searched her house. After that they went to Mr. Daley's house and indicated that they wished to go inside. She said that she told them that he is a Christian and was not at home. A police officer used a hammer to damage the lock so as to open the door. The door did not open immediately so "he used a cutlass with a hook to fly the slam lock", said Miss Allen.

Mr. Daley sells food and grocery items in the Oxford Mall. He said that the fire in the Coronation Market consumed all his unsold items which had been left at Miss Beauty Rhoden's stall. Miss Rhoden gave a statement to the Public Defender on

March 28, 2011. In it, she said that Mr. Daley is her church brother and that he had indeed left his goods at her stall on Saturday May 22, 2010.

Mr. Daley's claim is for over \$300,000.00.

The Compensation Committee recommends the payment of an additional sum of \$195,000.00 to Mr. Daley as compensation for his loss and the damage to his house.

Mr. Oetha Daley is a vendor residing at 40 Zackey Avenue Tivoli Gardens. The house is a 3-bedroom concrete 2-storey structure. During the incursion, Mr. Daley and his family members were in the bedroom downstairs out of fear for their lives, according to his statement to the Public Defender. Gunshots were continuously fired in the area and in the process damage was done to items of furniture such as the entertainment centre as well as the windows, particularly upstairs.

On May 27, 2010, in his presence, soldiers conducted a search of his house. They removed drawers and the back sections of a television set and a settee. Clothes were strewn on the beds and floor. The soldiers also removed a warhead from the wall behind a what-not.

Mr. Daley gave evidence before the Compensation Committee on May 31, 2017. He said that he has since changed the bedroom door, and replaced the television set and settee. The latter had been "sliced up" by the soldiers.

In keeping with the invoices presented, and the evidence of damage accepted, **the Compensation Committee recommends the payment of \$100,000.00 as compensation to Mr. Daley.**

Miss Sharonette Daley of Little King St. stated in writing to the Public Defender that on May 24, 2010, shots were fired by the security forces through the back window of her house into her kitchen cupboard. The shots came from the direction of the May Pen Cemetery. Later that day, she said that the soldiers kicked off the door to her house. Invoices presented by her suggest that the cost

to her as a result of the damage done was \$71,538.10. Miss Daley received \$15,000.00 from the Ministry of Labour. The Compensation Committee **recommends that a further \$50,000.00 be paid to her as compensation for her loss.**

Mr. Anthony Davis, aged 45 years, is a higgler residing at Building 36 Flat 2 Dreckett's Place. He gave a statement to the Public Defender on June 30, 2010. In it, he said that on May 25, 2010, soldiers came to his house and ordered the occupants out. The soldiers proceeded to search. According to his statement, he missed US\$500.00 which he had in a travelling bag to pay to his lawyer.

During the search, the soldiers damaged his refrigerator and television set. Pro-forma invoices dated October 5, 2010, indicate that it would cost \$43,000.00 to replace these damaged items. **The Compensation Committee recommends the payment of \$43,000.00 to Mr. Davis as compensation.**

Mr. Devon Davis is an auto electrician, residing at 1 McKenzie Drive. On May 24, 2010, he locked his house and went to his neighbour's due to fear. His house was destroyed by fire. He received a grant of \$250,000.00 from the Ministry of Labour and Social Security. However, the amount is insufficient as everything he owned was destroyed. He gave evidence to this effect on April 27, 2017 before the Compensation Committee. He surmised that the building had been set alight by soldiers as he saw them going in that direction just before the fire was lit.

Mr. Davis was detained until May 27, 2010. He described how he was placed to kneel on the ground at Seprod in rain.

Mr. Davis had the usual amenities in his house. **The Compensation Committee recommends that he be paid a further sum of \$250,000.00 as compensation.**

Miss Nicole Davis describes herself as a seller. She lives at 21 Elgin St Kingston 14.

On Wednesday May 26, 2010, according to Miss Davis, she was at home with her "spouse" Mr. Leaford Blair and their children. Members of the military came and

took Mr. Blair outside, while they searched the house. During the search, they smashed a what-not and a component set, and stood on two dining chairs damaging them. They also damaged a settee.

The Compensation Committee, having considered the value of the items damaged, and the fact that Mr. Blair received a grant of \$15,000.00 from the Ministry of Labour and Social Security, **recommends that Miss Davis be compensated by the payment of a further sum of \$60,000.00.**

Miss Charlotte Dawes of 35 Wellington St received a grant of \$15,000.00 from the Ministry of Labour and Social Security. This was in respect of damage done to a freezer. The amount is insufficient to cover the cost. **The Compensation Committee recommends the payment of a further sum of \$56,000.00 as compensation.**

Mr. Craig Deer is a carpenter/cabinet maker who lives at 12 Seaga Boulevard. In a statement dated June 30, 2010, he said that he secured his business place at 2 Milk Lane Denham Town on May 22, 2010. He was detained by the police between May 25 and 28, 2010. After his release, he went to Portmore. While there, he received a call that the locks to his shop had been cut off, and the shop was open. Soldiers had told someone that they found a gun on the outside.

It was estimated that the damage done to the property would cost Mr. Deer approximately \$131,000.00. He received a grant of \$15,000.00 from the Ministry of Labour and Social Security. In the circumstances, **the Compensation Committee recommends the payment of an additional sum of \$116,000.00 as compensation.**

Miss Ava Dennis lives at 1 McKenzie Drive. She received from the Ministry of Labour and Social Security the sum of \$15,000.00 in respect of damage done to her house by soldiers during a search. Photographs of the damage were presented to the Compensation Committee.

The invoices support the recommendation of the Compensation Committee that a further sum of \$46,000.00 be paid to Miss Dennis.

Miss Iris Dennis aged 75 years lives at Apt 68 Block C Tivoli Courts. Her house was searched twice. Gunshots damaged the wall and a water pump, among other things. Miss Dennis received \$15,000.00 from the Ministry of Labour and Social Security. The total cost of repairs was over \$30,000.00. **The Compensation Committee recommends the payment of a further sum of \$16,000.00 to Miss Dennis as compensation.**

Mrs. Kadijah Dennis gave evidence before the Compensation Committee on January 12, 2017. At the time of the incursion she was unmarried and had the surname **Hendricks**. She lived at 2 Levy Path but used as her contact address 16 Chang Avenue, the residence of her in-laws. She owned a washing machine that she had bought for \$60,000.00 on hire-purchase. The house in which the washing-machine was located was destroyed by fire during the incursion. The Ministry of Labour gave her the sum of \$15,000.00 in the form of a compassionate grant. In the circumstances, **the Committee recommends that she be paid a further sum of \$45,000.00 to cover the cost of the washing-machine.**

Miss Sophia Dennis is a cook residing at 16 Chang Avenue. Her house was destroyed by fire. She provided a list of items lost and the cost. The Compensation Committee notes that Miss Dennis' estimate of loss was \$547,500.00. The invoices presented by her gave a total cost of approximately \$331,000.00. The Ministry of Labour and Social Security made a grant of \$250,000.00 to her. **The Compensation Committee recommends a further payment of \$81,000.00 to Miss Dennis as compensation.**

Miss Barbara Dixon was aged 69 years at the time of the incursion. She lives at Building 1, Levy Path, Tivoli Gardens. On May 24, 2010, she was at home when soldiers ordered her to go downstairs. She protested and refused to move. Another soldier came and dragged her downstairs. According to her statement to

the Public Defender, the soldiers threw away her Bible; she picked it up, and they then tied her hands. The soldiers told her to call Dudus to tell him to surrender.

About 7 p.m., according to her, the old people were allowed to go back to their house. She had to be helped as her feet were swollen.

Miss Dixon stated that her house was damaged by the soldiers. She had to replace two doors at a cost of \$11,722.70 plus \$3,000.00 for labour. She also had to replace a stall that had been smashed as well as an igloo. An enamel pail that she had was also missing.

The Compensation Committee has estimated Miss Dixon's loss at just under \$30,000.00. **In view of the fact that she received \$15,000.00 from the Ministry of Labour and Social Security, the Committee recommends that she be paid a further sum of \$15,000.00 as full compensation.**

Miss Carla Dixon lives at Building 1, Levy Path, Denham Town. She is a sanitation worker and is 34 years old. In a statement dated June 21, 2010, made to the Public Defender, she said that she was at home on May 24, 2010, with her family when she heard the sound of a bomb. She left her top floor apartment and went to the apartment of friends downstairs. Members of the security forces arrived and took them from the building. They then proceeded to search. She said that she was unable to go back to her apartment until May 27, 2010. She noticed that her front door was in pieces, and her Blackberry Storm phone was missing.

Several items in her apartment were damaged – two combi-robies, wooden louver windows, Kobe dvd player, face basin in the bathroom, an entertainment stand and her washing machine.

She stated also that she missed a total of \$100,000.00 as well as £500.

The Compensation Committee was presented with pro-forma invoices in respect of the dvd player, washing machine and the phone. The Compensation Committee accepted a repair bill of \$32,500.00 in respect of the furniture and doors. **Considering that Miss Dixon received \$15,000.00 from the Ministry of Labour and Social Security, the Committee recommends that Miss Dixon be paid**

a further sum of \$90,000.00 as compensation. No award is being recommended in respect of the monies allegedly missed.

Miss Maryan Dorie lives at 21a Wilton Hill Drive, Kingston 14. She is a farmer, aged 23 years. She farms chickens and pigs at 1 McKenzie Drive. In a statement to the Public Defender on July 7, 2010, she said that she had last been on the farm on May 23, 2010. She returned on May 27 to find that the doors and locks for the coop and pen had been broken off, and the mesh wire torn up. There were gunshot holes in the water feeders in the chicken coop. Several bags of feed for the chickens and pigs were stolen. She had over 200 chickens at the nursery, and a further 200 chickens at an advanced stage of development, as well as 2 big Canadian breed pigs and 7 medium sized pigs. The Canadian breed pigs are valued at \$30,000.00 each.

The general mayhem in the community caused her to suffer significant losses.

The Compensation Committee thinks it would be appropriate for Miss Dorie to be granted a sum of \$150,000.00 to at least partially compensate her for her loss.

Miss Donnette Douglas is 28 years old and is a vendor who lives at 1 McKenzie Drive. In a statement given to the Public Defender on August 31, 2010, she said that she left her home on May 24, 2010, to be with family members in another section of Tivoli Gardens. She returned to her home several days later to find that it had been ransacked. While she was putting back her house in order, four soldiers came and interrogated her. They then searched the premises. During the search, one soldier, cut the back of her settee, took out the sponge and shook it all over the place. Another soldier pulled the fan and broke off its neck. Yet another soldier lifted her bed and dropped it causing the board to break. Her front door and bathroom door were also damaged, and a part of the lock for the front door smashed.

In a further statement given on September 23, 2010, Miss Douglas said that on May 25, 2010, soldiers had taken her Blackberry Curve mobile phone from her

boyfriend Rajiv Webley whom they had detained. Mr. Webley confirmed this occurrence in a statement dated September 30, 2010. Miss Douglas has been to the Denham Town Police station on several occasions to retrieve her phone, but she has been unsuccessful.

The Compensation Committee was presented with photographs of the damage to Miss Douglas' property. She also presented invoices in respect of the phone, furniture, fan and doors. The cost of the phone alone is \$36,190.00. **Taking everything into consideration, the Committee recommends that a sum of \$75,000.00 be paid to Miss Douglas as compensation.**

Miss Angella Dudley of 5 Vincent Path exhibited photographs of damage done to her house and entertainment centre by soldiers on May 25 and 27, 2010. She received a grant of \$15,000.00 from the Ministry of Labour and Social Security. The Compensation Committee regards the grant as insufficient to cover the cost of the damage done, and **recommends payment of a further sum of \$21,000.00 to Miss Dudley.**

Miss Claudine Dussard lives at 4 Vincent Path Tivoli Gardens in her mother's house. However, her mother lives in Gregory Park. On July 9, 2010, Miss Dussard gave a statement to the Public Defender to the effect that on May 24, 2010, policemen and soldiers came to her house and roughed her up. She was hit in the head and face, and pushed in a wall. Miss Dussard did not seek medical attention and presented no supporting evidence of this assault.

The house was searched. During the search, damage was done to a metal door and a lock, the leg of a bed, a chest of drawers; and there were gunshot holes on a concrete wall at the front of the house. In her July statement, Miss Dussard said that a foot had been torn off the chest of drawers. However on November 25, 2010, she gave a further statement in which she said that the chest of drawers had been damaged beyond repair. **The Committee was not impressed by this change of details.** Her original estimate of her total loss was \$70,000.00. She subsequently produced invoices to bolster a claim for a new chest of drawers and a pillow top bed, among other items, resulting in a new estimate of \$125,660.00.

The Committee was presented with photographs. The Committee, in considering all the circumstances, accepts Miss Dussard's original estimate of \$70,000.00. In view of the fact that the Ministry of Labour and Social Security paid her \$15,000.00, the Committee recommends that she be compensated by the payment of a further sum of \$55,000.00.

Miss Jerodine Dwyer is a vendor who resides at 1 McKenzie Drive with her son, grandson and granddaughter. Her house was completely destroyed by fire. Miss Dwyer presented pro-forma invoices in respect of basic household items that she lost. These invoices totalled \$275,618.88. She received a compassionate grant of \$250,000.00 from the Ministry of Labour and Social Security. The Committee notes that no estimate was submitted in respect of the replacement value of the structure. **In the circumstances, the Committee recommends that Miss Dwyer be paid a further sum of \$200,000.00.**

Miss Ann-Marie Easey lives at 5 Raymond Place, Tivoli Gardens. On May 24, 2010, she was at home. Gunshots fired from outside damaged 14 glass louvre window blades. Soldiers entered the house and proceeded to search. During the process, they cut the bottom and handle of the settee, and pulled off the back of a television set. They also damaged the front door and a section of the roof. On June 16, 2010, photographs were taken of the television set, the settee, door and window, confirming the damage. Miss Easey estimated the total damage at \$30,000.00. She also complained that four cases of juice and liquor that she had were consumed by the soldiers. She valued those at \$10,000.00.

On March 4, 2011, Miss Easey gave a further statement in which she claimed that damage had also been done to a microwave, a queen size bed, a washing machine and a mattress. **The Committee does not accept this further statement, due to the passage of time between the incident and the claim, in circumstances where Miss Easey had ample opportunity to point out the damage to the investigator from the Office of the Public Defender.**

The Committee, however, accepts Miss Easey's original estimate of her loss of \$40,000.00, and recommends that she compensated in that amount.

Miss Carol Edwards lives at Building 26 Flat G Seaga Boulevard. She is a general helper. In her statement dated June 14, 2010, she said that members of the constabulary entered her house on May 24, 2010, and damaged the following: the front door, a fan, a partition, a blender, wardrobe, chest of drawers. Miss Edwards submitted invoices indicating the cost to repair and replace the respective items.

The Compensation Committee recommends the payment of \$60,000.00 to Miss Edwards as compensation for the damage done.

Miss Elaine Edwards a vendor aged 33 years lives at 1 McKenzie Drive in a one-bedroom flat with a shop attached.

On May 24, 2010, while walking in her yard, she was shot in the left side of her abdomen. She was hospitalized for 3 days while she underwent surgery. She subsequently developed a hernia as a result of the initial surgery, and had to undergo another surgical operation in September 2011.

When Miss Edwards returned home, she could not stay in her house as the flooring and plywood had been ripped up, her refrigerator had been punctured, television set opened in two parts, and clothes and jewellery missing.

The Compensation Committee recommends the payment of \$167,000.00 for compensation for the property damage and loss suffered by Miss Edwards and the sum of \$1.7 million for the gunshot injury.

Mr. Glenford Edwards of 40 Chestnut Lane Kingston 12 is a chef. On May 23, 2010, he and his sons left for Braeton. His wife remained at home. On the following day, Mr. Edwards spoke with his wife who told him that she was leaving home to go to her church on Blount St. Shortly after that conversation, Mr. Edwards received a message that his wife had been shot on the street. This shooting was apparently done by soldiers who were in the area. Mrs. Edwards' body remained on the street for 4 days.

The question of compensation arising from Mrs. Edwards' death is to be determined separately.

The Edwards' residence was searched by soldiers who instructed Mr. Omar Henry, Mrs. Edwards' brother, to open the house for the purpose of the search. In the process, the soldiers damaged the ceiling, a settee and a freezer. The total repair and replacement cost is estimated at \$177,660.22. Pro-forma invoices were submitted. **The Compensation Committee recommends the payment of \$178,000.00 to Mr. Edwards.**

Mr. Paulton Edwards lives at Building 22 Flat A Seaga Boulevard. He is a radio and television technician. He gave evidence before the Commission of Enquiry. His evidence then was regarded as strongly corroborative of the evidence of Miss Joan McCarthy's as regards the damage to her house.

In his statement to the Public Defender dated June 16, 2010, he said that on May 24, 2010, while in his house soldiers fired shots at his house and as he bent to avoid the bullets, he received a gunshot injury to the back. No medical evidence has been produced to verify this injury.

Mr. Edwards said that 4 soldiers entered his house and threatened him with death. He and his family members were ordered outside and placed under guard while the house was searched by the security officers.

As a result of the bullets that were fired into his house, the wall over his bed was damaged. Mr. Edwards said that he does not wish to repair it as he wishes "to keep it as an ornament" to "remind him of what happened and if others want to see it they will be able to do so as long as (he) is alive". He said he planned "to paint around it". Nevertheless, Mr. Edwards said that he wishes to be compensated for the damage to the wall and to his toilet bowl which was also damaged during the search.

To this end, **the Compensation Committee recommends the payment of \$20,000.00 to Mr. Edwards.**

Mr. Patrick Elliott is a vendor in the Coronation Market. He sells “dry goods”. He lives at 62 Tivoli Court. Like so many other vendors, his goods were burnt in the market. **The Compensation Committee recommends a payment of \$25,000.00 to him as compensation.**

Miss Shadeane Elliott is a student residing at Building 8 Flat F Bustamante Highway. She was at home with her family on May 26, 2010, when the security forces conducted a search of the house. In the process, they damaged chest of drawers and a component set. They used a knife to cut the rubber from the refrigerator, and threw clothes on the floor. They also trampled underwear and tore framed school certificates from the wall.

Taking into consideration the pro-forma invoices submitted, **the Compensation Committee recommends the payment of the sum of \$50,000.00 as compensation.**

Miss Bettann Elliston is a cashier residing at 4 Chang Avenue with her brother a teacher at the Calabar High School. She left home on May 18, 2010, and went to Clapham District, where she was joined by her brother on May 22, 2010. On May 23, 2010, she received a call that the security forces were dropping bombs and firing guns in the area. She returned to her residence on May 29, 2010, and found the front door broken, open and clothes ransacked.

Miss Elliston said that nothing was missing but things were damaged. Her refrigerator had a gunshot hole, a wooden front door was smashed, the glass over the front door broken and 3 sets of white metal louvre blades had gunshot holes in them. She noticed also that 2 washtubs had been punctured by bullets, and one glass table and the dresser mirror were smashed. Her Sharp television set was also not working.

Photographs of the damage were presented to the Compensation Committee. Based on the pro-forma invoices and the nature of the damage, **the Compensation Committee recommends the payment of \$285,000.00 as compensation.**

Miss Ruby Ennis aged 77 years lives at Building 17 Flat E Keith Avenue. On September 1, 2010, she gave a statement to the Public Defender in which she said that soldiers conducted a search of her house on May 24, 2010. She and her grandsons were taken out of the house, and her sons aged 20 and 17 were boxed and accused by the soldiers of firing gun. They were placed to lie down outside.

She said that when she went back into the house, it had been ransacked. Clothes had been stepped on and were not in a condition fit to be worn again. She said that plates and shoe polish were missing and her grandsons' passports were taken from them.

In a statement given two weeks later, Miss Ennis produced a list of items with an estimated loss of \$97,050.00.

The Compensation Committee notes that Miss Ennis received a grant of \$15,000.00 from the Ministry of Labour and Social Security, and **recommends the payment to her of a further sum of \$15,000.00 as compensation.**

Miss Anita Farquharson is a student living at 16 Vincent Path Tivoli Gardens. Soldiers searched her residence on May 26 and 27, 2010. So traumatized was she, according to her statement, that she and her cousin left home on May 31, 2010. The very next day, she received a telephone call from a neighbour that the police had broken down her door, and that her clothes were strewn all over the house. On her return to the premises, she observed that the lock on the grill had been cut, and she confirmed the condition of her clothes as had been reported to her.

There is a complaint that a washing machine and chest of drawers were damaged. Repairs were done to the washing machine at a cost of \$8,000.00. **The Compensation Committee recommends the payment of \$15,000.00 to her in respect of damage done to the lock on the grill and for the repair of the washing machine.**

Miss Ann-Marie Fenty is a higgler living at 30 David Path Tivoli Gardens. She left her home on May 23, 2010, for the parish of St Elizabeth. She returned on May 28, 2010, to find that her house had been entered, ransacked and items of

furniture damaged. The damage done had the stamp of the security forces – mattress cut, component set dismantled, bed base and bed head busted, roof and ceiling punctured etc. Among the items missed were two laptops, one of which was the property of Miss Fenty's son Garvando Garvey. His laptop was valued at approximately \$88,000.00.

Miss Donna Garwood gave a statement supporting the extent of Miss Fenty's damage and loss.

Photographs were taken by the investigator from the Office of the Public Defender. However, due to technical problems, they were not available for the Compensation Committee to view them. Pro-forma invoices were submitted in respect of the various items of which complaint was made.

The Compensation Committee recommends the grant of \$500,000.00 to Miss Fenty as compensation. This sum includes an amount to repair the roof and ceiling.

Miss Madge Ferguson is aged 52 years. She is unemployed and lives at 19 Baugh Path. According to her statement dated July 30, 2010, given to the Public Defender, she was at home on May 27, 2010, with her daughter and 3 grandchildren when members of the security forces came to her house and searched it. In the process, they smashed a basin in the bathroom and ripped apart the upholstery from her settee. According to her, she missed the sum of \$150,000.00 that was in a drawer that was searched.

The Compensation Committee notes the fact that Miss Ferguson received a grant of \$15,000.00 from the Ministry of Labour and Social Security. **However, in order to cover the cost of the damage done to her property, the Compensation Committee recommends that she be paid a further sum of \$15,000.00.**

Mr. Oneal Ferguson describes himself as a chef and evangelist. He lives at Willowdene, Spanish Town. He operates a shop behind the Coronation Market office. In his statement dated July 13, 2010 to the Public Defender, he said he left his shop on May 23, 2010, and when he returned to it on May 28, 2010, he

noticed that it had been damaged and his goods were missing. The items missed included pots and utensils. He estimated the cost of repairs at \$25,000.00.

Having examined the invoices presented, the Compensation Committee recommends that Mr. Ferguson be paid \$23,970.60 as compensation for the damage and loss suffered.

Miss Muriel Forbes lives at Lot 51 Block B Tivoli Court. She is a vendor. While at home with her children and a granddaughter on May 24, 2010, an explosion shattered a window, a cabinet, and several drinking glasses at her house.

The Compensation Committee recommends the payment of \$15,000.00 to compensate Miss Forbes for the damage.

Miss Maureen Ford lives at 1 McKenzie Drive. She left her home on May 24, 2010, to do shopping. On her return later that day, the house had been entered and damage done to the television set, refrigerator and dvd player. The estimated cost of replacing these items is approximately \$77,000.00. Miss Ford received \$15,000.00 from the Ministry of Labour and Social Security. Consequently, **the Compensation Committee recommends the payment of a further sum of \$62,000.00 as compensation.**

Miss Deloria Forrester gives her occupation as preacher. She lives at 11 Dreckett's Place. She received \$15,000.00 from the Ministry of labour and Social Security in respect of damage done to her house as a result of "blasting" by the security forces. The joints in the ceiling separated causing water to seep throughout the house. This resulted in damage to a sofa.

The Compensation Committee recommends the payment of an additional sum of \$86,000.00 to Miss Forrester as compensation.

Miss Chantelle Foster resides at 8 Wellington St. She left home with her children on May 21, 2010, and went to her father's house in Kingston 10. She returned on June 3, 2010, and noticed that the front door was open, lock broken off, a French

window near to the front door had its glass broken out, and her refrigerator had been overturned. The metallic part at the back of the refrigerator had been broken off and the refrigerator was not working. Her television set, a dvd player, a dinner table and a glass centre table were all damaged. The ceiling was torn down and the floor dug up.

Miss Foster received two amounts of \$15,000.00 each from the Ministry of Labour and Social Security.

Considering the estimates provided, **the Compensation Committee recommends the payment of a further sum of \$98,000.00 as compensation.**

Miss Juliet Foster lives at Lot 14, Building 22, Percy St. Denham Town with her 3 grandchildren. In her statement dated June 30, 2010, to the Public Defender, she states that she is a higgler with a stall at Pechon St. On May 24, 2010, she was at home when at about 4:30 p.m., she heard gunfire. Bullets came into her house, through a window, and a dresser and into the kitchen wall.

Photographs presented to the Compensation Committee confirm the damage to the house. Pro-forma invoices produced indicate the cost of repairing the damage. **The Compensation Committee recommends that she be paid the sum of \$34,000.00.**

There was a claim in respect of her stall which she said was burnt. However, there is no verification that she is a legitimate vendor. According to Miss Foster, she pays market fees but such fees are not paid to the Kingston and St Andrew Municipal Corporation. The claim in respect of the stall is therefore rejected.

Miss Carolyn Francis is a higgler living at 12 ½ Bread Lane. Her cart was destroyed in the fire at the Coronation Market. On the basis of an invoice from Rapid True Value which indicates the cost of replacing the cart, **the Compensation Committee recommends the payment of the sum of \$25,000.00 to Miss Francis as compensation.**

Miss Cynthia Francis is a vendor who sells in the Arcade and Parade, according to her statement to the Public Defender. She lives at 48 Lewis Path. She left her home on May 24, 2010, and returned on May 26, 2010, to find the front door smashed in, the ceiling and 2 windows damaged, and her clothes damaged by water. She was told that soldiers had walked on the roof of the house.

The Compensation Committee recommends that she be paid \$50,000.00 as compensation.

Mr. John Francis is a supervisor at ARC Systems. He lives at Building 33 Flat 8 Dreckett's Place. In his statement to the Public Defender, Mr. Francis said that he was taken from his house, placed to kneel on the ground and beaten by soldiers. His ribs, he said, were swollen. He was in detention for several days and lost earnings as a result.

The Compensation Committee does not have a mandate to deal with lost earnings (except where there is a death). However, as regards the assault on Mr. Francis, there is evidence that he was treated at the Kingston Public Hospital subsequent to his release from detention.

The injury to his ribs suggests soft tissue injury. In the circumstances, **the Compensation Committee recommends the payment of a sum of \$170,000.00 to Mr. Francis as compensation.** This includes monies that he paid for treatment during his hospitalization.

Miss Lula Francis is a higgler residing at 91 Charles St Kingston. On May 31, 2010, soldiers entered her house. There had been firing of guns in the area. The soldiers tore down her ceiling while standing on her bed, she said, and they damaged her dressers, a television set, a washing machine and a Sharp component set.

Miss Francis lost goods that were burnt in the fire at The Coronation Market.

There is a statement from one Marvin Allen indicating that he had supplied Miss Francis with goods for her stall not long before the incursion.

The Compensation Committee recommends the payment of \$100,000.00 to Miss Francis as compensation (\$75,000.00 for the damage at her house and \$25,000.00 for the loss at the market).

Mr. Theo Francis resides at Lot 19 Elgin St. He was apparently shot by soldiers who were atop the Denham Town High School while he said he was walking from a shop to his home. This was on May 25, 2010. He was hospitalized until June 2, 2010. The bullet entered the right arm and lodged in his upper ribs. X-Rays showed a displaced fracture of the proximal 1/3 of his humerus and bullet fragment in the right posterior hemothorax. On examination, he was unable to extend the wrist joint.

There is no information on whether Mr. Francis will suffer any permanent impairment. However, on the face of it, this is a serious injury.

The Ministry of Labour and Social Security made a compassionate grant of \$15,000.00 to Mr. Francis. Given the nature of the injury, this sum would not be adequate compensation. **The Compensation Committee is guided by judicial decisions in a matter of this nature and recommends the payment of the sum of \$1.5 million to Mr. Francis as compensation.**

Mr. Rupert Fuller, aged 46 years, is a machine operator living at 60 Bustamante Highway, Kingston 14. In his statement dated June 17, 2010, he said that he was at home on May 24, 2010, with his brother. Two police officers came there, called them out, and took 2 telephones from him. They detained him and his brother but released them later that day. He has been to the Denham Town Police station on several occasions to retrieve his phones, but has had no success.

Mr. Fuller produced a receipt for one of the phones which cost him \$8,679.25. **In the circumstances, the Compensation Committee recommends that Mr. Fuller be paid the sum of \$18,000.00 as compensation for his phones.**

Mr. Anthony Gardener lives at 83 ½ North St, Kingston. He is 47 years old and is a vendor in the Coronation Market. He sells household items and seasoning. He

suffered loss as a result of the fire in the market. He estimates his loss as being about \$500,000.00. There is a statement from Michael Muschette, the market clerk, verifying Mr. Gardener's status as a vendor.

Mr. Gardener received a grant of \$100,000.00 from the Ministry of Labour and Social Security. **Having considered the evidence produced by him, the Compensation Committee recommends that he be paid a further sum of \$150,000.00.**

Miss Donna Garwood lives at 51 Derrick Path, Tivoli Gardens. She gave a statement to the Public Defender on June 29, 2010. She said that she left her home on May 23, 2010, and went to her mother's house at Baugh Path. On her return to her house on May 27, 2010, she noticed that the grill and front door had been damaged, and the metal lock burnt. The lock area had been separated from the door. Her clothes were on the floor, and there were several gaping holes in the back of her couch. Her wardrobe, buffet, 2 dining chairs, 3 fans and a lamp were damaged. A television set and a video player were broken in several pieces.

The Committee viewed photographs that confirm the damage mentioned. She estimated that the damage done to her property was about \$300,000.00.

Pro-forma invoices submitted by her in respect of the items suggest a replacement cost of \$174,280.49. In view of the fact that she received a grant of \$75,000.00 from the Ministry of Labour and Social Security, **the Compensation Committee recommends that she be paid a further sum of \$100,000.00**

Mr. Percel Gayle is a ship foreman aged 61 years living at 128 Tivoli Court. He left his house on May 23 and returned on May 28, 2010. On his return, he saw four soldiers relaxing and watching television in his house. He turned off the television set and told them to leave. According to him, they complied. He listed damage that was done to his house, and noted items missing. The Ministry of Labour and Social Security gave him a grant of \$75,000.00.

Photographs were submitted along with a supporting statement from one Sharon Beckford.

Having examined the invoices presented, **the Compensation Committee recommends the payment of a further sum of \$15,000.00 to Mr Gayle.**

Mr. Dwayne Gaynor is a chef, aged 26 years, living at 2 Regent St. He gave a statement on December 14, 2010, to the Public Defender that he was detained on June 30, 2010, by the security forces while he was at a friend's house. He was released on the same day. He later amended his statement to indicate that the date of his detention was July 30. The Compensation Committee is unable to deal with the matter of his detention. However, Mr Gaynor also stated that he left his house on May 22 and was with his girlfriend until May 29, 2010 when he went to Portland where he remained until July 12, 2010. On his return, he discovered that his house had been broken into. The door lock and dresser drawers were damaged, and there was a hole in the roof.

Mr. Gaynor's niece, Miss Kadean Dixon, gave a statement that she lives next door and that on a day in June police officers came to the premises and kicked off the door to Mr. Gaynor's house, entered and searched.

Mr. Gaynor submitted to the Public Defender an invoice from H.W.Charley & Co in respect of the ceiling and the door. **The Compensation Committee recommends the payment of \$4,000.00 to Mr. Gaynor as compensation.**

Mr. Damion Gentles lives at Building 5, 2nd floor, Sangster Crescent. In his statement given to the Public Defender in June 2010, he speaks of hearing loud explosions like bombs on May 24, 2010 at about 12:30 p.m. He went to his mother's house at 1 Levy Path. On his return to his house, having received the permission of the soldiers in the area to do so, he noticed significant damage to his house and property. He also found 5 soldiers occupying his house. The back of his leather couch had been torn open, and the leather over the chair arms was slit. He values the couch at \$16,000.00. There was damage to the metal door and lock to his house, as well as his home theatre system. A soldier, he said, took his digital camera valued at \$36,000.00.

Mr. Gentles repaired the couch at a cost of \$13,000.00, and presented pro-forma invoices which indicate that the replacement cost of the home theatre system would be \$40,000.00, and for the metal door and lock, it would be \$27,389.25. When those sums are added to the estimated cost of the camera (\$36,000.00), the total loss accepted by the Compensation Committee is \$116,389.25. Mr. Gentles received a grant of \$15,000.00 from the Ministry of Labour and Social Security. Consequently, **the Compensation Committee recommends that he be paid a further sum of \$100,000.00 as compensation.**

Miss Lois Gilison is a cook. She lives at 65 Derrick Path Tivoli Gardens. She gave a statement to the Public Defender on July 7, 2010. In it she narrated a tale of abuse and assault by the police. As regards the assault, she said that on May 24, 2010, police officers ordered her and others in her house to come out and placed them to lie on the ground “face down”. In that position, she said she was stepped on by a police officer. She said she subsequently received medical treatment as there were certain after effects of this assault. The Compensation Committee has not been provided with a medical report to verify Miss Gilison’s statement. In the absence of that, the Committee is not prepared to make a recommendation in that regard. However, there is photographic confirmation of damage done to various items in Miss Gilison’s house – damage to two television sets, a fan, a refrigerator and a chest of drawers. The damage was done by the security forces.

In the circumstances, **the Compensation Committee recommends the payment of \$50,000.00 to Miss Gilison as compensation.**

Mr. Mark Gillespie was at his apartment at Building 5, Flat C, Sangster Crescent on May 24, 2010, with some of his neighbours when at about 1 p.m. a bullet shattered the mirror of his dresser. About 40 minutes later, two soldiers entered his flat, boxed and kicked him, and ordered him to go downstairs. He obeyed. After about half an hour, two policemen took him to his apartment and searched it. After a few hours, he was taken to the Mobile Reserve where he was detained until May 28, 2010. He went to his mother’s house in Portmore and remained there until May 30 when he went back to his apartment to get his car and some

clothing. His car had been parked at Dee Cee Avenue. He noticed that his car had been damaged. The left rear view mirror, right pivot glass and right rear door glass were broken. The upholstery of the back seat had been cut open. The latter is consistent with the type of searches conducted by the security forces during the incursion.

Photographs of the damage done to the dresser and the car were made available to the Compensation Committee. Pro-forma invoices suggest that the cost of repairs would be at least \$14,371.50 including labour. In the circumstances, **the Compensation Committee recommends that Mr. Mark Gillespie be granted the sum of \$15,000.00 as compensation.**

Mr. Omari Gillespie gave evidence before the Commission of Enquiry. It found that Mr. Gillespie's car was destroyed when JDF soldiers fired at a motor cycle which exploded and the fire spread to Mr. Gillespie's car accidentally. The Commission of Enquiry recommended that his loss should be further investigated with a view to determining an appropriate measure of compensation: see para. 8.65 of the report.

In keeping with the Commission's recommendation, we invited Mr. Gillespie to appear before us. He did so on November 8, 2016. He informed us that he operates a shop between Buildings 42 and 43, Bustamante Highway, and that he used his car to transport goods for this shop. We were not made aware of this car being licensed to do commercial work so no allowance is being made for that. However, we recognize that he would be experiencing inconvenience in his ordinary day-to-day living by the loss of his means of transportation.

A loss adjuster concluded that it would have been uneconomical to repair this vehicle, and estimated that the amount of loss on a "Total Loss Basis" was \$400,000.00.

Mr. Gillespie told us that he has not received any compensation from the insurance company.

On May 13, 2016, Mr. Gillespie filed suit against the Attorney-General claiming damages for not only the loss of his car but also for the burning of his shop which caused him to lose stock valued at about \$500,000.00. That matter was listed before the Parish Court at Sutton St., Kingston, for December 15, 2016. Miss Christine McNeil, Assistant Attorney-General, represents the Attorney-General in this matter and attended and participated in the proceedings at the sitting of the Committee at which we heard from Mr. Gillespie. We note that prior to filing suit, Mr. Gillespie did not mention anything about the loss of goods in his shop. In the circumstances, we do not think it appropriate to recommend compensation for such loss. However, he ought to be compensated for the loss of his car and the prolonged loss of its use. **We quantify his loss at no more than \$700,000.00 and recommend that he be paid that sum. Mr Gillespie advised us that he would accept that sum in settlement of his suit. We have since learnt that the parties attended at the Parish Court and agreed to the entry of judgment in favour of Mr. Gillespie for the sum recommended by the Committee.**

Mr. Rohan Gillespie of Building 43 Flat 3 Bustamante Highway purchased a motor cycle from one Sophia Gayle on March 20, 2010, for \$536,000.00. It was destroyed by fire on May 26, 2010, during the incursion. The nature of the activities in the community precludes Mr. Gillespie from recovering any compensation from the insurance company, although there was in place a valid policy of insurance at that time.

The Compensation Committee viewed photographic evidence of the burnt motor cycle as well as of damage done to Mr. Gillespie's house. However, he is not claiming for the damage to his house.

In the circumstances, **the Compensation Committee is obliged to recommend that he be paid the sum of \$400,000.00 as compensation for the loss of the motor cycle.**

Miss Tanya Gillison is a business woman living at Building 4 Sangster Crescent. She went to her sister's home at 65 Derrick Path on May 23, 2010, and returned to her home on May 26, 2010. She noticed that the grill on her door had been cut

and the door lock broken. Clothes were strewn all over the house, she said, and the back of her washing machine had been dug off. Jewellery and two mobile phones were missing.

Pro-forma invoices were submitted in respect of the door and lock (\$17,003.55 plus labour \$9,500.00) as well as two items of jewellery (\$16,000.00), and the cost of one of the phones was stated as \$23,000.00, making a total of \$65,503.55. The Compensation Committee notes that Miss Gillison received a grant of \$15,000.00 from the Ministry of Labour and Social Security. **In the circumstances, the Committee recommends that she be paid a further sum of \$51,000.00 as compensation.**

Mr. Denroy Gordon is a professional footballer who lives at 55 Oxford St. He left his home on May 17, 2010 and did not return until June 10, 2010. During his absence, his house was entered and searched by four soldiers and two policemen, as witnessed by Miss Donna Watson. She said that she was abused by them when she told them that the house owner was not there.

A soldier kicked the door and having entered used his gun to damage the refrigerator.

According to Mr. Gordon, the items damaged were a television set, a gas stove, a wardrobe and the refrigerator. Pro-forma invoices submitted to the Compensation Committee indicate that it requires the sum of \$162,500.00 to replace the items damaged. In the circumstances, **the Committee recommends the payment of \$162,500.00 to Mr. Gordon.**

Mr. Durrant Gordon lives at 1 B Septimus St. On May 24, 2010, while exiting his girlfriend's premises at 1A Grass Path, he was shot in the right hip. The bone in the hip shattered. He was hospitalized for 8 weeks at the University Hospital of the West Indies. The hospital records describe him as having suffered a fracture of the right femur due to gunshot wound.

There is a statement from Miss Cynthia Richards (the girlfriend) that when they tried to reach the claimant after he had been shot, the rescuers were shot at from the direction of the Remand Centre where soldiers had been posted on roof.

The injury to Mr. Gordon is quite serious. Taking into consideration his medical bills and the nature of award a civil court would make in this situation, **the Compensation Committee recommends the payment of \$1,700,000.00 to Mr. Gordon as compensation.**

Miss Kishona Gordon lives at 1 McKenzie Drive. She suffered a gunshot injury on May 24, 2010. The Commission of Enquiry did not form a favourable view of her credibility. Consequently, the Compensation Committee is not in a position to accept her claim as one for which a recommendation for compensation should be made. The Committee has received from the Children's Advocate a report which includes a psychiatric evaluation done in respect of Miss Gordon by Dr. Parnel Bell. Given the overall situation arising from the incursion, and the effect that it has had on many persons in the community, the Compensation Committee recommends that there be a grant of at least \$434,000.00 to cover the cost of the evaluation by Dr. Bell.

Miss Michelle Henry Gordon is a security officer living at 6 Sangster Crescent, Tivoli Gardens. On May 24, 2010, she was instructed by members of the military to hand over two phones in her possession. She complied. On May 31, 2010, she attended at the Denham Town Police Station to retrieve them, but was unsuccessful. Up to December 16, 2016, when she was scheduled to appear before the Compensation Committee, the phones had not been returned to her.

Mr. Herbert McKenzie, Deputy Public Defender, advised the Compensation Committee on December 16, 2016, that due to work assignments, Miss Gordon was unable to appear before the Committee on that day. Miss Coleen Franklyn, appearing on behalf of the Office of the Public Defender for Miss Gordon advised the Committee that Miss Gordon is pursuing the claim only in respect of the phone for which she had submitted a receipt. The amount stated on the receipt is \$18,000.00.

In the circumstances, the Compensation Committee excuses the attendance of Miss Gordon and **recommends that the sum of \$18,000.00 be paid to her as compensation.**

Miss Nekisha Gordon resides at Building 12 Flat B, Bustamante Highway. In her statement dated September 28, 2010, she said that she left her home on May 24, 2010, with her infant child and went to Duhaney Park to stay with her (Miss Gordon's) father. She left the key to her flat with her mother who lives next door to her. On her return on May 29, 2010, she noticed that damage had been done to her fan, her baby's chest of drawers and a stroller. Food items were also missing.

Photographs and a supporting statement confirm the damage stated. Soldiers had demanded the key and entered the flat and searched it during Miss Gordon's absence. The soldiers also used the apartment as a temporary detention centre for men whom they had rounded up in the community. The damage was apparently done during the search and the subsequent period of detention.

Miss Gordon estimates her loss at J\$29,350.00 plus US\$240.00. **The Compensation Committee recommends the payment of \$30,000.00 to her.**

Mr. Christopher Graham lives at 62 Spanish Town Road. He is unemployed. He said that on May 27, 2010, he was at home with his fiancé and children when soldiers ordered them outside. He was gun-butted twice. His house was searched. During the process, the soldiers damaged his television set, component set and refrigerator. They also took his Sony Erickson phone.

Taking into consideration the estimates provided and the fact that Mr. Graham received a grant of \$15,000.00 from the Ministry of Labour and Social Security, the Compensation Committee recommends that a further sum of \$115,000.00 be paid to him.

Miss Latoya Graham is a jeweller residing at 8 Seaga Boulevard Kingston 14. On May 27, 2010, soldiers entered her jewellery shop at 36 Spanish Town Road and

searched in her absence. They then left it open resulting in theft of items of jewellery and perfumes.

The Compensation Committee, having examined the relevant documentation, **recommends the payment of \$413,000.00 as compensation.**

Miss Claudine Shauna-Gaye Grant is a cook who now resides at 5 Orion Avenue Harbour View. In 2010, she lived at 82 Bustamante Highway. Miss Grant gave evidence before the Compensation Committee on March 29, 2017. She said that she, her elderly parents, her children and her children's father and 3 other family members were at home on May 27, 2010, when a police officer smashed the front door and entered the house. Apparently, those in the house had been tardy in acting on the officer's command to open the door.

On entering, the officer asked Miss Grant for her man. When the children's father was identified, another officer confirmed that he was someone who "sell(s) downtown". A soldier asked, "whey de gun deh?" On observing "a rip at the back of the chair", another officer used what Miss Grant described as "a steel looking thing" and dug into the chair saying that he was looking for guns.

An argument developed between Miss Grant and the officers. She said that an officer accused them of having "tiefing things", referring to the flat screen television set and other things that they had. She said that they damaged the television set, a 32-inch LCD, and removed several pairs of shoes that she had for sale. At the time, she was a vendor.

Miss Grant gave a brief family history in which she mentioned the loss of her "baby sister to violence" in Greenwich Town; that sister was murdered at a bar that the family used to operate. Their mother and another sister witnessed the murder. They felt compelled to move. So, they went to Tivoli to be with other family members. Eventually there was a vacancy at 82 Bustamante Highway and they went "through the Don to get the house". They actually bought it from him (the Don), she said. However, after the incursion, "the owners came with police and their title". Hence they had to relocate.

Her sons are well placed in prominent high schools in the Corporate Area and with the uncertainty as to “what will be next for that community [Tivoli]”, they had to seek residence elsewhere. She said that she did not want her sons “to be victims or a part of what transpired down there”.

Her father (99 years old at the time) was traumatized by the incursion, and the rough behaviour of the members of the security forces at their house. He passed on in 2012.

Miss Grant repaired her couch and bought a new television set. In answer to Miss Franklyn, attorney-at-law, appearing for the Public Defender, Miss Grant said that the sum of **\$80,000.00** would be sufficient to compensate her. **The Compensation Committee is of the view that this amount is reasonable and recommends that it be paid to her.**

Miss Denise Grant resides at 37 Keith Avenue. She describes herself as an aesthetician and higgler. She went to Montego Bay on May 10, 2010, and returned on May 27, 2010. She observed that the front door was damaged, tiles dug from the wall, airbed punctured, suitcase cut, and her radio and television set damaged. Photographs were taken of the damage.

Pro-forma invoices were submitted to the Compensation Committee. They showed estimated cost of the damage at \$50,723.12. **The Compensation Committee recommends that Miss Grant be paid the sum of \$51,000.00 as compensation.**

Miss Stacey-Ann Grant lives at Building 44, Bustamante Highway. She is a customer service representative. During the incursion, she was in Portmore visiting family members. Miss Grant gave evidence before the Compensation Committee on December 16, 2016.

She said that while she was in Portmore she received numerous telephone calls that her house had been damaged. When she returned, she noticed that there was a burnt motor cycle at her doorway. Apparently, the fire that damaged this motor cycle also damaged Miss Grant’s house. Her evidence was that the door to

her house was burnt, also her entertainment stand, television set and stand, two dvd players, a microwave oven, a gas stove, two blenders, a fan, a washer, a refrigerator, and a component set.

The windows to this house were also damaged.

Labour costs associated with some of the work to be done in repairing the damage amount to approximately \$25,000.00.

Having considered the invoices presented, and the fact that Miss Grant received a grant of \$75,000.00 from the Ministry of Labour and Social Security, **the Compensation Committee recommends the payment of a further sum of \$340,000.00 to her as compensation.**

Miss Audrey Green now lives in Mango Valley in the parish of St Mary. At the time of the incursion, she was living at 69 Oxford St. Kingston 14 with one Kevin Ellis. Unfortunately, Mr. Ellis is no longer with us as he was murdered on Love Lane in 2013.

On May 24, 2010, Miss Green and Mr. Ellis left their home and went to Love Lane. Miss Green returned the following Sunday and found the door “completely off the hinges on the ground inside”. She said she had tried to return home before but was prevented from doing so by members of the security forces. She said that on one occasion when she tried to return, a policeman threatened to hit her so she “turned back to go back through the Hospital (KPH) to try Rose Lane entrance but (she) still could not go through”.

On entering her house, she noticed that the television and refrigerator were smashed and clothing messed up; her component set was also smashed and mattress cut. The ceiling had also been torn down.

Miss Green submitted invoices and a list of the damaged clothing. Her claim amounted to \$247,350.00. **On examination of the items, the Compensation Committee recommends payment of \$181,000.00 to Miss Green as compensation for the damage and loss sustained by her.**

Mr. Carlton Green is an electrician who lives at 49 Chestnut Lane. He did not give evidence before the Commission of Enquiry. However, he gave evidence before the Compensation Committee on January 11, 2017. At the time of giving evidence before us, he said he was 70 years old and he claimed to be the father of 51 children and the grandfather of 101. One of his sons, Christopher Green, assisted him in and out of the room in which his evidence was taken. We were informed that Mr. Green is now being cared for in a home for the elderly.

Mr. Green was absent from home for what he described as “an extended period before the “war”.” He returned home on June 2, 2010. He gave a statement to the Public Defender on June 24, 2010. His evidence before us conflicts with his statement. He was quite dramatic in recounting events that he said occurred on the day he returned to his home. However, his statement gives a totally different picture. We are of the view that Mr. Green did not witness or experience the events he described in his evidence. He seems to be at a stage when imagination exceeds itself. So, we prefer to accept his 2010 statement as well as the statements made by others at the time under review. Those statements indicate that:

- a) Mr. Green was not at home at the relevant time;
- b) Soldiers forcibly entered Mr. Green’s house (apparently due to the finding of a gun in the yard); and
- c) The soldiers damaged Mr. Green’s property while searching his house.

The items that were damaged during the search of the house were a television set, some sodium lamps and a pair of spectacles. The total loss is \$97,190.00. Mr. Green received a grant of \$15,000.00 from the Ministry of Labour and Social Security. **Consequently, the Compensation Committee recommends the payment of a further sum of \$83,000.00 to Mr Green.**

Mr. Glyne Green lives at 18 Seaga Boulevard, Kingston 14. He is aged 63 years and is unemployed. He went to Charles St. on May 23, 2010, and was unable to return home until May 27, 2010, due to the firing of guns in the area.

When he finally returned home, the front door was open and his house ransacked. He complained of a damaged door lock as well as damage to his refrigerator. His claim is for \$42,950.00. Investigation by the Public Defender confirmed that there was damage to the door and lock; however, the refrigerator showed no sign of forced damage. In the circumstances, **the Compensation Committee recommends compensation for the door and lock only. That amounts to \$9,000.00.**

Mr. John Green gave evidence before the Commission of Enquiry as well as before the Compensation Committee. We heard his evidence on December 14, 2016. He was very dramatic and gave a vivid description of events affecting him and his family. He lives at 30 Dee Cee Avenue. According to him, on several occasions, members of the security forces came to his house seeking to detain his stepson Andre Windham, aged 20 years, but when he (Mr. Green) demanded information as to the identity of the person who would be detaining him, and the reason for the detention, they left without taking Andre.

Mr. Green was at his home on May 24, 2010, with Andre and Andre's mother Judith Amor. He said he was standing by the window at about 2:00 p.m. when Miss Amor told him to move away. No sooner had he done that, there was a barrage of gunshots coming through the window. He gave the number of gunshots as being about 13 or 14. Much damage was done to the windows, bedroom, bathroom, walls and clothes belonging to the occupants. Photographs of the damage were shown to the Committee. Later, said Mr. Green, members of the security forces came to his house inquiring for a dead man, saying that there was a dead man in the house. They also said that men who had received gunshot injury had run through the back of the yard. Mr. Green assured them that there was no dead man in the house, and informed them that they (the members of the security forces) had actually been shooting at him, Mr. Green.

The Ministry of Labour and Social Security made a grant of \$15,000.00 to Mr. Green. Given the extent of damage done to Mr. Green's house, this sum was clearly insufficient as far as compensation is concerned. Having considered the evidence as to the damage that was done, and the invoices indicating the cost of

restoration, **the Compensation Committee recommends that Mr. Green be paid a further sum of \$170,000.00 as compensation.**

Mr. Michael Greenland lives at 67 Derrick Path, Tivoli Gardens in a house owned by his grandmother. He was detained during the period May 24 to 28, 2010. While he was in detention, his house was entered and searched by members of the security forces. In the process, they damaged his television set, refrigerator, dresser, living room set, mattress, doors and roof.

The Ministry of Labour and Social Security made a grant of \$15,000.00 to him. However, the cost of the damage done to Mr. Greenland's property is in the region of \$160,000.00. In the circumstances, the Compensation Committee **recommends the payment of a further sum of \$145,000.00 to him.**

Miss Angeleta Grey lives at Building 12 Flat D Bustamante Highway. She gave a statement to the Public Defender on August 26, 2010. In it she said that on May 25, 2010, while she was at home, she heard a barrage of gunshots that lasted for five to ten minutes. She was traumatized by the incident. On the following day, she noticed bullet holes in the metal louvre blades in her living room and bedroom. The statement refers to damage to a cd player, 25-inch television set, a radio, the glass on a 7-drawer dresser and four items of clothing. She estimates the damage at \$70,000.00.

Having considered the invoices presented, and the fact that Miss Grey received a grant of \$15,000.00 from the Ministry of Labour and Social Security, **the Compensation Committee recommends the grant of a further sum of \$12,000.00 to Miss Grey.**

Miss Nicola Grey lives at 15 Greenwich St Kingston 14. On May 27, 2010, at about 10:00 a.m., soldiers conducted a search of her house. In the process they removed the door of the stove, and damaged the oven, tore the back of a sofa, and damaged a computer and a living room set. Miss Grey's claim is for the sum of \$334,283. The Compensation Committee, having examined the circumstances

and taking into consideration the price of the various articles, **recommends that Miss Grey be paid the sum of \$166,000.00 as compensation.**

Miss Georgiann Griffiths resides at Building 27, Flat G, Tivoli Gardens. She is 35 years old and is a janitor. On May 24, 2010, she was at home with her children. She heard explosions which she said sounded like bombs and gunshots. She and her children ran to a neighbour's house. When she returned to her house, she found the front door badly damaged and her microwave oven smashed up.

The Compensation Committee considered the pro-forma invoices submitted in respect of the items that were damaged. The total cost of the items is \$21,607.61. Taking into consideration the labour and transportation costs involved in respect of the door, and the fact that Miss Griffiths has received a grant of \$15,000.00 from the Ministry of Labour and Social Security, **the Compensation Committee recommends that she be paid a further sum of \$10,000.00.**

Miss Yvonne Hall was living at Building 10, Bustamante Highway, Kingston 14 at the time of the incursion. She has been so traumatized by the events that, according to her, she has abandoned Tivoli Gardens. She now lives in Sterling Way Red Hills. She gave a statement to the Public Defender on July 8, 2010, and gave evidence before the Compensation Committee on January 11, 2017. She describes herself as a higgler.

Miss Hall left her premises on May 22, 2010, due to fear for her safety. She secured her house and went to a friend in Constant Spring. She owns a Toyota Townace motor truck registered 8679 EL. At the time, it was undergoing repairs and was at Newland Auto and Carwash in Tivoli Gardens.

Miss Hall returned home on May 29, 2010. The front door was damaged. There was a huge crack running from the top of the door to the bottom. Her house was flooded. The toilet bowl was broken in two, and the glass on top of a side table was also broken. As regards her motor truck, the windshield, mirrors and door had been damaged by gunshots.

The Committee was shown photographs of the damage complained of, and estimates were submitted. The claim is for \$136,000.00. The Committee accepts the following estimates of damage: door and toilet bowl (\$16,000.00), glass on side table (\$5,000.00) 2 mirrors for truck (\$23,164.23) windshield and door glass (\$17,625) and body work (\$30,000.00). **The Committee recommends that compensation in the sum of \$92,000.00 be paid to Miss Hall.**

Mrs. Debbie Ann Marie Harris resides at Flat 8, Seaga Boulevard, with her husband and three children. They decided to be elsewhere at the time the security forces were due to enter the area. However, this did not prevent Mr. Harris from being detained until May 28, 2010.

Earlier, on May 26, 2010, Mrs. Harris decided to visit her house. She discovered that it was occupied by soldiers. It was ransacked and much damage done to the furniture. The soldiers explained that they were searching for weapons.

Mrs. Harris' van which was parked at the front of the premises was rendered immobile through the slashing of some of its tyres.

The Ministry of Labour and Social Security made a grant of \$15,000.00 to Mrs. Harris. Taking into consideration the damage done by the soldiers to the Harris' property, and based on the invoices produced, **the Compensation Committee recommends the payment of a further sum of \$200,000.00 to Mrs Harris.**

Miss Lorraine Harris lives at Building 9, Fong Yee Terrace. On May 24, 2010, she locked her house and went to her mother's to spend the day. Her son Trevor Dixon was with her. On May 26, 2010, she was escorted by two soldiers to her house. She noticed that the front door had been damaged and the house ransacked. Her neighbours told her that the damage had been done by members of the security forces.

Miss Harris said that she missed a digital camera, food and cash. The Compensation Committee finds that her total loss was approximately \$48,700.00. She received \$15,000.00 from the Ministry of Labour and Social Security. **In the**

circumstances, the Committee recommends that she be paid a further sum of \$34,000.00.

Miss Melissa Harris lives at 79 Bustamante Highway. She secured her house and left for Kirkland Heights on May 20, 2010. She returned on May 31, 2010. While she was away, one Kerry Ann Tomlinson witnessed soldiers kicking off the back door to Miss Harris' house. They spent about 25-30 minutes there. On her return, Miss Harris noticed that apart from the door, her washing machine had been damaged, and there were gunshot holes in the roof and ceiling. Her claim is for \$92,156.00. She was given the sum of \$15,000.00 by the Ministry of Labour and Social Security. **The Committee finds that that sum was sufficient to satisfy her claim in respect of the washing machine, and recommends that she be paid a further sum of \$48,000.00 to cover the cost of materials and labour in respect of the other damage suffered.**

Mr. David Harrison, a higgler, lives at 56 Wellington St., Denham Town. He claims to have lost goods valued at over \$120,000.00. The Compensation Committee wished to hear from him in person. However, efforts made by the Office of the Public Defender to contact him proved futile.

The Committee does not doubt that Mr. Harrison suffered damage. However, in the absence of proof of the extent of such damage, there can only be a **recommendation for payment of a nominal sum of \$15,000.00 to him.**

Mr. Garey Harrow used to live at 28 Zackey Avenue, Tivoli Gardens. He now lives at Building 26 Flat B Seaga Boulevard. He was a higgler in the Coronation Market for over 20 years. That was up to the time of the incursion. In giving evidence before the Compensation Committee on January 12, 2017, he said that since the incursion he had to "move on to something different" and that he now drives a van transporting school children.

On Saturday May 22, 2010, he locked down his stall in the market and went to St. Mary for a funeral that was scheduled for Sunday. He returned to Tivoli Gardens

later the following week. His stall was among those burnt during the incursion. He lost everything, he said: “Liquor, drinks, snacks, and those types of things, water, every little thing”. As regards his house, he lost his television set and his door was bashed in. He said that it seemed the television set had been thrown on the ground. His dresser drawers with clothes were scattered on the floor. The value of the television set at that time, he said, was \$6,599.00. He repaired the door at a cost of about \$3,500.00.

In respect of his losses in the market, he said that the loss would have been about \$160,000.00 to \$170,000.00. He said he had not received a compassionate grant from the state as whenever “the people” came around he was not in the community.

The Compensation Committee, on the basis of invoices presented, recommends that compensation in the sum of \$122,000.00 be paid to Mr. Garey Harrow.

Miss Vivienne Hastings is a shopkeeper living at 49 Wellington St. There are two shops on the premises. Miss Hastings left home on May 26, 2010, and returned the next day. She noticed that the locks on the doors had been “knocked off” and the doors themselves broken. The ceiling in all the rooms was damaged, and windows broken. Damage had also been done to items of furniture and to appliances, such as television set, microwave oven, wardrobe glass, dresser, beds, stove and washing machine.

Miss Hastings also noticed that some of her clothes had been thrown in the yard, and that goods in the shop had been destroyed, having been left exposed to the elements.

Miss Hastings estimated that she had suffered loss to the amount of \$260,260.00. The Compensation Committee, having reviewed the documentation, **recommends that Miss Hastings be paid the sum of \$239,000.00 as compensation.**

Miss Marlene Headley, a vendor, who lives at Lot 15 Block 3, Greenwich St. Denham Town claimed that she suffered damage during the police operations. In

her statement to the Public Defender, she listed several items that she said were destroyed in her cook shop during the operations. The total value of her loss was listed in the statement as \$88,200.00. However, in giving evidence before us on January 11, 2017, Miss Headley gave further details which showed her loss to be more than originally estimated. Among the things that were not considered in arriving at the original estimate of loss was the value of the cook shop itself. We found her credible. She received a compassionate grant of \$100,000.00 from the Ministry of Labour and Social Security. This grant did not cover her loss. We find that a further sum of \$75,000.00 would be necessary for it to be said that she has been properly compensated. Consequently, **we recommend that she be granted a further \$75,000.00.**

Miss Faith Hemmings lives at Building 34 Flat 2 Dreckett's Place, Kingston 14. Members of the security forces in searching for weapons, damaged her wardrobe, entertainment centre, mattress, wash basin, window and doors. The damage was done in her presence.

The Compensation Committee viewed photographs of the damage.

The Committee recommends the payment of \$86,000.00 as compensation.

Miss Marcia Hendricks received a grant of \$15,000.00 from the Ministry of Labour and Social Security in respect of damage done to her house at 44 Pink Lane.

Miss Hendricks' house was searched on May 30, 2010, while she was present. During the search, damage was done to a dresser, wardrobe doors, a television set, a bed, a blanket and a table. The soldiers also took two mobile phones valued at \$16,000.00.

Miss Hendricks claims compensation in the amount of \$213,283.00. She also submitted photographs for the Committee's consideration. **The Committee recommends that she be paid a further sum of \$120,000.00 as compensation.**

Miss Camille Henry is a vendor living at 15 Bond St, Spanish Town Road, Kingston 14. On Tuesday May 25, 2010, she was at home with her son Nicholas Haughton, aged 14 years. She said in her statement to the Public Defender dated December 31, 2010, that 7 soldiers came to her house, kicked off the door and entered. They asked for wanted men, and while searching, they damaged household items such as refrigerator, whatnot, television and stove.

The cost of replacing the damaged items is approximately \$76,449.00. In view of the fact that Miss Henry received a grant of \$15,000.00 from the Ministry of Labour and Social Security, **the Compensation Committee recommends that Miss Henry be paid a further sum of \$62,000.00.**

Miss Karen Henry is the mother of Miss Shanna Kay Henry. They share accommodation but own items of furniture separately. In the case of this claimant, she is seeking compensation for damage done to her refrigerator, computer, dresser drawer and what-not. She too received a grant of \$15,000.00 from the Ministry of Labour and Social Security.

The Compensation Committee recommends the payment of a further \$75,000.00 to her as compensation.

Miss Michelle Henry left her home at 12 Dee Cee Avenue on May 23, 2010. She returned on May 27, 2010, and found gunshot holes in the air conditioning unit. The locks on the door, and the floor of the verandah had been damaged. There were broken window panes; the ceiling was torn down, roof leaking and a Queen-size pillow top mattress damaged. A Samsung digital camera was missing.

Having examined the invoices presented, **the Compensation Committee recommends the payment of \$90,000.00 to Miss Henry as compensation.**

Miss Shanna Kay Henry received the sum of \$15,000.00 from the Ministry of Labour and Social Security in respect of damage done to her house at 1 McKenzie Drive during the incursion. Having been away from home, she returned on May

27, 2010. The front door was split into two parts and her laptop damaged. The double base for her bed had a leg broken off.

Pro-forma invoices were presented to the Compensation Committee. After considering the invoices, and deducting the sum given by the Ministry of Labour and Social Security, **the Committee recommends that Miss Henry be paid a further sum of \$60,000.00.**

Miss Sophia Henry now lives at 1 McKenzie Drive. At the time of the incursion, she was living at Flat 8, Building 29, Dreckett's Place, Tivoli Gardens. She gave evidence before the Compensation Committee on April 12, 2017.

She locked her house on Saturday May 22, 2010, and went to her mother's house at Denham Town. She returned to her house on Thursday May 27, 2010. She noticed her door was open, the lock was off and the house was flooded. The flooding was as a result of someone damaging a pipe in the kitchen area.

There were bullet holes in an overhead tank, resulting in the water going to waste. There were also bullet holes on the wall, the bedroom windows and part of the bedhead.

The bedroom was ransacked, clothes damaged and strewn on the floor, and a settee was cut.

Miss Henry is of the view that her total loss is about \$170,000.00. The invoices as accepted by the Compensation Committee indicate a loss of about \$90,000.00. The Ministry of Labour and Social Security made a grant of \$15,000.00 to Miss Henry. In the circumstances, the Compensation Committee **recommends the payment of a further sum of \$75,000.00 to Miss Henry.**

Miss Ionie Heron lives at 235 Little King St, Block 3. She is a higgler specializing in the sale of ladies' wear. She was in the habit of storing her goods at premises at the corner of Beckford and Darling Sts. In her statement dated August 10, 2010, to the Public Defender, she said that on Saturday May 22, 2010, at about 8:00 p.m. she locked away merchandise valued at about \$190,000.00 and went home. She then went to her mother's house.

On May 31, 2010, when she returned to Beckford and Darling Sts, she noticed that the lock on the shutter was missing, the premises ransacked and her barrel with clothes missing.

Prior to this, she had received a telephone call on May 25, 2010, from a friend who informed her that the door to her house had been opened. She visited the house on Friday May 27, 2010, and noticed that “the door was bashed in” and “split downwards near to the lock”. She missed a settee and a component set. She estimated that the damage and loss at her house amount to \$92,500.00.

The Compensation Committee is not satisfied that there has been adequate proof of the losses claimed by Miss Heron. There is no doubt that she suffered some loss, but the amount being claimed has not been justified. In the circumstances, the Committee considers that the losses may not have exceeded \$100,000.00. In view of the fact that the Ministry of Labour and Social Security made a grant of \$15,000.00 to the claimant, **the Compensation Committee recommends that she be paid a further sum of \$85,000.00.**

Mrs. Berneta Higgins a retired janitor lives at 41 Wellington St Denham Town, Kingston 14. At the time of the incursion, she was 55 years old. She gave evidence before the Committee on April 13, 2017. She said that on “Friday May 27, 2010” she was at home with her children when soldiers entered the premises and proceeded to search. During the search, for reasons best known to them, they damaged her refrigerator, combo-robe, dining table and dresser. In respect of the refrigerator, she said that they “popped off” the door. She was not able to repair any of the damaged items and consequently they were thrown away. Her son who is employed has bought a refrigerator for them to use.

Mrs. Higgins’ has estimated her loss at \$112,095.00. She has produced pro-forma invoices that amount to \$91,595.40.

In the circumstances, the Committee considers that the sum of \$100,000.00 would be adequate compensation for Mrs. Higgins’ loss, and recommends that she be paid that amount.

Miss Rosemarie Hill lives at 1 Dreckett's Place. She is a higgler. On May 24, 2010, at about 8:00 a.m. she was ordered out of her house by members of the security forces. When she was allowed back in, she noticed that cigarettes and phone cards were missing and that a fan and a dresser had been damaged. She suffered the loss of her television set which she said was damaged beyond repair.

The total claim amounted to \$82,350.00. She received a grant of \$15,000.00 from the Ministry of Labour and Social Security. **The Compensation Committee recommends that she be paid a further sum of \$65,000.00 as compensation.**

Mr. Keron Housen lives at 54 Balcombe Drive. In a statement to the Public Defender dated December 17, 2010, he said that on June 6, 2010, there was a loud banging on his front door. Soldiers ordered him out of the house and proceeded to search it. He was transported to Mobile Reserve where he was photographed and fingerprinted. He was released on the same night.

On his return, he noticed that there was damage to his front door, apparently done by a sledge hammer. The entire house was ransacked and items of clothing missing.

The Compensation Committee recommends the payment of \$65,000.00 as compensation to Mr. Housen.

Miss Nada Howard was living at 2 Zacky Avenue, Tivoli Gardens at the time of the incursion. She describes herself as a retired person, who operates a car and rears and sells chickens. She gave evidence before the Compensation Committee on December 14, 2017. She told us she now lives in Dumbarton in the parish of St Ann as she is fearful of remaining at her former address. However, she said: "The country thing nah suit mi, water problem...Mi love the place but you have to buy the water".

Miss Howard's claim is in respect of damage done to her car during the incursion. It had been parked on the road at her gate. The doors were torn off, the sides and trunk dented and the windshield smashed. She said that the car had not

functioned since as she is unable to pay for its repair. A site visit was conducted and the condition of the car was noted.

The Compensation Committee is not satisfied with the repair costs presented. Considering that this claimant has received a grant of \$15,000.00 from the Ministry of Labour and Social Security, **the Committee recommends that a further grant of \$85,000.00 would be sufficient compensation in the circumstances.**

Miss Patricia Howell lives at 68 Zackey Avenue, Tivoli Gardens. She is an ancillary worker at Tivoli Gardens High School. She received \$15,000.00 from the Ministry of Labour and Social Security. Her claim is that on May 25, 2010, members of the security forces searched her house. In the process, they threw her Sharp television set to the ground and damaged it. **The Compensation Committee recommends that she be paid a further sum of \$10,000.00 as compensation for the damage done.**

Miss Andrea Hughes lives at 47 Baugh Path. She gave evidence before the Compensation Committee on April 6, 2017. She said that on May 24, 2010, she heard an explosion that sounded like a bomb. She went to a friend's house down the road and remained there until May 27, 2010. There were other explosions after she had left her house. When she returned, she observed that her house had been severely damaged. She said the house had been "devastated", and the contents damaged.

This was a 6-bedroom house. Nine windows on one side of the house alone had all been damaged. She said that the structure as well as the items in the house would require one million dollars to compensate.

There was, she observed on May 27, 2010, a huge hole in a wall of the house and it remains to this day. No repairs have been done to the structure. Photographs were shown to the Compensation Committee. Miss Hughes said that the photographs did not give the full picture. However, the Compensation Committee is of the view that those presented to the Committee made for an unhappy sight.

It appeared to the Committee that Miss Hughes was still in shock from what had been done to her property.

It is noted that Miss Hughes received a grant of \$75,000.00 from the Ministry of Labour and Social Security. Having considered the estimates presented, **the Compensation Committee recommends that a further sum of \$425,000.00 be paid to Miss Hughes as compensation.**

Mr. Earl Hughes is a welder living at Building 2, Flat Z Tivoli Gardens. He received a grant of \$15,000.00 from the Ministry of Labour and Social security. His car which was in a car park facing his house had been damaged in several respects – the back trunk glass was missing, the pivot window at the back and the right rear tyre damaged. There was also a dent on the right front fender. There were signs of gunshots on the car and it was suspected that the dent was caused by the wrecking company which the police had engaged to remove the car.

The Compensation Committee recommends the payment of an additional sum of \$15,000.00 as compensation.

Miss Delser Hunnigan lives at 38 Zackey Avenue but operates a small shop at 51 Dee Cee Avenue where she was living during the incursion. Miss Hunnigan gave evidence before the Compensation Committee on April 6, 2017, as did Miss Patricia Mitchell on June 1, 2017. The latter in our view tried to mislead the Committee into thinking that she was the operator of the shop at the relevant time. She was not aware that we had already heard evidence from Miss Hunnigan, and that Miss Hunnigan had actually received a grant of \$15,000.00 from the Ministry of Labour and Social Security in respect of losses at the shop. Miss Hunnigan had also received \$15,000.00 in respect of losses at her house.

As regards the shop, the lock to the freezer was broken off, and the contents of the shop had been “cleaned out” according to Miss Hunnigan who said (and we believed) that the police were in occupation of the shop.

Miss Hunnigan said that the damage done to her house was to the ceiling, a television set and a dresser glass.

Miss Hunnigan told the Compensation Committee that as regards the damage and her losses, at home and at the shop, in each case it would require the sum of \$200,000.00 to compensate her – that is, a total of \$400,000.00.

The Compensation Committee, while sympathising with Miss Hunnigan's situation, is of the view that there has been an exaggeration of her losses, and **recommends a total further payment of \$55,000.00** as compensation (\$50,000.00 for the shop and \$5,000.00 for the house).

Mr. Raji Hyde lives at Flat 3, Building 30, Dreckett's Place, Tivoli Gardens. He used to operate a bar on the premises. Mr. Hyde gave evidence before the Compensation Committee on April 12, 2017. He said that on May 24, 2010, he was at home with his "baby mother" Trishana Barrett while gunshots rang out on the outside. This went on for quite some time. The tension eased during the night. On the following day, members of the security forces came and took him outside. They proceeded to ransack his house, damaging his television set and his clothes.

Mr. Hyde was detained by the security forces. He said he was not beaten during his detention but he and other detainees received "some real cruel punishment". After his release, he said that he went to his family in Portmore. In his statement to the Public Defender, Mr. Hyde said that he returned to Tivoli Gardens on August 5, 2010.

In evidence before the Compensation Committee Mr. Hyde said that when he returned to Tivoli Gardens, he noticed that police and soldiers had taken over his bar as they were camping in it. His refrigerator which had been stocked before the incursion was damaged, and the contents missing. "Everything drink off", he said.

Mr. Hyde was of the opinion that the Compensation Committee had been given money to disburse. He said that the sum of \$200,000.00 would satisfy his claim.

The Compensation Committee, having carefully considered the evidence of Mr. Hyde and the invoices presented, **recommends the payment of \$75,000.00 to Mr. Hyde as compensation.**

Miss Monica Hylton is a domestic helper living in a one-bedroom house at 1 McKenzie Drive, Tivoli Gardens. She gave evidence before us on February 28, 2017. She said that on Tuesday May 25, 2010, she, along with her stepdaughter Natasha Thompson and her two grandchildren were at her home when soldiers entered through the front door. She said that “they started flinging down and digging up”. They said they were looking for guns, and proceeded to cut up her settee and “dig off” the back of her 24-inch television set. They smashed crockery, and damaged her refrigerator and washing machine. In answer to Miss Christine McNeil, representing the Attorney-General, she said that the soldiers used a piece of iron to damage the items. She has replaced the refrigerator since.

During the search, the soldiers also partially dislodged her bedroom door. It was an old door which she thinks was infested by termites. She has had to replace the door at a cost of \$5,860.

Photographs of some of the damage were presented to us. These were taken by Mr. Hemmings, investigator employed at the Public Defender’s Office. Pro-forma invoices relevant to the situation were also presented.

Taking everything into consideration, the Committee recommends compensation for Miss Hylton in the sum of \$170,000.00 [for damage to crockery, door, television set, settee, refrigerator and washing machine].

Imperial Welding and Engineering Works Ltd of 25 West St Kingston is represented by a private attorney-at-law. Mr. Carlton Walton and Mrs. Doreen Walton claim on behalf of the company for damage done by a Jamaica Defence Force soldier to the company’s security cameras. It is surprising that this claim has not been settled as there is unmistakeable video evidence showing the soldier doing the damage.

The Compensation Committee recommends the payment of the sum of \$229,000.00 which includes the cost of: cameras (\$153,700.00) installation (\$30,000.00) and legal fees (\$45,108.80).

Miss Terry Ann Isaacs lives at 9 Bread Lane. At the time of the incursion, she was not at home; however, her mother Pearlline Morrison was. Miss Morrison (aged 71 years) gave a statement to the Public Defender to the effect that soldiers conducted a search during which they damaged the ceiling, combirobe, gas stove and refrigerator. Miss Morrison received a grant of \$15,000.00 from the Ministry of Labour and Social Security. This did not cover the extent of the damage. The invoices indicate that a **further sum of \$32,000.00 would be necessary to compensate for the damage done. The Compensation Committee recommends payment of that amount to Miss Isaacs.**

Miss Franceta Jack lives at Building 1 Flat B Tivoli Gardens. She left home on May 23, 2010, and returned on May 27, 2010. Her house was damaged. There were 5 soldiers sitting in front of her house watching television. She noticed that the front door of the house and the bathroom door were damaged and off the hinges. The power button for the television set was missing and some of her clothes were on the floor in water. She said that she had to throw them away. The refrigerator was damaged, and no power was going through it.

Miss Jack said that during the month of June 2010, a soldier returned a dvd that had been taken from her house.

Miss Jack received a grant of \$15,000.00 from the Ministry of Labour and Social Security. In the circumstances, **the Compensation Committee recommends the payment of a further sum of \$50,000.00 to Miss Jack as compensation.**

Miss Barbara Jackson gives her occupation as a personal assistant, living at Building 25 Flat E Seaga Boulevard. On May 24, 2010, she said that members of the constabulary entered her house in the evening and damaged her refrigerator, television set, dvd player, and her bathroom. On the following day, soldiers damaged the sliding glass of her motor vehicle and punctured the tyres.

Miss Jackson received a grant of \$75,000.00 from the Ministry of Labour and Social Security. **The Compensation Committee recommends the payment of an additional amount of \$45,000.00 to compensate Miss Jackson for the damage done to her property.**

Miss Princess Jackson lives at 53 Fung Yee Terrace. On May 24, 2010, members of the security forces kicked off the back door to gain entrance while she was at home. They told her that they were searching for illegal guns. According to her statement to the Public Defender, they proceeded to search in an aggressive manner, damaging her television set and the ceiling. They also smashed crockery.

Miss Jackson received a grant of \$15,000.00 from the Ministry of Labour and Social Security.

The Compensation Committee recommends the payment of a further sum of \$50,000.00 to Miss Jackson as compensation.

Miss Shanna James, higgler, lives at 18 Chang Avenue. In her statement to the Public Defender on June 25, 2010, she said that on May 24, 2010, she was outside her house talking with friends when she heard gunshots. She ran to her neighbour's house at 16 Kirkpatrick Pathway as she did not think it safe to be on Chang Avenue. While on the verandah, she saw her house on fire.

Miss James estimated her loss at nearly \$800,000.00. She received a grant of \$250,000.00 from the Ministry of Labour and Social Security. **The Compensation Committee recommends that she be paid a further sum of \$300,000.00.**

Miss Shanna-Lee James resides at 1 McKenzie Drive. On May 25, 2010, members of the security forces ordered her out of her house in order to search for illegal guns. In the process of searching, they damaged doors, mattress, a standing fan and the ceiling. Miss James estimated her loss at \$50,000.00. She subsequently produced invoices showing the need for over \$62,000.00 to compensate her.

The Compensation Committee notes that she received \$15,000.00 from the Ministry of Labour and Social Security, and now **recommends that she be paid a further sum of \$35,000.00.**

Miss Sylvia James of Block 9 Bond St. did not give evidence before the Enquiry; nor did she before the Compensation Committee. However, in her statement to the Public Defender, she stated that a door to her house was damaged by soldiers. **We recommend the payment of a sum of \$5,000.00 to her as compensation.**

Mrs. Pamela James-Stewart lives at 1A Levy Path, Tivoli Gardens. On May 24, 2010, she and her husband were at home. She heard like a bomb had shaken the house. There were several loud explosions. In the process, a door and a window at their house were shot. The replacement cost was estimated at \$35,000.00. The Ministry of Labour and Social Security made a grant of \$15,000.00 to the claimant. In the circumstances, the Compensation Committee **recommends the payment of a further sum of \$20,000.00 to Mrs. James-Stewart.**

Miss Joyce Jemison is a seasonal seafood packer living at 80 Zacky Avenue. In her statement dated July 14, 2010, she said that on May 24, 2010, a male Rastafarian ran into her yard while being chased and shot at by the police. He asked to be let in, but she did not grant his request. Blood marks were left on her door step as the man had been shot in the foot by the police. During the shooting, damage was done to windows as well as the exterior of the building.

The police returned next day, she said, inquiring as to the whereabouts of the man. They searched Miss Jemison's house "tearing down" the ceiling, overturning her bed, and scattering her clothes on the floor. She said that her component set was shot up as there was a gunshot hole on two boxes. Her entertainment centre was also shot up. According to her, she missed \$230,000.00 cash which she had wrapped in a sheet in a drawer.

Miss Jemison received \$15,000.00 from the Ministry of Labour and Social Security. On the basis of our examination of the statements and other material presented, the Compensation Committee **recommends the payment of a further sum of \$15,000.00 to Miss Jemison.**

Mr. Aaron Johnson of 99 Matthews Lane Denham Town was shot in the right forearm. He was returning home from the Kingston Public Hospital where he had gone for treatment for his asthmatic condition. He was shot by soldiers who had been positioned on the roof of the Kingston Public Hospital.

Mr. Johnson spent 4 days on the surgical ward and was then transferred to the orthopaedic ward. The diagnosis was of a gunshot wound to the right forearm with open comminuted fracture to proximal shaft of radius and radial nerve palsy. This injury was serious.

The Compensation Committee, having considered the likely award that a court of law would make in these circumstances, **recommends the payment of the sum of \$1.5 million to Mr Johnson as compensation for his injury.**

The amount of \$15,000.00 that he had received from the Ministry of Labour and Social Security was in respect of damage to the roof of his house.

Mr. Carlton Johnson resides at 9 ½ George St. Rose Town. He gave evidence before the Compensation Committee on April 19, 2017. He used to be a construction worker who operates a shop at his residence. Mr. Johnson left home on May 26, 2010, for St. Elizabeth and returned on June 15, 2010.

Mr. Johnson said that on his return he noticed that “the place mash up and everything. A have mi shop and everything mash dung”. The ceiling was damaged, the refrigerator and mattress burnt, the door to the shop damaged and the goods missing.

The Compensation Committee recommends the payment of \$100,000.00 to Mr. Johnson as compensation.

Mr. Jermaine Johnson lives at Building 21 Seaga Boulevard. He was taken from his home on May 24, 2010 by members of the security forces and was detained. He was, he said, assaulted during his detention. He was released on May 28, 2010. On his return home, he noticed that his clothes were strewn on the floor, his refrigerator had 4 bullet holes, and his television set was damaged. His two phones were missing.

The Compensation Committee as shown photographs of the damaged items. **The Committee recommends the payment of \$85,000.00 to Mr Johnson as compensation.**

Mr. Robert Johnson, a higgler, lives at Lot 7 Block 16, Metcalfe St., Denham Town. On May 26, 2010, he was at home with his family. Apparently, there were sandbags on the outside of his house, so on the arrival of soldiers at his premises, he was asked who had placed the sandbags there. He replied that he did not know. This reply was apparently disapproved of, because a soldier used his firearm to hit the side of Mr. Johnson's head and knocked out a tooth. He was detained. Eventually, he was treated by a doctor for the resultant headache (consultation fee - \$1,200.00), and his tooth was replaced at a cost of \$18,500.00. The chandelier in his house was torn down (cost US\$175.00). **Given the nature of the assault on Mr. Johnson, and his expenditure as a result, the Committee recommends that he be paid J\$40,000.00, and in respect of the chandelier, US\$175.00.**

Miss Tashi Johnson gave evidence before the Compensation Committee on April 6, 2017. She lives at Building 2 Levy Path in a one bedroom flat on the second floor. She operates a dry goods shop on the ground floor. She closed it on May 22, 2010, at about 9:00 p.m. On May 24, 2010, there was general uproar and she was hearing gunshots so she went to her grandmother's residence nearby on May 28, 2010, she went back to her shop and noticed that the lock had been torn off. The ceiling was torn down, the shop ransacked, and most of the stock was missing.

The Compensation Committee is satisfied that Miss Johnson operated a genuine business in association with Natalie Henry who lives in England. The Committee

notes that Miss Johnson received a grant of \$15,000.00 from the Ministry of Labour and Social Security and **recommends the payment of a further sum of \$300,000.00 to her.**

Mr. Worran Johnson is a handcart man living at 28 Wilton Hill Drive. On May 24, 2010 he was on his way home when on reaching Baugh Path he was shot by the police in the left leg and right foot. He ran to his house and remained there until Thursday morning when he was taken to the Kingston Public Hospital by soldiers. He was treated between May 27 and July 13, 2010, for his injuries. The records do not indicate clearly whether Mr. Johnson was hospitalized for the full period of his treatment. He seems to be saying so but this has not been confirmed. It should be pointed out that Mr. Johnson was not charged with any offence and there is nothing to suggest that the shooting was justified.

While he was in hospital, Mr. Johnson's house was entered and the indications are that the entry was by the security forces. His dresser drawer glass was shattered and mattress torn in several pieces.

In the circumstances, **the Compensation Committee recommends payment of \$425,000.00 to Mr. Johnson as compensation (\$400,000.00 for the injuries suffered and \$25,000.00 for the damage to his property).**

Mr. Allan Jones lives at Building 10 Flat A Seaga Boulevard. He is a businessman. His business is registered and located at 52 Spanish Town Road. Due to the unrest, he was unable to go to his business place between May 24 and May 29, 2010. When he went on May 29, he noticed that 2 locks on the shutters to his shop were forced open. The shop was under water, and a 4-burner electric stove and 2 refrigerators were overturned. Most bottled goods were broken, and plastic bottles were all over the place. He pulled down the shutter and returned to Building 10. Shortly after, a neighbour called him to say that soldiers wanted the person responsible for the shop. He said that when he went the soldiers told him that they wanted him to move the things in the shop as they had found a gun in a restaurant on the plaza, and therefore needed to search everywhere.

A search was conducted but nothing illegal was found, he said.

As a result of the entry into his shop, the stove and one of the refrigerators were damaged and stopped working. Mr. Jones provided an estimate of his losses which totalled over \$688,000.00. **The Compensation Committee recommends the payment of \$250,000.00 to Mr. Jones as compensation.**

Mr. Clive Jones resides with Miss Syretta Bolt at Building 21 Seaga Boulevard, Tivoli Gardens. The recommendation in his case is for the payment of **\$250,000.00** as compensation. The details are dealt with in the summary under Miss Bolt's name.

Mr. Mark Jones is an artist aged 47 years. He lives at 103 Matthews Lane. In his statement dated December 21, 2010, he said that he was at home on June 6, 2010, when the police came and detained him. He said that they accused him of being one of Zeeks' soldiers who go around and collect money from the Chinese. He said that he was taken to the Mobile Reserve and placed in a cage. However, he was released at 10:00 p.m. on the same day.

During a search of his house, his television set was damaged. On the basis of a pro-forma invoice submitted, **the Compensation Committee recommends the payment of the sum of \$12,000.00 as compensation.**

Miss Patricia Jones lives at Block 8, Lot 92 Regent St Denham Town. In her statement dated September 23, 2010, she said that she operates a shop downstairs her premises and resides upstairs. On May 25, 2010, she says that soldiers kicked off the door to the shop, entered it, and overturned buckets of sugar, flour and rice in their search for guns. In addition to damaging a blender, the soldiers took her 10-carat gold chain which is valued at \$11,250.00.

The Compensation Committee recommends the payment of \$32,150.00 to Miss Jones, for the chain, the blender (\$5,900.00) and the damaged door (\$15,000.00).

Mr. Frederick Kelly lives at 53 Chestnut Lane, Denham Town in a one bedroom wooden house. He locked it and went out on June 2, 2010. On his return that afternoon, he noticed that a sheet of zinc was where his front door was supposed to be. The wooden door, he noticed, had been ripped from the hinges and shattered. His clothes were scattered all over his room.

Mr. Kelly's neighbour told him that the door had been removed by a soldier, and it was he (the neighbour) who had put the zinc in place as security.

The Compensation Committee recommends that Mr Kelly be paid \$10,000.00 as compensation.

Miss Sonia Kelly resides at Building 23, Seaga Boulevard. She is a vendor in the Coronation Market. She lost goods during the fire in that market. She estimated her loss to be \$51,000.00. The Compensation Committee accepts that she lost clothes in five barrels (\$25,000) and two suitcases (\$8,000), making a total loss of \$33,000.00. In view of the fact that she received a grant of \$15,000.00 from the Ministry of Labour and Social Security, **the Compensation Committee recommends that she be paid a further sum of \$18,000.00.**

Mr. Martell Kerr lives at Building 45, Block 5, Bustamante Highway. He is a labourer. In his statement dated July 5, 2010 to the Public Defender, he said that on May 22, 2010, he went to 31 Fleet St. leaving his nephew Shamari Bailey in the house. He returned on June 12, 2010, to find the front door "kicked off" and the lock damaged. He went into the front room, and noticed the glass on the centre table missing. In his bedroom, he noticed that there were footprints on the door and the lock broken. The closet was broken into and his clothes strewn on the ground. The foot of the bed was broken and the refrigerator and television set had no power.

It turned out that Shamari Bailey, Mr. Kerr's nephew, was detained by the security forces from May 25 to June 16, 2010.

In respect of the damage done to Mr. Kerr's property, the Compensation Committee, having examined the invoices submitted, **recommends the payment of the sum of \$128,000.00 to Mr. Kerr as compensation.**

Miss Pollyanna Kerr is a janitor residing at Building 27 Seaga Boulevard. Soldiers and policemen conducted a search at her premises on May 24, 2010. During the search, she was grabbed in the back of her blouse and pushed all over the house, she said.

The wires of her Sharp television set were pulled out. As a result, the television stopped working. She said that a watch valued at \$2,000 was missing.

The Compensation Committee recommends the payment of \$25,000.00 as compensation in respect of the damage to the television set.

Miss Delores King gave evidence before the Commission of Enquiry. The Commissioners found that her house at 56 Sangster Crescent was damaged and losses caused by "unidentified members of the security forces". The Commissioners felt that the sum of \$15,000.00 given to her by the Ministry of Labour and Social Security was inadequate.

The Compensation Committee notes that Miss King had estimated her loss at \$55,000.00. She subsequently presented pro-forma invoices to the tune of \$125,000.00. **The Committee recommends that she be paid a further sum of \$50,000.00 as compensation.**

Miss Gloria King, a retiree, lives at Building 31 Flat 5 Dreckett's Place. According to her statement to the Public Defender, during the evening of May 24, 2010, while soldiers were in the area, there was "heavy gunfire and noise outside (her) building". She, her children and grandchildren, being terrified, laid on their bellies in the house. The heavy gunfire continued into the next day when there was a loud explosion that shook her apartment and shattered windows and doors, while damaging several household items.

In Miss King's opinion, the explosion sounded like a bomb. The explosion was followed by several gunshots which pierced her apartment from the rear. Walls, chest of drawers, tables, bedside lamps, radio, television set, and many other things were either cracked or broken. She claims that as a result of the explosion, her hearing in the right ear has been impaired.

Miss King presented invoices indicating the need for a sum of \$199,000.00 to compensate her. However, she presented no medical proof in respect of her alleged loss of hearing. She received a grant of \$75,000.00 from the Ministry of Labour and Social Security. In the circumstances, the Committee recommends a further \$125,000.00 as compensation.

Mr. Everton Kirkland now lives at 33 Chestnut Lane. He is an auto mechanic who operates from 56 Spanish Town Road, Kingston 14. At that location he has a workshop in which he keeps the tools of his trade.

Mr. Kirkland gave evidence before the Compensation Committee on August 9, 2017. He said that he locked his workshop on May 23, 2010, and went to St. Catherine due to the operations of the security forces in the Western Kingston area.

He returned to his workshop on June 4, 2010, and found that his workshop had been opened and his tools missing. Three cars that were at the workshop were damaged by gunshots.

Mr. Kirkland theorized, and the Compensation Committee shares the view, that the shop was entered by the security forces in their search for illegal weapons, and that the shop being left open, thieves seized the opportunity to make off with his tools. He submitted pro forma invoices in respect of the tools that he had.

The Compensation Committee recommends that he be paid the sum of \$205,000.00 as compensation.

Miss Evlin Laing resides at 1 Zackey Avenue. She is a vendor who lost goods in the fire at the Coronation Market. The goods were valued at approximately \$12,000.00.

On May 25, 2010, soldiers ordered her outside while they searched her house. In the process, they damaged the front and back doors, and broke down a fence that she had erected at the rear of her premises. The cost of materials and labour for the replacement of these structures amounts to more than \$40,000.00. So, along with the goods lost, Miss Laing's total loss is over \$50,000.00. Taking into consideration that Miss Laing received a grant of \$15,000.00 from the Ministry of Labour and Social Security, **the Compensation Committee recommends that she be paid a further amount of \$40,000.00 as compensation.**

Miss Verna Lattie lives with her "baby father" at Building 33, Flat 8, Drecketts Place. On May 27, 2010, police and soldiers searched her house in her presence. This is according to her statement to the Public Defender. They beat the front door ply board with a hammer causing it to split open and fall off the hinges, and tore the bottoms of three settees. Miss Lattie pointed out gunshot marks on a window frame while stating to them (the security forces) that they were responsible for those marks. According to her, the response was that it was due to her baby father firing shots at them on May 24, 2010.

The soldiers, she said, used a hammer to damage her washing machine and refrigerator. She has since replaced the refrigerator at a cost of \$42,000.00, and estimates in respect of the door, lock, settee, and washing machine show total replacement value of \$51,000.00. Miss Lattie received a grant of \$15,000.00 from the Ministry of Labour and Social Security. **In the circumstances, the Committee recommends the payment of an additional sum of \$78,000.00 as compensation to Miss Lattie.**

Miss Beverley Lawrence of 2 Blunt St., Hannah Town, was at home on May 24, 2010. She heard explosions like gunshots. Her water tank on top of her house was punctured by bullets. She had earlier that day seen soldiers and police "dressed in

green and blue uniform, with long guns in the area". She presented an invoice indicating the cost of the water tank at \$13,644.00.

The soldiers, she said, searched her house on May 26, 2010, but nothing prohibited was found.

The Committee recommends that Miss Lawrence be compensated by paying her the sum of \$15,000.00.

Miss Desrene Lawrence, a domestic helper living at Building 8, Bustamante Highway, Kingston 14, left her house locked on May 24, 2010, but remained in the area. At about midday, she heard many gunshots but did not know where they were coming from. She saw a JDF helicopter overhead, and she rushed to what she described as "the high rising building at Bustamante Highway to the first floor". She said she closed the door and laid "flat on (her) belly because shots were firing all over the place".

On the following day, Miss Lawrence returned to her house only to find that "the door was stab up and kick off and the door lock dismantled". There were gunshot holes in her living room window, and on the walls of her bedroom, bathroom and verandah. Even a pillow had been damaged by gunshots. She noticed that some of her sheets that had been cut, apparently by the use of a knife, and her dvd had been damaged. Her refrigerator, she said, had also been relieved of its contents and she missed \$5,000.00 cash that was in her chest of drawers.

Miss Lawrence submitted pro-forma invoices in respect of the dvd, sheets and door. **The Committee recommends the payment of \$40,000.00 to Miss Lawrence as compensation for the damage done and items removed from her house.**

Miss Annabelle Lee-Shue, at the time she gave her statement to the Public Defender, was living at Apt 98 Building D, Tivoli Court, Kingston 14. On May 24, 2010, she lived at 1 McKenzie Drive. She gives her occupation as higgler. That day, she left her house and went to her sister's at Apt 98 (mentioned above). She returned to her address on June 2, 2010, having been unable to do so earlier, she said, due to the operations carried out by the security forces. When she returned,

she noticed that her house had been burnt to the ground. She supplied a detailed list of her items that were burnt, along with the estimated cost. **The Committee has taken note of the fact that Miss Lee-Shue received a grant of \$250,000.00 from the Ministry of Labour and Social Security. We recommend that she be paid a further sum of \$200,000.00 as compensation.**

Miss Sylvia Lemar of Building 46, Bustamante Highway operates a bar at the said address. On May 27, 2010, she received a report that the bar had been “lick down completely flat”. She went to the spot on May 28, 2010, and confirmed that it had been destroyed. She was told that soldiers had used a tractor to destroy it. There was a security post in its place.

This bar had no windows or doors, and no stock was kept there. Miss Lemar lost no liquor. She is claiming only for the building. She estimated that it would cost \$130,000.00 to replace the building.

The Compensation Committee recommends the payment of \$75,000.00 to Miss Lemar as compensation.

Mr. Anthony Lemonious, a businessman, resides at 27 Oxford St., Denham Town. He is the owner of a Volvo motor car that had been parked at 2 Elgin St. since April 2010 for repairs to be done by Mr. Winston Simpson who lives at 118 Little King St. Between May 24 and 27, 2010, the car was damaged by bullets. Damage was done to the bonnet, right fender, door post, 2 back door windows and the right back tyre. The estimated cost of replacement parts as at July 27, 2010, was \$130,951.98. There was no indication of the cost of workmanship.

In the circumstances, the Committee recommends that Mr. Lemonious be paid the sum of \$150,000.00 as compensation.

Mr. Phillip Lester is a shopkeeper. He lives at 26 Chang Avenue. His shop was destroyed by fire on May 24, 2010. The building was a concrete structure with zinc roofing. The estimated cost of replacing building and goods is in the region of \$200,000.00.

The Compensation Committee recommends the payment of \$200,000.00 as compensation.

Mrs. Beryl Walton Levy lives at Building 31 Flat 6 Dreckett's Place, Kingston 14. She is a vendor in the Coronation Market. However, she lost nothing in the market. Her losses were in respect of damage done to her house in her absence. She and her husband had left for St Catherine on May 23, 2010.

Mrs. Levy returned to her house on June 10, 2010. Her mother, who is partially blind, had remained and she informed her of a search conducted by the security forces. During the search, the following items were among those damaged: one dvd player, a television set, a microwave, a fan and a refrigerator.

Taking into consideration the fact that Mrs. Levy received the sum of \$75,000.00 from the Ministry of Labour and Social Security, **the Compensation Committee recommends that she be paid a further sum of \$75,000.00 as compensation.**

Mr. Curtis Lewis resides at 5 Seaga Boulevard. He received a grant of \$15,000.00 from the Ministry of Labour and Social Security in respect of damage done during a search of his house by the security forces. Given the items damaged and the cost, the Compensation Committee **recommends the payment of a further sum of \$20,000.00 to Mr. Lewis as compensation.**

Miss Dahlia Lewis lives at Block B Apt 62 Tivoli Court. On May 23, 2010, she left home for work at a restaurant and was unable to return home until June 3, 2010, due to the unrest in the area. She found her property damaged – room door, dresser glass, wardrobe all shattered, and her clothes scattered all over. It was necessary, she said, for some of the clothes to be thrown away due to the condition they were in.

The Compensation Committee viewed photographs taken by an investigator from the Office of the Public Defender. They showed damage to a dry wall and sofa drawer; wardrobe with door missing, and the dry wall separating the rooms had

holes in it as if ripped. There was a sofa with drawers, one of which had a missing face.

Having taken note of the pro-forma invoices relevant to the situation, **the Compensation Committee recommends the payment of \$20,000.00 to Miss Lewis as compensation.**

Miss Deborah Lewis is a higgler in the Coronation Market. She lives at Building 38 Flat 2 Dreckett's Place. At the commencement of the incursion, she took her two stalls out of the market and placed them against a wall in full view of her house. She said that about two weeks after May 24, 2010, soldiers while clearing the road took her stalls, despite her pleading, placed them in a truck which drove away with them.

Miss Lewis owns a truck which was parked at a building next to hers at Dreckett's Place. This truck was shot up, and the roof and side door torn off. The driver's seat and body of the truck were damaged by bullets.

Miss Lewis received a grant of \$15,000.00 from the Ministry of labour and Social Security. In all the circumstances, **the Compensation Committee recommends that Miss Lewis be paid an additional sum of \$133,000.00 as compensation.**

Miss Elizabeth Lewis resides at 12 Wellington St. Denham Town. While away from her home on June 8, 2010, she received a call at about 3:00 p.m. from one Suzie Wilson who told her that soldiers were in the act of searching her house. On her return, she observed that the front door had been broken into two, and the door of her gas stove broken off. There is a supporting statement from Miss Suzie Wilson to the effect that she saw a soldier kick the door and enter the house.

Miss Lewis submitted a photograph of the damaged door, but none of the stove. She also submitted invoices in respect of the cost of replacement. Her total claim is for \$41,295.00. **The Compensation Committee recommends that she be compensated for the door only – approximately \$13,000.00 (lock, hinges and installation).**

Mr. Emmanuel Lewis is a security guard who lives at 1 McKenzie Drive. He was detained by the security forces between May 25 and 28, 2010. When he returned to his house on May 28, 2010, he noticed that damage had been done to the house and his furniture during his absence. Personal items were also missing.

His bed and refrigerator had been damaged. The feet of the bed had been removed, and the mattress torn into several pieces making it beyond repair.

The items missed included his music system and jewellery.

The Compensation Committee took into consideration the nature of the damage done to the furniture, the cost of the items missed, and the fact that Mr. Lewis received a grant of \$15,000.00 from the Ministry of Labour and Social Security. In the circumstances, **the Committee recommends the grant of a further sum of \$50,000.00 to Mr. Lewis as compensation.**

Miss Estriana Lewis lives at 46 Bond St Kingston. She is a higgler who stores her goods in a storeroom on the premises where she lives, and sells on Spanish Town Road. Due to the gunshots and explosions that she was hearing, she left her home on May 24, 2010, and went to be with her son who lives in Kingston 20. She is a diabetic who is also hypertensive. She remained at her son's residence for about a week.

Miss Lewis gave evidence before the Compensation Committee on June 26, 2017.

On her return to her home, she noticed that the door to her storeroom was open and the lock off. The storeroom that had been stocked with groceries was empty. Her house was also ransacked, and items of furniture damaged. Her settee and mattress, for example, were torn. She also missed some household items. The main items missed were a television set and a dvd player. Miss Lewis was told by neighbours that the door to the storeroom had been hit off by soldiers.

It appears to the Compensation Committee that the soldiers left Miss Lewis' storeroom exposed after they had entered and searched it. Thereafter, thieves removed the goods.

Miss Lewis produced some invoices to assist the Compensation Committee in arriving at a sum for compensation.

In all the circumstances, the Compensation Committee recommends that Miss Lewis be paid the sum of \$250,000.00 as compensation.

Miss Minette Lindsay gave evidence before the Commission of Enquiry. The Commission in its report described her as “a thoroughly unsatisfactory witness” who was “not at all credible”. The Commission found that she “made statements influenced by what she was told by others”. However, the Commission said that it had “no reason to disbelieve her on the narrow points that she owned the house at 1 McKenzie Drive and that it was completely destroyed”. As regards the valuations she gave to the Commission, they were found to be unsatisfactory.

The Compensation Committee notes that Miss Lindsay received the sum of \$250,000.00 from the Ministry of Labour and Social Security. Miss Lindsay lived with her “baby father”, 3 children and a nephew. **On the basis of the pro-forma invoices submitted, the Committee recommends that she be paid a further sum of \$296,000.00 as compensation.**

Mr Omaro Lindsay of 1 McKenzie Drive left his home on May 23, 2010, and went to another section of Tivoli Gardens. He was detained for a day by a soldier. When he returned to his house it had been completely destroyed. He estimates the replacement cost at \$400,000.00 and places the value of the items lost at \$300,000.00. He also lost a savings pan with \$50,000.00 cash, according to a statement he gave to the Public Defender.

Having taken into consideration that Mr. Lindsay received a grant of \$250,000.00 from the Ministry of Labour and Social Security, **the Compensation Committee recommends the payment of a further sum of \$100,000.00 to Mr. Lindsay as compensation.**

Miss Tandrika Livermore gives her address as Building 21 Flat D Seaga Boulevard. She shares the accommodation with her common law husband Kamal Spence who received a compassionate grant of \$75,000.00 from the Ministry of Labour and Social Security.

Miss Livermore was at home when soldiers came and searched. During the search, the French door upstairs was damaged, and the settee, clothes, handbags, bed, pillow and the walls shot up. According to Miss Livermore's statement, her identification card, Mr. Spence's driver's licence as well as \$129,500.00 in cash were removed from her premises.

There are invoices on file for both Miss Livermore and Mr. Spence. In respect of Miss Livermore, the invoice amounts to \$30,000.00 for damaged clothes and handbags.

There is a note authorizing Miss Livermore to claim on behalf of Mr. Spence. However, it is noted that it was not witnessed by anyone at the Public Defender's Office.

The Compensation Committee recommends the payment of a further sum of \$100,000.00 on the basis of the following assessment and consideration: mattress (\$15,000), door (\$8,000 and \$120,000), clothes (\$30,000) which sum is then reduced to take into account the amount already paid to Mr. Spence.

Mr. Norris Livingston is a contractor living at Building 12 Bustamante Highway. He gave evidence before the Compensation Committee on July 4, 2017. On May 24, 2010, he was at his home with his wife and grandson when he heard "several barrage of gunshots". Furniture items and the walls of his house were damaged by bullets. In his written statement to the Public Defender on September 6, 2010 he described damage to dresser, breakfront, louvre windows, cups and plates, and a television set.

The situation caused Mr. Livingston to become ill. Members of the security forces transported him to Andrew's Memorial Hospital and later to the Medical

Associates Hospital where he was remained for 3 days. Mr. Livingston had previously been treated for a myocardial infarction and for hypertension.

On his discharge from hospital, he discovered that his 1990 Mercedes Benz had been destroyed by fire. It had been parked, he said, “at Darling Street and Spanish Town Road, at coronation market building”.

The Compensation Committee viewed photographs of the damage done to Mr. Livingston’s property. His medical bill was submitted along with invoices in respect of some of the damaged items. A request was made for the latest valuation of the motor car but that has not been forthcoming. **The Compensation Committee recommends the payment of \$166,000.00 in respect of the television set, the dresser and for the reimbursement of the medical expenses. As regards the motor car, the Committee recommends the payment of a maximum of \$600,000.00 upon the claimant obtaining a valuation from a reputable valuer.**

Miss Stacy-Ann Lynton left home at 2 Ebenezer Lane Kingston 14, on May 22, 2010, and returned on June 1, 2010. She found her door open and the house wet from rains that came through a roof that had been leaking prior to the incursion. Food stuff was scattered on the floor, and her television set and stand as well as a fan were damaged.

Miss Lynton is a vendor. She had goods in the Coronation Market. Those goods, along with her stall and cart, were burnt. She estimates her loss at more than \$100,000.00. Taking the circumstances and the invoices into consideration, **the Compensation Committee recommends the payment of \$60,000.00 to Miss Lynton as compensation: \$30,000.00 for the damage at her home and \$30,000.00 for the loss of the goods in the market.**

Miss Cassandra Lyons is a vendor in the Coronation Market. She lives at 1 Reggae Villa, Greenwich St Kingston 14. She tied her goods to a cart and left them in the market on May 22, 2010. She returned on May 29, 2010, and found that they had been burnt. These goods included rice, peas, onions and garlic.

Miss Lyons puts her loss at \$155,000.00. The Compensation Committee has no evidence to support that level of loss. In the circumstances, **the Committee recommends the payment of \$15,000.00 to Miss Lyons as compensation.**

Miss Millord Lyons resides at 111 Tivoli Courts in premises owned by her aunt Sonia Walker. There is a notarized letter from Miss Walker authorizing Miss Lyons to act on her behalf in this matter.

Miss Lyons left Tivoli Gardens on May 22, 2010, and returned on May 25, 2010. On her return, she noticed that the lock for the grill was off, and the door knob for the front door had been smashed, and the door was off its hinges. The refrigerator door was open and the house had the foul stench of faeces.

There is a statement from one Michael Kelly that he saw police officers entering the house on two occasions.

The Compensation Committee recommends the payment of \$15,000.00 to Miss Lyons for replacement of the door and lock. This amount is in keeping with the invoice and receipt submitted.

Miss Ionie Major lives at Flat B, Building 21, Seaga Boulevard. On May 24, 2010, according to her statement to the Public Defender, soldiers came to her house inquiring whether her son had been firing shots at them. They searched her house. In the process, they damaged a washing machine, a glass table, a small coffee table, a dvd, a television set and a component set. Her total loss was put at \$62,348.00. The Ministry of Labour and Social Security gave her the sum of \$15,000.00. **The Committee recommends that she be given an additional sum of \$50,000.00 to compensate her for her loss.**

Mr. Audley Malcolm is a businessman who operates a restaurant at 7 ½ Darling Street Kingston. He gave a statement to the Public Defender on February 21, 2011. He was invited to appear before the Compensation Committee and he did so on July 12, 2017.

Mr. Malcolm lives at 58 Oxford Street Kingston. He, his mother and his son were at home during the incursion. He said he felt safe enough to venture out of his premises on either May 27 or 28, 2010. Having done so, he went to his restaurant and discovered that the glass door was shattered and there were bullet holes on the wall and in the ceiling. Missing from his establishment were a 36-inch Sony television set, an air-conditioning unit, and a computer.

Photographs of the damage and invoices relating to the missing items were submitted to the Compensation Committee. We are satisfied that the damage and losses sustained by Mr. Malcolm were a direct result of the incursion which prevented him from overseeing his property – he being unable to venture out of his house.

In the circumstances, **the Committee recommends the payment of \$320,000.00 to Mr Malcolm as compensation.**

Miss Lavern Mansel lives at 1 McKenzie Drive. She saw men near her house packing sandbags at a big hole in a wall. She left her premises on May 24, 2010, and returned on May 27, 2010. Her house was damaged, and it had been ransacked. She found books in water on the floor, washing machine, dresser drawer handle and fan damaged. She had some bags of cement which she said were “stabbed up”. A window was broken and a playstation missing. She received a grant of \$15,000.00 from the Ministry of Labour and Social Security.

The Compensation Committee recommends payment of a further sum of \$190,000.00 as compensation.

Miss Meredith Mantel lives at 70 Pink Lane, Kingston 14. She is a construction worker at the May Pen Cemetery. On May 24, 2010, she left her home and went to Craig Town. She remained there until July 23, 2010. On her return, she observed damage to the ceiling of her house, and the lock on her door was missing. **The estimated cost of repair and replacement is \$80,000.00. The Committee is not satisfied that the estimate is reasonable. We recommend the payment of \$50,000.00 in the circumstances.**

Miss Annette Marshall gave evidence before the Commission of Enquiry which found that her house “was probably damaged by a mortar” on May 24, 2010. The Enquiry also found that there was further damage done on May 27, 2010, by police officers while they searched the premises. The Enquiry concluded that the police “used more force than was necessary since, by that date, Tivoli Gardens had been pacified.”

Miss Marshall gave evidence before the Compensation Committee on April 25, 2017, and we have no reason to depart from the conclusions of the Enquiry which had indicated also that Miss Marshall’s losses required further investigation.

Miss Marshall lives at 5 Wilton Hill Drive, Tivoli Gardens. She was at home on the dates in question with her father Lloyd Marshall, her children Shakeila Pitterson and Delo Pitterson, and her nephew Arielle Williams. The mortar damaged the floor and ceiling of the two bedroom concrete structure as well as small items such as glasses and figurines that were dislodged from their regular positions. In the search for guns and ammunition, the police damaged windows, clothing, settee, and refrigerator, among other things.

The Committee was shown photographs of some of the damage.

It is clear that substantial damage was done to Miss Marshall’s house and belongings. The Committee recommends that she be compensated in the amount of \$250,000.00.

Miss Hermine Martin lives at Building 4 Flat F Kingston 14. She received a grant of \$15,000.00 from the Ministry of Labour and Social Security in respect of damage done to her property by the security forces. **The Compensation Committee recommends that she be paid a further sum of \$15,000.00** to take care of the labour charges which were not factored in her estimate.

Mr. Oral Martin, a security officer, lives at Building 31, Dreckett’s Place. On May 24, 2010, he was at his residence with his girlfriend Miss Dahlia Daniels. He heard what he thought were “gunshots and sounds of explosive devices”. His living room door was damaged by the explosions and “flung open”. As his residence

“was no longer safe”, he and his girlfriend went downstairs where “Miss Gloria” lives. This is a reference to Miss Gloria King. They remained there until the next day when Mr. Martin was taken into custody by a soldier. He was detained at Seprod Ltd until May 27, 2010. Upon being detained, Mr. Martin had his mobile phone, driver’s licence and debit card taken from him by the soldier. The mobile phone was not returned to him upon his release. His statement does not put a value on the phone.

Mr. Martin returned to his house on May 27 to find that another door had been damaged and that the locks had been cut off. The explosion had also blown a hole in the perimeter wall.

Mr. Martin submitted a pro-forma invoice in respect of the doors and locks. **The amount claimed for these is \$9,360.00.** Although he did not give a figure for the phone, **the Committee recommends that he be paid \$30,000.00 to cover the amount on the pro-forma invoice and the estimated cost of the phone that he described in his statement.** He requested compensation for the days he was in detention. This is outside the Committee’s terms of reference.

Miss Keisha Masters lives at 14½ Wellington St. She is a photographer and graphic artist. On June 7, 2010 she received a call that soldiers wanted to get into her house. She went to the house to find that the soldiers had already gained entrance. She said that everything was on the ground, including her computer monitor which was on its face. The monitor had a big black mark on its “face”, and has not worked since.

Miss Masters produced invoices which show that it would cost \$152,748.00 to purchase a new CPU and monitor; whereas it would cost \$16,919.98 to purchase a new monitor and \$12,337.50 to repair the CPU. In the circumstances, the Committee recommends the grant of \$30,000.00 to Miss Masters to repair the CPU and to purchase a new monitor.

Miss Donna Matthan gave evidence before the Compensation Committee on June 1 2017. She describes herself as a higgler who operates a shop on Spanish

Town Road in the vicinity of Pink Lane and Oxford St. She sells grocery items, as well as pots. Having locked up her shop on May 22, 2010, she was not able to return to it until May 29, 2010. She discovered then that her shop had been broken into by the security forces, and items removed thereafter.

She values her loss which includes a refrigerator at \$100,000.00, and estimates that it would require a similar sum to repair the damage done to the shop.

There is a statement from one Lloyd Brissett that the police used a crowbar to gain entry into Miss Matthan's shop as well as that of Miss Etta Shaw, and that on the next day both shops were "all scraped up by tractor and bulldozer", on instructions of the KSAC.

The Committee accepts that Miss Matthan suffered property loss but it is not satisfied with the figures presented by her which seem to be exaggerated guesses. **In the circumstances, the Committee recommends the payment of \$50,000.00 as compensation to Miss Matthan.**

Mr. Kareem McBean lives at 2 Shearer Drive. He sells phone cards from his residence by use of a phone card machine. Mr. McBean gave evidence before the Compensation Committee on April 25, 2017. He said that on Thursday May 27, 2010, he was at his home with family members when members of the constabulary kicked his front door open, splitting it. The force of the kick caused the lock "to bend and eventually give way and break apart".

Mr. McBean said he and his family members were placed to "kneel down outside".

They were eventually detained in a building on Seaga Boulevard at premises owned by "Miss Cherry". When he returned home, his house had been ransacked, windows damaged, clothes strewn on the floor, and phones and \$52,000.00 from phone card sales missing.

The Compensation Committee accepts Mr. McBean's evidence as far as it relates to his losses and **recommends that he be paid the sum of \$77,000.00 as compensation.**

Mr. Michael McCalla lives at 11 Seaga Boulevard, Kingston 14. On May 26, 2010, Mr. McCalla was at home with his wife and children. His 2001 Mark II Toyota motor car was parked on Shearer Drive. It was visible from Mr. McCalla's residence. During the day, while watching from the window of his washroom, Mr. McCalla saw members of the security forces walking around the car. He heard the sound of gunshots and saw the security forces open the doors and enter the car. Later, members of forces came and searched his house.

On the following day, Mr. McCalla noticed that the entire car had been shot up. The Compensation Committee viewed photographs of the damaged vehicle.

There is an estimate of the cost of repairs submitted by someone at 115 Maxfield Avenue. The Compensation Committee considers that the estimate of \$587,000.00 is somewhat high. In the circumstances, the **Committee recommends the payment of \$400,000.00 as compensation to Mr. McCalla.**

Miss Joan McCarthy resides at Building 22, Seaga Boulevard. She received a grant of \$15,000.00 from the Ministry of Labour and Social Security. She gave evidence before the Commission of Enquiry which found that there was "no doubt that the security forces damaged (her) house". It was determined at the Enquiry that the "gunshot marks and the blood upstairs in Ms. McCarthy's house were the result of shooting by members of the JCF".

The Compensation Committee has considered the evidence of damage presented and the estimates of the loss. In the circumstances, the Committee **recommends that a further sum of \$30,000.00 be paid to Miss Joan McCarthy.**

Miss Susan McCarthy lives at Building 33 Flat 3 Dreckett's Place. She received a grant of \$15,000.00 from the Ministry of Labour and Social Security.

On May 24, 2010, she and her children were taken from their home by soldiers and detained for 3 days. On her return to her house, she observed that significant damage had been done to it during her absence. The items damaged included her bed, television set, 2 fans, entertainment centre, and refrigerator. The estimate of

damage is reasonable. **The Compensation Committee recommends the payment of an additional sum of \$90,000.00 to her as compensation.**

Miss Suzette McCarthy (otherwise called “Hilda”) lives at Building 33 Flat 3, Dreckett’s Place, Kingston 14. The Ministry of Labour and Social Security gave her a compassionate grant of \$15,000.00 in respect of damage that was done to her property by the security forces. Among the items damaged were a mattress, a television set, a washing machine, a dresser and a chest of drawers. She estimates her loss as being about \$84,000.00.

The Compensation Committee recommends the payment of a further sum of \$35,000.00 to Miss Suzette McCarthy as compensation.

Miss Jane McFarlane was residing at 17 Wilton Hill Drive at the time of the incursion. She gave evidence before the Commission of Enquiry. In their report, the Commissioners agreed with Miss McFarlane’s description that on May 28, 2010, her house resembled “a slaughter house”. It had been the scene of the killing of Miss McFarlane’s son Martin Lindsay and her nephew Oshane Walker. The Commission found that both young men were “more than likely murdered in Miss McFarlane’s house, by unidentified members of the JCF”.

The damage done to Miss McFarlane’s house and her losses are stated in her evidence before the Commission. There is no need to repeat the details here. It is sufficient to say that the Compensation Committee has taken full note of it, and notes also that Miss McFarlane received a grant of \$15,000.00 from the Ministry of Labour and Social Security in relation to her material loss and \$50,000.00 towards the funeral expenses for her son. As regards her claim for compensation for the damage done to her house and its contents, **the Compensation Committee recommends the payment of a further sum of \$1.5 million dollars and US\$3,000.00.**

Mr. Willis McFarlane and his brother Trevion gave evidence before the Commission of Enquiry. Each received \$250,000.00 from the Ministry of Labour

and Social Security. The Commission found them credible. They also gave evidence before the Compensation Committee on March 9, 2017. Notwithstanding the finding of the Commission of Enquiry, the Committee notes that Mr. Trevion McFarlane evaded several questions posed to him during our sitting. It may well be that he is suffering the effects of the incursion at this stage, especially when we consider that he said that his family has drawn away from him since the events of May 2010.

Mr. Willis McFarlane is a jerk vendor living at 1 McKenzie Drive. Not only was his house destroyed by fire but his fowl coop suffered a similar fate.

The Compensation Committee accepts his evidence as to his losses and recommends the payment of a further sum of \$700,000.00 to him as compensation. In the case of his brother Trevion, the Compensation Committee does not see the need for further compensation as it appears that he may well have exaggerated his claim.

Mr. Michael McKenna is a British subject who was visiting his wife's aunt at 1 McKenzie Drive. He had been in Jamaica since April 2010. His wife is Marshina McLaren McKenna whose house is at 12 Dreckett's Place.

During the incursion the premises were destroyed by fire and Mr. McKenna lost several personal items which he said amounted to £3310 in value. This included £1500 in cash.

Mr. McKenna was hospitalized as a result of the aggravation of an old injury to his leg. This occurred when he was ordered into a truck by soldiers. He was discharged from hospital on June 24, 2010.

The Compensation Committee recommends the payment of the sum of \$300,000.00 as compensation.

Miss Karen McKenzie of Building 11 Flat H Fung Yee Terrace received a grant of \$15,000.00 from the Ministry of Labour and Social Security for damage done to 2 doors, a television set and an entertainment centre during a search by members

of the military. The invoices suggest that the payment was insufficient. **The Compensation Committee recommends the payment of an additional amount of \$25,000.00 to Miss McKenzie.**

Mr. Ian McIntosh lives at 1 McKenzie Drive. His house was a one-bedroom, one-bathroom 22 ft x 24 ft. He is an electrician. He gave evidence before the Compensation Committee on March 30, 2017. He said that on May 24, 2010, soldiers and police entered the community “shooting at buildings, just shooting everywhere”. He locked up his house and went to Zackey Avenue. He returned to his house on Wednesday and found “everything just burn right down to the ground flat, flat.”

He gave a vivid description of how nice his house and its contents were. It was well furnished. He said: “My house, everybody know it; they usually say me rich but me not rich. I just like living comfortable, me had everything in me house – bathroom, furniture in me house”.

The Ministry of Labour and Social Security made a grant of \$250,000.00 to Mr. McIntosh. **The Compensation Committee recommends the payment of a further sum of \$500,000.00 to Mr McIntosh as compensation.**

Miss Opal McKenzie and Mr. David Drummonds live at Building 44 Flat 8 Bustamante Highway.

On May 23, 2010, Miss McKenzie parked Mr. Drummonds’ Honda Fit motor car in the parking lot at the residence. On May 24, 2010, there was much gunfire in the area and she remained indoors while Mr. Drummonds was at work as a security officer elsewhere. On May 25, 2010, at about 4:00 p.m., Miss McKenzie looked through her window and saw policemen and soldiers in the vicinity of the car. She noticed that there was a hole in the rear windscreen. The following day, she examined the car and noticed that it was extensively damaged.

A wrecker removed the car to the premises of Superior Parts Ltd where an estimate of the damage was done. A complaint was made to the Denham Town Police.

In keeping with the estimate of damage, the Compensation Committee recommends the payment of \$342,000.00 as compensation to Mr Drummonds.

Miss Audrey McLean is a vendor who sells in the Coronation Market. She lives at 25 Riverside Drive, Havendale. On May 22, 2010, she secured her shop in the market and went home. Between May 23 and May 27, 2010, she received several calls from her sisters in relation to the destruction by fire of sections of the market. She returned to her shop on May 29, 2010, and according to her, she saw “pure ash”. **The Committee is satisfied as to the genuineness of her claim for the loss of her shop and the goods therein. Having examined the invoices presented, the Committee recommends that she be paid a sum of \$160,000.00 , made up as follows - \$130,620.00 for goods lost, and \$29,000.00 for a new shop.**

Miss Nicole McLean lives at 69 Dee Cee Avenue, Tivoli Gardens. On Thursday May 20, 2010, she locked her house and went to Cassia Park. She returned on Saturday May 22, and left again on that day for Cassia Park. On Tuesday May 25, a neighbour named Marlon informed her by telephone that soldiers had kicked open her door, and the premises were now exposed. She tried to return to Tivoli to lock her house but she was not allowed access until Friday May 28. She repaired the door and went back to Cassia Park.

Prior to leaving, Miss McLean noticed that damage had been done to the roof and ceiling of her house, as well as to her Daewoo washing machine and dryer. There were also missing window louvre blades.

On the basis of photographs that were placed before us, and pro forma invoices in respect of the door, lock, and washing machine, the Committee recommends that she be paid the sum of \$60,000.00 as compensation.

Mr. Germaine McLeod now resides at 15 Mais Close (Apt 2) Central Heights, Spanish Town. He used to live at 22 Harold Path in Tivoli Gardens, and operated a games shop on the same premises. Since the incursion he has not lived in Tivoli Gardens; rather he has been moving around in keeping with his ability to pay the

residential rental charged. Mr. McLeod gave evidence before us on August 29, 2017, and bemoaned the fact that the incursion has caused him to “lose stability”. He also gave evidence before the Commission of Enquiry and was, understandably, annoyed that he had to be repeating the narrative of his experiences during the incursion.

On May 24, 2010, Mr. McLeod and other members of his household went to a neighbour’s house after they heard the sound of gunshots approaching their house. Soon, members of the security forces came to area and ordered them outside. Mr. McLeod said he was ordered by a soldier to lie on the ground. Having complied, he was beaten with “branches and baton” and detained until May 28, 2010. The Commission of Enquiry accepted Mr. McLeod’s evidence of having been beaten and injured. Likewise does the Compensation Committee. However, we note the absence of medical evidence to indicate the extent of the injuries.

Mr. McLeod’s house was one of many that were destroyed by fire. On June 30, 2010, he supplied the Public Defender with a list of possessions that were destroyed. The list includes game systems that he had taken from his game shop thinking that they would have been safer in his house. Having considered Mr. McLeod’s evidence and examined the list of items, **the Compensation Committee recommends the payment of the sum of \$1.5 million to Mr. McLeod as compensation.**

Miss Hazel McLeod lives at Block C, Block 19, Tivoli Courts. In her statement to the Public Defender, she said that during the evening of May 24, 2010, she was at her home with her adult children and three grandchildren. Soldiers came to her house and while using expletives ordered them to come outside. They were placed in an apartment on the first floor, and then the men were separated from the women and children and placed elsewhere. The women were eventually moved to another apartment where they were placed under guard by the soldiers. They were allowed to return to their house on Thursday May 27, 2010. They observed that several items had been damaged, including the board partition to Miss McLeod’s bedroom. Clothes were strewn about. There were gunshot holes on the door and walls; the pipe for the water pump had also been

shot. The door to her what-not as well as the doors and glass for the buffet had been smashed.

At the time of this incident, according to Miss McLeod, the police had not yet entered the community – only soldiers were there.

Miss McLeod presented pro forma invoices in respect of the damaged items along with estimates for labour costs. In the circumstances, the Committee recommends a payment to her of \$55,000.00 as compensation.

Mrs. Jassette McPherson lives at Building 20 Flat B Seaga Boulevard. On May 24, 2010, she was at home with her husband. Soldiers came to their house and searched it while they were put to lie on the outside. Next day at midday, another set of soldiers came and searched the house. During that search, a soldier used a gun to damage a washing machine. The replacement cost of the washing machine is \$68,848.83. The Ministry of Labour and Social Security made a compassionate grant of \$15,000.00 to Mrs. McPherson. **In the circumstances, the Committee recommends that she be paid a further \$55,000.00 to compensate for the damage done.**

Mr. Jonathan McPherson gave evidence before the Commission of Enquiry. At page 178 of the Report of the Enquiry, it is stated that he received \$15,000.00 from the Ministry of Labour and Social Security. There is an error in the amount stated as Mr. McPherson actually received \$75,000.00. He lived at 6 Shearer Drive, Tivoli Gardens. On May 24, 2010, he went to his mother-in-law's premises and remained there for 4 days. On his return, his house was damaged as there were gunshot holes in the windows and ceiling. Tiles were dug up, and his microwave oven and television set were damaged. The tyres on his car were slashed. He provided an estimate which indicated a total loss of \$98,000.00. The Compensation Committee has been informed that Mr. McPherson has died since the Enquiry. **In the circumstances, the Compensation Committee recommends that a further sum of \$23,000.00 be paid to Mr. McPherson's estate.**

Miss Pamela Miles is a cook living at Building 1, Levy Path, Tivoli Gardens. She gave evidence before the Compensation Committee on July 11, 2017. She said that on Sunday May 23, 2010, she secured her house and went to stay at the residence of her church sister Miss Rosemarie Fogo at Building 40, Bustamante Highway, Kingston 14.

On returning home on Wednesday May 26, 2010, she noticed that the entrance door had been damaged. Her French window and dresser had gunshot holes. Her washing machine was damaged, and two mobile phones were missing. She also missed several items from her washroom. These included seven pairs of curtains and a popcorn machine.

The Compensation Committee is satisfied that Miss Miles suffered the losses that are the subject of her complaint. She received a grant of \$15,000.00 from the Ministry of Labour and Social Security. Having examined the pro-forma invoices presented, **the Committee recommends that she be paid a further sum of \$150,000.00.**

Miss Gloria Miller resides at 1 Levy Path. She is a higgler. On May 24, 2010, she was at her home when she heard what she described as “explosions sounding like bomb and gunshots” nearby. She and other occupants of the house ran to 16 Dee Cee Avenue where they remained until the next day when members of the constabulary came to those premises. They were interrogated and ordered to return to their house. Miss Miller and her family members complied.

The police followed and, according to Miss Miller, proceeded to search the house. They used a metal bar to dig into a freezer, and they cut a settee and bed. They also tore down the ceiling, and damaged windows a dresser glass and a television set.

According to Miss Miller, her car and her common-law husband’s van which were parked outside were shot up.

No documents signifying ownership of these vehicles were produced. No recommendation is being made in respect of them.

As regards the damage to the windows and household items, the Compensation Committee takes into consideration the pro-forma invoices presented in support and concludes that the sum of \$152,000.00 would cover the losses sustained. The Ministry of Labour and Social Security made a grant of \$75,000.00 to Miss Miller. **The Compensation Committee recommends the payment of a further sum of \$77,000.00 as compensation.**

Mrs. Pauline Brown Miller lives at Building 13, Apt B, Bustamante Highway. On May 23, 2010, she left her house and went to be with her mother at Fong Yee Terrace. While there, a neighbour called her to say that soldiers were in the area. When she returned on May 27, 2010, she observed that much damage had been done to her house and contents. The front door and a door to a washroom were damaged. There was also damage to tools, a chest of drawers, mattress, a chair, 3 piece settee, and an electric shoe shiner. **The Committee is satisfied that the cost of rectifying the damage done is in the region of \$94,250.00. The claimant has already received \$15,000.00 from the Ministry of Labour and Social Security. In the circumstances, the Committee recommends a further payment of \$80,000.00 to compensate Mrs. Brown Miller.**

Miss Karlene Mills lives at 87 Bustamante Highway Kingston 14. In her statement to the Public Defender on July 15, 2010, she described herself as a housekeeper. She gave evidence before the Compensation Committee on June 1, 2017. She said she is a dressmaker, and was at home on May 24, 2010, with some family members and friends. She heard “gunshot firing, like bomb dropping heavily”. There was “heavy jerking at all times”; “...right throughout the day gunshot, gunshot, firing right through like missile dropping”, she said.

Members of the security forces conducted a search of the premises, indicating that they were looking for gunmen, gun and ammunition. Nothing incriminating was found. It should be mentioned that Miss Mills was quite tearful at times during her testimony, as if she was reliving the unfortunate events of that day. She mentioned that when she eventually came outside, she saw “...blood and

them a throw the dead pon di truck. Di truck a drain the blood pass mi yard. All dem sight deh”.

Miss Mills’ house was damaged as a result of the gunshots and explosions. The main area of damage was the roof. She said that she has spent over \$20,000.00 on repairs of her house so far, and would need about \$200,000.00 to complete the repairs.

The Compensation Committee, having considered the damage and the invoices presented, recommends that Miss Mills be paid the sum of \$120,000.00 as compensation.

Mr. Michael Mitchell lives at 9 Charles St, Kingston. He gave evidence before the Compensation Committee on April 20, 2017. The Committee was impressed by his evidence and finds that there was substantial damage done to Mr. Mitchell’s house. On May 27, 2010, members of the constabulary used a “machine” to cut the “steel gate” to Mr. Mitchell’s premises and having entered the house by kicking down the door, they proceeded to “mash up” the place. That was how Mr. Mitchell described the conduct of the police.

The Committee was shown photographs of the damage done, particularly that in respect of the ceiling.

Having considered the estimates provided, **the Compensation Committee recommends the payment of the sum of \$200,000.00 to Mr Mitchell as compensation.**

Miss Tamecia Mitchell lives at 21 Elgin St., Board Villa, Denham Town. She operates a cook shop across from her house. She left the community on May 23, 201, and returned on May 27, 2010. She noticed that her microwave, deep freezer, washing machine and door were all damaged, and not capable of being repaired. They had bullet holes. The contents of the freezer were spoilt. The Committee considered the estimates presented in the form of pro forma invoices. **The total loss claimed by Miss Mitchell amounted to \$97,999.00. The Committee found the true loss to be \$93,434.00. In view of the fact that the**

Ministry of Labour and Social Security made a payment of \$15,000.00 to her, the Committee recommends that a further amount of \$80,000.00 be paid to her.

Miss Janet Marie Montequ had a change of name in October 2010. She was formerly **Janet Sudee**. The change of name became necessary due to the discovery of errors in the registration of her birth.

Miss Montequ resides at Dee Cee Avenue. She is a receptionist. She went to work in the city on May 22, 2010, and due to the operations of the security forces was not able to return home until May 25, 2010. She noticed damage to the front door and lock, her refrigerator and television set. There was also a hole in the roof. The initial estimate of loss given by her was \$79,600.00. However, this ballooned to \$246,633.00 by the time pro-forma invoices were submitted. **The Compensation Committee recommends the payment of \$100,000.00 to Miss Montequ as compensation.**

Mr. Errol Moodie resides at 19 Regent St., Kingston 14. At the time of the incursion, he was 52 years old. In his statement to the Public Defender, dated July 5, 2010, he describes himself as a saw man. He left his home for Trelawny on May 29, 2010. On June 10, 2010, he received a telephone call indicating that soldiers had “mashed up” his house. He returned home the following day and found the ceiling torn down, and his wall fan and component set not working. Two of his floor boards in front of his door as well as the linoleum on the floor had been taken up, and the wooden wall separating the verandah from the kitchen had been damaged.

Photographs confirming the contents of the statement were presented to the Compensation Committee.

Having carefully examined the pro-forma invoices presented, the Compensation Committee recommends that Mr. Moodie be paid the sum of \$49,000.00 as compensation.

Miss Trina Moore, aged 29 years and unemployed at the time of the incursion, resides at 3 Baugh Path. The house is owned by her father Sydney Moore who along with her mother, Sharon Duncan, live at the same address. Miss Moore occupies one room.

At about midday on May 25, 2010, she was on the ground floor when she heard gunshots. She remained downstairs until the next day. Upon going upstairs, she noticed that the gunshots had damaged the walls and windows, as well as 5 bags of cement and a denim jacket. The next day, 5 soldiers came to the house and conducted a search. During the search, a soldier used his gun to damage her Toshiba television set. She said in her statement that she was traumatized by these events.

Photographs of the damage were presented to the Compensation Committee. On the basis of the prices indicated in the pro-forma invoices submitted, **the Compensation Committee recommends the payment of \$53,000.00 to Miss Moore as compensation.**

Mr. Andy Morgan is a fisherman living at 20 Oxford St Kingston. On May 26, 2010, he was taken from his house by soldiers and detained until May 28, 2010. In his absence, his house was broken into and his television set and component set stolen.

The Compensation Committee recommends the payment of the sum of \$35,000.00 to him to cover the cost of the missing items and a door.

Mrs. Erline Smith Morgan lives at 72 Zacky Avenue, with her husband Everton. She sells herbal products. Mrs Morgan gave evidence before the Compensation Committee on June 6, 2017.

On May 24, 2010, at about 3:00 p.m. while at her home, she heard gunshots and a helicopter. The gunshots damaged her property. Windows, doors, a portion of wall, a settee, a dresser, and a television set were damaged.

Mrs. Morgan has carried out some repairs and gave evidence before us as to the cost of those repairs. She estimates that it would take about \$150,000.00 to compensate her for her loss. Having examined the receipts and invoice presented by her, **the Compensation Committee agrees with her estimate, and recommends the payment of \$150,000.00 to her as compensation.**

Miss Paula Morgan, a hairdresser, resides at 35 Dreckett's Place, Kingston 14. She gave evidence before the Compensation Committee on June 27, 2017. She said that she left her residence on May 22, 2010, due to the unrest in the area. With her were two of her children. They went to Waterhouse, leaving her late mother Miss Elaine Edwards and Miss Morgan's oldest daughter.

Miss Morgan's hairdressing parlour was a board shop in front of the house. In it were, a fan, a component set, a dryer and varied hair dressing products.

During Miss Morgan's absence, the door to her shop was destroyed and the fan, component set and dryer damaged. In a statement dated April 6, 2011, the late Miss Elaine Edwards graphically related how members of the security forces had damaged the door and equipment in the parlour. She was able to view them doing so from upstairs.

The hair dressing products disappeared. Miss Morgan's loss in this regard totals \$58,705.00. The Compensation Committee estimates that it would take a minimum of \$7,000.00 to replace the damaged door. **The Compensation Committee therefore recommends the payment of \$66,000.00 to Miss Morgan as compensation.**

Miss Leonie Morrison of 38 Dee Cee Avenue is a cosmetologist. The sound of a bomb as well as gunshots caused her to flee from her premises on May 24, 2010. When she returned on May 27, 2010, she discovered that her hair products were smashed and mixed up with cement and grout that were in her living room.

In the dining room and other areas of her house, there was blood. Her furniture and household equipment and goods were damaged. In the bathroom, tiles were taken from the wall and the toilet cover broken. A queen-sized "blow-up bed" and

a mattress were destroyed. She claims that the sum of \$152,000.00 was taken from a chest of drawers.

Miss Morrison received a grant of \$75,000.00 from the Ministry of Labour and Social Security.

The Compensation Committee is of the view that the sum of \$75,000 is inadequate given the level of damage, and **recommends the payment of a further sum of \$50,000.00 as compensation.**

Miss Veronica Muirhead of 12 Dee Cee Avenue, Flat 12, gave evidence before the Commission of Enquiry. She said that members of the security forces damaged a closet and the ceiling of her house. She estimated that it would cost **\$46,000.00** to repair same. The Compensation Committee **recommends the payment of that amount to her.**

Miss Brizzel Nelson lives at 1 McKenzie Drive in a two bedroom concrete and board house. Sharing the accommodation with her are her children Christian Robinson and Sanika Harris, as well as Sanika's father Carlton Harris.

Her house and all its contents were destroyed by fire on or about May 25, 2010. She provided to the Public Defender a list of the items destroyed. Photographs of the spot were also taken by the Public Defender's investigator. She has since been re-housed at the same address.

Miss Nelson gave evidence before us. She confirmed that she received \$250,000.00 from the Ministry of Labour and Social Security. In her opinion, it would require a further $\frac{3}{4}$ million dollars to compensate her.

The Compensation Committee has carefully examined the list of items allegedly destroyed in the fire and the pro-forma invoices that speak to their possible replacement. The cost is in the region of \$690,172.21. The Committee having deducted from that amount the sum already paid to Miss Nelson and having made certain adjustments, **recommends that she be paid a further sum of \$400,000.00 as compensation.**

Mr. Peter Nelson lived at Building 16, Flat J Tivoli Gardens. Sadly, he was murdered shortly after the Compensation Committee commenced its sittings. He was a vendor in the Coronation Market at the time of the incursion. He owned 5 stalls and a 3-ton truck which were all destroyed in the market by fire on May 24, 2010.

He submitted a letter from his insurer that the truck was covered by third-party policy so there would be no compensation, in any event.

Mr. Nelson received a grant of \$150,000.00 from the Ministry of Labour and Social Security. On the basis of the extensive records submitted by Mr. Nelson indicating the nature of his business transactions, the Compensation Committee is satisfied that his loss would have been over one million dollars. In the circumstances, the Committee recommends that his estate be paid a further amount of \$850,000.00 as compensation.

Mrs. Camaleta Nelson Nembhard lives at Apt 73 Block C Tivoli Court. She is a higgler with a stall in the Coronation market. On Sunday May 23, 2010, Mrs. Nelson-Nembhard went to church at Beeston St but was unable to return home due to the blocking of roads and the firing of gunshots. She eventually returned home on Wednesday May 26, 2010, and discovered that her house had been badly damaged – specifically, the front and middle doors, the awnings, a window, a water tank atop the house and pipes. She missed money, 2 watches and a television set.

Miss Pearline Brissett who lives at Apt 75 Building C had called Mrs. Nelson-Nembhard while the latter was at church to advise her that police and soldiers had damaged her house. Mrs. Nelson-Nembhard said that Pearline had positioned her phone in a manner that allowed her (Mrs. Nelson-Nembhard) to hear the gunshots that were being fired.

Miss Brissett gave to the Public Defender a statement in which she said that she saw members of the security forces “shoot off the grill lock and kicked off the middle door” and then enter the house.

On June 25, 2010, Mrs. Nelson-Nembhard gave an estimate of the cost of the items damaged or lost in her house as well as in the market where her stall and contents had been totally destroyed. The Ministry of Labour and Social Security gave her the sum of \$15,000.00 which was of course inadequate. In the circumstances, having examined the estimate of loss, **the Compensation Committee recommends the payment of a further sum of \$646,000.00 as compensation.**

Mr. Roger Nelson of 23 Vebena Avenue Kingston 11 gave evidence before the Compensation Committee on March 2, 2017. He has been a long-standing vendor in the Coronation Market. His operation is a relatively large one as he does his business from containers. At the time of the incursion, he had one container and 2 shops. He now has 7 containers and does his own importation.

He was in the market on May 24, 2010, at the time the fire started. He was taken by soldiers to the Mobile Reserve where he was detained until May 27, 2010. On his release, he went to the market and noticed that his container had been shot up and products spoilt. The cooling system of the container had been damaged. He lost many bags of food items such as peas and Irish potato. His estimated loss was \$1,515,000.00. He spent \$220,000.00 to repair the container but it was not returned to its former efficient state. Consequently, he sold it for \$100,000.00.

Miss Sandra Bullock, market manager, saw the damaged container and the spoilt goods.

Mr. Nelson was a witness who impressed the Committee. He was clearly truthful in every respect. He produced documents which prove the authenticity and size of his business. The Committee has taken note of Mr. Nelson's entrepreneurial spirit and recommends its replication.

The Committee is of the view that Mr. Nelson should be compensated for the loss of the container valued at \$320,000.00 and his goods valued at \$1,515,000.00. **Taking into account the sum of \$150,000.00 that Mr. Nelson received from the Ministry of Labour and Social Security, the Committee recommends that he be paid a further sum of \$1,685,000.00 as compensation.**

Mr. Horace Newton resides at Apt 174 Block H Golden Heights Denham Town. He owned a 1996 Toyota Corolla motor car registered 4855 ES. It was “shot up” by members of the security forces. Having examined the damage done and the estimates supplied, **the Compensation Committee recommends the payment of the sum of \$32,000.00 as compensation.**

Miss Roselyn Newton gave evidence before the Commission of Enquiry. She also gave evidence before the Compensation Committee on March 30, 2017. She lives at 52 Lenford Path Kingston 14. Miss Newton’s claim as set out in her statement to the Public Defender in July 2010 is in respect of damage to household items, phones taken by soldiers and cash and wigs missing. She and other family members had been forcibly removed from her home. The Commission of Enquiry found that “the damage to her property suggests that it was caused by soldiers during the house clearing exercise to secure the sector”. Her estimate was that she had suffered loss and damage totalling \$183,000.00.

She received a grant of \$15,000.00 from the Ministry of Labour and Social Security.

Having assessed all the evidence given by Miss Newton, **the Compensation Committee recommends that she be paid an additional sum of \$135,000.00 as compensation.**

Miss Sasha Nugent is a security officer. At the time of the incursion she was a shopkeeper living at 1 McKenzie Drive. She still lives there. She gave evidence before the Compensation Committee on March 30, 2017. She said that her shop was “on the play field, entrance to Tivoli Gardens”.

Miss Nugent said that her house was destroyed by fire and she lost everything. The fire occurred on May 25, 2010. Miss Nugent was staying with her mother on Zackey Avenue at the time of the fire. She returned to her home on May 28, 2010 and observed the destruction. As regards her shop, it was broken into and equipment damaged. The goods in the shop were missing. This discovery was made on June 2, 2010.

Miss Nugent has a son whose father is one David Chen. A claim was also made by Mr. Chen for loss suffered by him. The Compensation Committee has carefully considered not only the evidence of Miss Nugent, but also the various statements given to the Public Defender by her and Mr. Chen. In view of the discrepancies noted, the claim of Mr. Chen has been denied and in respect of Miss Nugent, much of what she said has been discounted.

Miss Nugent said that her losses totalled about one million dollars as regards her house and “A little bit under \$1 million” for the shop. The Compensation Committee accepts that she suffered some loss, and notes that the Ministry of Labour and Social Security made a grant of \$250,000.00 to her. **In the circumstances, the Committee recommends that she be paid a further sum of \$250,000.00 as compensation.**

Miss Melisa Osbourne is a shopkeeper at Building 4 Sangster Crescent. She received a grant of \$15,000.00 from the Ministry of Labour and Social Security. On May 24, 2010, she secured her house and went downstairs to be with one Donette. Soldiers came and ordered her and others out of the building. She remained outside for approximately 10 hours, she said. When she was allowed to return home, she discovered that the door to her house, items of furniture and appliances had all been damaged.

On the basis of the pro-forma invoices in respect of the items damaged, **the Compensation Committee recommends the payment of a further sum of \$41,000.00 to Miss Osbourne.**

The Compensation Committee had the benefit of viewing photographs of the damage.

Miss Pauline O’Sullivan resides at Building 32 Flat 5 Tivoli Gardens. She is a vendor who sells in the Coronation Market. On May 25, 2010, soldiers removed her and other family members from her house. She returned on May 28, 2010, and found damage had been done to her household items such as a television set,

sofa, entertainment centre, and her 7-drawer dresser. The total loss was estimated at \$130,000.00.

The Ministry of Labour and Social Security made a grant of \$15,000.00 to Miss O'Sullivan. **The Compensation Committee recommends that a further sum of \$115,000.00 be paid to her.**

Miss Francella Palmer is a vendor who resides at 19c Bread Lane. She suffered losses in the Coronation Market as a result of the fire there. She received a grant of \$50,000.00 from the Ministry of Labour and Social Security. Having reviewed her statements and the supporting statement of her supplier Mr. Everton Anthony Blackwood, the Compensation Committee is of the opinion that her losses amounted to approximately \$94,400.00. In the circumstances, **the Committee recommends that she be paid a further sum of \$44,400.00.**

Miss Janet Palmer resides at Lot 78 Tivoli Court. Members of the military ordered her, her mother, grandmother, sons and other family members out of the house. They were allowed to return on the following day. At that time, Miss Palmer noticed damage to a partition, a mattress and a bed. Foodstuff was missing from her refrigerator. Her son Davion McKoy missed a gold chain and pendant and a pair of Tags (silver) with his initials, given to him by his grandfather.

The Compensation Committee takes into consideration the fact that Miss Palmer received \$15,000.00 from the Ministry of Labour and Social Security, and **recommends the payment of an additional amount of \$46,000.00 to her, and the sum of \$16,000.00 to Mr. Davion McKoy for the jewellery lost.**

Mr. Oniel Palmer resides at Apt 3 Old PWD Building, 1 McKenzie Drive. He is a security worker whose house was ransacked while he was in detention between May 26 and 29, 2010. The items damaged were a door, a television set, a microwave oven and a dresser. He received a grant of \$15,000.00 from the Ministry of Labour and Social Security. Taking into consideration the various costs indicated in the pro-forma invoices submitted, **the Compensation Committee**

recommends that Mr. Palmer be paid a further sum of \$55,000.00 as compensation.

Mr. Shawn Palmer of 1 McKenzie Drive complained that soldiers ordered him outside while they searched his house. He was taken into custody and released on May 29, 2010. On his return home, he noticed that the front door was damaged, with the latch torn off. There was also a long crack in the side of the board structure. His component set, video and computer were also damaged.

Mr. Palmer is a computer repair technician. He produced a receipt for \$36,000.00 representing the cost of repairs to the component set and computer. The Ministry of Labour and Social Security having given him \$15,000.00, **the Compensation Committee recommends that he be paid a further sum of \$21,000.00 as compensation.**

Miss Lavern Parchment is a vendor living at Block 3 Greenwich St. She rented a stall in the Coronation Market from the Kingston and St. Andrew Municipal Corporation. The stall and her stock were destroyed in the fire at the market. The Compensation Committee is satisfied that the stock lost was to the value of approximately \$187,000.00. Miss Parchment received a grant of \$50,000.00 from the Ministry of Labour and Social Security. In the circumstances, **the Compensation Committee recommends the payment of a further sum of \$137,000.00 as compensation.**

Miss Sophia Parson resides at Building 35 Flat 7 Tivoli Gardens. She received a grant of \$15,000.00 from the Ministry of Labour and Social Security. On May 24, 2010, she and her 4 brothers were detained for 4 days. On her return home, she observed that her house had been ransacked, settee cut open at the back, side and on the seat. Her Sharp television set was on the ground in water, and the back panel of the refrigerator had been knocked off. Neither the television nor the refrigerator was in working order. There were also gunshot marks on the wall and mirror in the bathroom and bedroom.

The total damage was approximately \$114,000.00. Having considered the grant to Miss Parson, **the Compensation Committee recommends the payment of a further sum of \$99,000.00 to her as compensation.**

Miss Janet Pastley, a cosmetologist of Lot 109 Apt B, Building D, Tivoli Gardens, gave a statement to the Public Defender on July 8, 2010. She said that on May 24, 2010, at about 6:30 p.m. she locked up her house and went with her son Andrew to Daphne Wilson's house at Lot 110. They went there because shots were being fired in the area and her son was "scared". Later that evening, at her request, a soldier took her back to her house to get Milo. She noticed that the front door had been damaged, in that the lock had been broken off. There was a man lying on the step. After she had completed her mission, the soldier took her back to Daphne Wilson's house. On May 26, 2010, according to her, she "got the chance to go back to (her) house". Later that evening, two policemen came and searched her house. Miss Pastley said that these policemen did no damage but they ransacked the house. About an hour after the policemen had left, two soldiers came and executed another search during which they tore the shalitek from the kitchen wall.

On Friday, May 28, 2010, several other soldiers came to search. During that search, they damaged the shalitek wall in the passage to the bathroom.

On July 13, 2010, Miss Pastley obtained an invoice from Rapid True Value showing the cost of materials to repair the damage done to her house at \$24,228.63. She received a quotation of \$20,000.00 as labour cost. On March 29, 2011, Miss Pastley gave a further statement in which she claimed that her washing machine had also been damaged during the searches. She also submitted an invoice for \$59,000.00 in respect of the washing machine.

The Committee did not entertain this latter claim as we do not understand how Miss Pastley could have forgotten to mention the washing machine when she gave her statement in July 2010. As regards the rest of her claim, the Committee recommends that she be paid \$45,000.00 as compensation.

Mrs. Terry-Ann Peat and her family were at their home at 165 Spanish Town Road when they heard a barrage of gunshots. They “went low” as it seemed that the shots were aimed at their house. When the shooting ended, there were about 13 gunshot holes in the windows, and other gunshot holes in the ceiling, two television sets, the middle room door and a dvd player.

Unfortunately, there were no photographs to show the damage complained of.

Having examined the invoices submitted, **the Compensation Committee recommends the payment of the sum of \$54,000.00 as compensation.**

Miss Tracey-Ann Peart is a mother of 2 children and she lives at 1 McKenzie Drive. She left home on May 21, 2010, for Old Harbour with the intention of returning home on Monday May 24. However, she could not enter Tivoli Gardens on that day due to the incursion. She returned to Old Harbour. When she returned the following week to Tivoli Gardens, she discovered that her house had been entered and damage done to items of furniture etc.

The Compensation Committee recommends the payment of \$56,000.00 to Miss Peart as compensation.

Miss Filesha Perry now resides in Kingston 19. At the time of the incursion, she lived at 1 McKenzie Drive with a gentleman, Mr. Sheldon Robinson, who is no longer her partner. Together, they had built the house in which they lived. The house and all its contents were destroyed by fire while Miss Perry and her partner were elsewhere in the community of Tivoli Gardens. Mr. Robinson has confirmed in writing to the Compensation Committee that he has no objection to Miss Perry receiving the full sum recommended for payment.

Miss Perry estimates that it would require a sum of \$3,000,000.00 to compensate for the loss that she and her partner suffered. She provided a detailed list of the items lost. Apart from the usual items of furniture and clothing, she lost documents such as her passport, birth and school certificates.

The Compensation Committee has carefully examined the list of items and the pro-forma invoices submitted. The Committee is satisfied that Miss Perry's loss in respect of household items and clothing amounts to approximately \$643,722.27. She received a grant of \$250,000.00 from the Ministry of Labour and Social Security. That reduces the amount to \$393,722.27. The Committee has decided to recommend an additional sum of \$50,000.00 for Miss Perry in respect of the replacement of her various certificates and passport. **The total recommended therefore is a further sum \$444,000.00.**

Miss Victoria Pessoa lives at 3 Levy Path. She received \$15,000.00 from the Ministry of Labour and Social Security in respect of damage done by bullets to her house. She said that soldiers repaired some of the damage but it was not done to her satisfaction.

The Compensation Committee has considered the sections of the house that were damaged, and **recommends that a further \$60,000.00 be paid to Miss Pessoa as compensation.** The Committee notes that Miss Pessoa was 92 years old at the time she gave her statement to the Public Defender.

Miss Joyce Petgrave resides at 1 Seacole Avenue. She stated to the Public Defender that soldiers fired shots into her house and damaged a component set and clock. The bullets also chipped the concrete ceiling. The behaviour of the soldiers had been triggered apparently by the fact that Miss Petgrave and her daughter had run into the house when they saw the soldiers coming.

Miss Petgrave received a grant of \$15,000.00 from the Ministry of Labour and Social Security. **The Compensation Committee recommends the payment of an additional sum of \$15,000.00** to compensate Miss Petgrave fully.

Mr. Darnley Phillips is a vendor living at 86 Lewis Path, Kingston 14. He obeyed the instruction, conveyed in a public announcement, to leave Tivoli Gardens. He said he did so urgently on May 24, 2010. His house was fully furnished. When he returned, it had been ransacked. His belongings were on the floor, his mattress

had been ripped and his refrigerator and television set damaged. His roof, he said, had also been ripped.

The Compensation Committee recommends the payment of \$285,000.00 to Mr. Phillips as compensation in keeping with the invoices presented.

Miss Elva Beverly Pinnock lives at 25 Columbus Drive Kingston 20. She is an established vendor in the Coronation Market. Prior to the incursion, she operated 4 stalls. She received a grant of \$150,000.00 from the Ministry of Labour and Social Security due to the fact that all her goods were destroyed in the fire at the market. She also lost the monies that she had received from the sales made.

Miss Pinnock gave evidence before the Committee on June 1, 2017. She is 75 years old. When asked whether the money she had received was sufficient to compensate her, she responded: “No sir; too small”. She was asked to give an idea of the amount that would be regarded as sufficient compensation, she said: “I lose a whole heap of things. If I was to sit down and check up what I lose probably it would get me madder”. She went on to say she would probably “get another stroke”.

Miss Pinnock said that she was in the market from the Friday before the incursion until the following Tuesday. Soldiers escorted her from the market then. Everything was burnt to ashes, she said. She lost not only the unsold goods, but also her passport and over \$300,000.00 cash from her sales. In order to keep safe, she said she had to run into the office.

The Compensation Committee is satisfied that Miss Pinnock spoke truthfully, and **recommends that she be paid a further sum of \$500,000.00 to compensate her for her loss.**

Miss Hortense Pitter lives at 1 Dreckett’s Place, Building 34, Flat 4. She received \$15,000.00 from the Ministry of Labour and Social Security for damage done to her house during May 2010. The Compensation Committee is of the opinion that that amount was insufficient.

Miss Pitter left her home for Montego Bay on May 24, 2010. On May 25, 2010, she received information that her son and his father had been detained. She visited them at the National Arena on May 27, 2010, and they were released on that date. On returning home, Miss Pitter noticed that the house had been ransacked. Two external verandah doors had been “kicked off”. They were broken and damaged. A dining room chair had also been damaged beyond repair. A double bed mattress had been cut lengthwise; a breakfront door broken, and a television set damaged.

The Compensation Committee, having considered the invoices presented, **recommends that a further sum of \$46,000.00 be paid to Miss Pitter as compensation.**

Miss Juliet Plummer operates a bar and is a hairdresser. She resides at 101 North St. Kingston 14. On May 25, 2010, she was at home with her sons. Bullets shattered the front door glass, then went “through the partition from the kids room” into her room where they were lying on the floor. There were bullet holes over the door jam and in the ceiling. There was also a shot that had lodged in the wardrobe.

Miss Plummer’s bar is located at 78 ¾ North St. Soldiers searched it. During the search, they used a plank to hit the interior of the deep freezer, causing a hole in the bottom.

The Compensation Committee viewed photographs of the damage, and considered the invoices submitted. **The Committee recommends the payment of \$97,000.00 to Miss Plummer as compensation.**

Mr. Trescott Porter is a locksmith living at 1 Fong Yee Terrace. He operates his business from rented premises at 45 Spanish Town Road. He left there on May 23, 2010 and was unable to return until May 29, 2010, due to the operations of the security forces in the area. On his return, he observed that the glass in a round window was missing and part of a door had shattered. He said it had either been

hammered or shot off. Louvre blades were missing, and the padlock on a metal door knocked off.

In his evidence before the Compensation Committee on March 29, 2017, Mr. Porter described how everything was “either knock over, break, turn over, push one side”. He continued:

“And when me go through that little metal door now
me see the padlock lick off. I was surprised the amount
of M16 rounds me see out there, about this high,
the shells stock up. So they were using it as a stage where
they would fire from. When I went in there first there was
two guys that was sleeping on the floor, two soldiers like
they were on a sleeping bag, so they were asleep...
So me ask the guy how would I be compensated him sey
I must write to the Military, Up Park Camp”.

Mr. Porter’s sentiment at that moment was expressed in this way to the Compensation Committee:

“you know you expect criminal fe rob you, me never expect
the state, so me just walk away”.

Mr. Porter’s main business was “internet cafe, and printing”. The computers were tampered with and cash register broken into.

Having considered the evidence along with the pro-forma invoices submitted, **the Compensation Committee recommends the payment of the sum of \$200,000.00 to Mr. Porter as compensation.**

Mr. Dwight Powell is a security officer living at 1 McKenzie Drive. His studio wood house and all his household goods were destroyed by fire during the incursion. His total loss was estimated at not less than \$700,000.00. He received a grant of \$250,000.00 from the Ministry of Labour and Social Security. In the circumstances, **the Compensation Committee recommends the payment of an additional sum of \$450,000.00 to Mr. Powell as compensation.**

Miss Nadine Powell is a teacher who lives at Lot 104, Tivoli Court, Block D, Kingston 14. With her at that address are her daughter, her sister Mrs. Garcia Wisdom and her sister's husband Miguel and their twin children.

On Thursday May 20, 2010, Miss Powell and the other members of the household left the community. According to her, they had been told that all law abiding citizens were to leave. Miss Powell secured the house prior to leaving. On May 29, 2010, while she was on her way back to her residence, her mother called her to advise her that the house was like a "dungle heap". When Miss Powell reached home, she noticed that the entrance grill appeared to have been "shot or hit out". The lock on the entrance door was damaged and there were gunshot holes on the walls. Figurines and a small aquarium were also damaged. Gunshot holes were seen in dresser drawers, bed headboard, wardrobe and the ceiling.

Apart from the damage done to her property, Miss Powell noticed that a phone and a camera belonging to her daughter were missing.

On June 1, 2010, while Miss Powell was at her mother's house at 18 Linton Place, she received a call from her sister advising that soldiers were at her house and they wished to search. Miss Powell went home and saw several soldiers awaiting her arrival. One soldier entered the house and asked her, "who do the place like this"? Miss Powell informed him that it was his colleagues. The soldier asked her if any man was inside shooting at the soldiers. She replied that the place had been locked up. She went on to inform him that they had been advised to leave the community, and they had done just that.

The Compensation Committee accepts the estimates submitted by Miss Powell. They amount to \$128,418.51. She received a grant of \$15,000.00 from the Ministry of Labour and Social Security. Taking that into consideration, **the**

Committee recommends a further payment of \$115,000.00 to Miss Powell as compensation.

There is a further recommendation that the Committee is moved to make. On July 11, 2017, we interviewed Miss Powell and Mr. Victor Hemmings, investigator attached to the Office of the Public Defender, in respect of Miss Powell's daughter who was traumatized by the incident. We discovered that Miss Powell's daughter, though adversely affected, subsequently gained entrance to a high school where she performed creditably and has now gained a place at the University of the West Indies to pursue a degree course. She is in need of financial assistance. The Compensation Committee recommends that consideration be given to assisting her in this regard.

Mr. Kashwayne Powell lives at 13 Linton Place Tivoli Gardens, Kingston 14. He is a student of the Institute of Academic Excellence, Half Way Tree Road, Kingston 5. He gave a statement to the Public Defender on July 13, 2010. In that statement, he said that he has a sister named Nadine Powell who lives at Apt 104 Tivoli Courts Block D, Tivoli Gardens. Miss Powell is a teacher.

On May 15, 2010, Mr. Powell visited his sister and loaned her his Digital Olympus Camera. He returned to his sister's residence on May 26, 2010, and found that it had been damaged. The front grill and door were open. There were spent shells on the floor along with his sister's clothing. He noticed that his camera was missing. He said that he was afraid to report the missing camera to the police as on a previous occasion an investigating officer had told him that whatever he said was questionable because of his address.

Mr. Powell as well as his sister Miss Nadine Powell attended before the Compensation Committee on July 11, 2017, as we had noticed that Miss Powell had also claimed for a camera, and we wished to ascertain the number of cameras missed.

The Compensation Committee is satisfied that Mr. Powell suffered the loss of his camera, and ought to be compensated for it. In the circumstances the **Committee recommends the payment of \$20,000.00 to him.**

Miss Marcia Powell is a bartender aged 43 years living at 22 Nuttall St Kingston 14. In her statement to the Public Defender, she said that she was at home with her nieces and nephews on May 23, 2010, when she saw 3 soldiers with long guns running to the rear of her house. Shortly after, some soldiers pushed open her front door. They conducted a search. In the process, they damaged her furniture and appliances: what-not, fan, television set, 3-piece glass table, component set, figurines.

One of Miss Powell's nephews gave a statement confirming the damage. Miss Powell estimated the damage at \$250,000.00.

The Compensation Committee, having examined the invoices, recommends the payment of \$200,000.00 as compensation.

Miss Sharon Powell lives at Building 27 Flat F Seaga Boulevard. She received a grant of \$15,000.00 from the Ministry of Labour and Social Security in respect of damage done to her property by the security forces during a search conducted on May 25, 2010.

Miss Powell said that in the presence of her mother and herself, the police kicked off the middle door asking for "the gunman". They threw off the curtain and clothes from the top of a closet, threw out the clothes in her mother's room and hit out the back of the closet. They went into the hall, turned over the settee and used guns to beat the carpet. They then used the settee to hit the television set at the side. She asked the officer if he was going to mash up the television set; he replied, according to her, "you no see mash up yet".

The television set was thrown outside.

Miss Powell presented invoices indicating her total loss at over \$200,000.00. **The Compensation Committee recommends the payment of a further sum of \$60,000.00 to Miss Powell as compensation.**

Miss Suzette Powell is a juice vendor residing at 3 Nuttall St. On May 23, 2010, she left home to stay with a friend on Water St. When she returned several days later, she discovered that the door had been kicked off, glass coffee table damaged, combirobe broken, television not working and washing machine out in the yard.

The Compensation Committee recommends the payment of \$75,000.00 to Miss Powell as compensation.

Mr. Kadean Radcliffe a 15-year old student lives at Building B Apt 41 Tivoli Courts. He was at his home with his mother and infant nephew when soldiers came there and searched on May 26, 2010. He was questioned about guns and ordered to kneel on gravel. He was kicked, boxed and hit in the side by soldiers. His chain was burst from his neck and taken away. A soldier also seized his Blackberry phone.

As a result of the beating, his face was swollen and he was unable to chew for 2 days. He was among persons who were detained first at the Community Centre and then at the National Arena.

The Compensation Committee recommends that the sum of \$75,000.00 be paid to Mr Radcliffe as compensation for the assault.

Miss Sophia Ranger is a labelling clerk. She lives at 38 Sangster Crescent Kingston 14 with her mother Miss Gloria Gordon who owns the house. Miss Gordon received a grant of \$15,000.00 from the Ministry of Labour and Social Security in respect of damage done to the house on May 24, 2010.

According to Miss Ranger, she heard loud explosions on May 24, 2010, at about midday. She ran to a neighbour's house. She said that bombs were dropped. Soldiers came and searched. They grabbed her 3 phones and a digital camera. She

said that the camera was valued at US\$350, and she estimated that the total value of the phones was \$15,000.00. It appears that the explosions damaged a door and several windows.

There was another search on the following day by soldiers. During that search, Miss Ranger said that a television set was “knocked out”, in that it “can be seen right through”. The bottom part of her stove was also knocked out.

Invoices totalling \$270,684.00 were presented to the Compensation Committee. Having carefully assessed the situation, **the Compensation Committee recommends that Miss Ranger be paid an additional sum of \$156,000.00.** Allowance has been made for the sum of \$15,000.00 paid to Miss Gordon.

Miss Hyacinth Rankine lives at Building 4 Flat AA Sangster Crescent. She is 72 years old. In her statement to the Public Defender Miss Rankine said that she went to Portmore on May 22, 2010, to be with her son as “the Tivoli Gardens area felt different”. She returned on June 12, 2010, and noticed that no door was on her house. She stood at the door, laughed and greeted two soldiers who were on the verandah. There were two others sitting in the settee watching television and two in her bedroom lying on her bed.

She was asked if this was her house. She told them yes, and advised them that she did not come to stay; she had come just to check. She returned to Portmore, she said. A few days later she received a call from her daughter advising her that the soldiers were out of her house but had left it open.

Miss Rankine returned to her house and noticed damage to the windows, refrigerator, stove, two bedroom doors and a small radio. The front door had been taken off its hinges and was split into two pieces. Miss Rankine’s daughter Sharon Williams-Austin who lives at 20 Chang Avenue gave a supporting statement. She visited the premises and saw the soldiers in occupation, and noticed the damage.

The Compensation Committee viewed photographs of the damage. **It is recommended that Miss Rankine be paid the sum of \$75,000.00 as compensation.**

Miss Christine Reid lives at 23 Wilton Hill Drive. On May 24, 2010 she was at her home with her daughter Rahnique Brown. As a result of explosions that she heard, they left and went to a relative nearby. They returned on June 7. She noticed that her front door had been forced open and part of the ceiling torn down. The screen of a Sharp television set and a Panasonic compact audio set had been smashed. Other items damaged included a blender, a fan, a Highland table and a what-not.

There were items including books that were missing.

Miss Reid's neighbours told her that soldiers had entered the house and smashed the items.

The Compensation Committee viewed photographs of the damage.

The Ministry of Labour and Social Security made a grant of \$15,000.00 to Miss Reid. Having considered all the circumstances, **the Compensation Committee recommends the payment of a further sum of \$215,000.00 to Miss Reid as compensation.**

Donald Reid is a higgler who lives at 34 Drecketts Place. In a statement dated September 21, 2010, he said that he had been detained from May 24 to 27, 2010. On his return home, he noticed that his computer had been dismantled, and the keyboard smashed. His double bed mattress had been cut into 3 parts, and his divan bed base destroyed. The front door to his house was broken into two pieces and groceries he had bought were destroyed.

He provided pro-forma invoices indicating among other things a wish to be compensated with the provision of a king-sized bed and mattress valued at \$65,000.00 although there was no complaint of such a loss.

The Compensation Committee accepts the estimates given by Mr. Reid in respect of the mattress (\$20,000.00) divan (\$14,000.00) computer (\$30,000.00) and doors and locks (\$8,350.00). The Ministry of Labour and Social Security made a grant of \$15,000.00 to Mr. Reid. **The Compensation Committee therefore recommends that he be paid a further sum of \$60,000.00 as compensation.**

Miss Georgia Reid lives at 39 Derrick Path. She is a higgler. She left her home on May 23, 2010 and returned on either the 25th or 26th. The front door of her house had been kicked off and was broken in two pieces. One piece of her settee was outside and wet from rain. There was a barrel of foodstuff also wet from rain. Her refrigerator was on the ground facing down. Damage had been done to the ceiling in the bedroom and bathroom, the toilet tank and bowl, a glass table, a component set, a television set and 2 chandeliers among other items.

The Compensation Committee viewed photographs of the damage. It is noted that Miss Reid received the sum of \$75,000.00 from the Ministry of Labour and Social Security.

Based on the estimated cost of the various items, **the Compensation Committee recommends that Miss Reid be paid a further sum of \$125,000.00.**

Miss Jeneile Reid lives at Building 24 Flat A Seaga Boulevard. Members of the security forces searched her house on May 24, 2010. In the process, she said that they damaged a door and seized two phones. She complained that she missed money (\$10,000) that she had in a drawer. She provided invoices in respect of the door and hinges, and phones.

The Compensation Committee recommends that she be paid the sum of \$15,000.00 to cover the cost of a Samsung phone, a door, a lock and hinges and labour.

Miss Maxine Reid lives at Building 11, Flat C Fong Yee Terrace, Tivoli Gardens. She is a porter. She left her home on May 21, 2010, for Ocho Rios. She returned on May 27, to find her front grill and door open, the lock having been damaged. The lock to her bedroom door was also damaged and the door apparently kicked in.

Her dining table and entertainment centre were overturned, the board in the latter having been broken. The motor of her refrigerator was also damaged.

Miss Reid's neighbour, Ricardo Moseley, reported to Miss Reid that he had seen members of the security forces entering and leaving the flat. He (Mr. Moseley) gave a statement that he went to the premises and saw the television set on the floor.

Miss Reid submitted a receipt indicating that she had paid \$10,000.00 to effect repairs on her refrigerator. She also submitted pro-forma invoices showing that she would need \$3,900.00 to purchase the two doors and locks, and \$24,950.00 for the entertainment centre. She also submitted a pro-forma invoice for a television set for \$40,000.00. The Committee did not accept this latter quotation as there was no indication from Miss Reid that her television set had been damaged or destroyed. **Taking into consideration that Miss Reid had been granted \$15,000.00 by the Ministry of Labour and Social Security, the Committee recommends that she be paid a further sum of \$25,000.00 as compensation. This sum includes a provision for labour.**

Miss Sharon Reid lives at 17 Keith Avenue. She left home with her children on May 23, 2010, to stay with relatives in Portmore. She returned home on June 1, 2010. The front door lock and jam were broken off; the door to the buffet had been knocked off, and the wardrobe and dresser drawers pulled out. Their clothes were strewn all over the house.

There was a dent in the side of the washing machine which caused it to stop working. A metal bathroom window and two windows in the upstairs bedroom had been hit out. Miss Reid received a grant of \$15,000.00 from the Ministry of Labour and Social Security.

On the basis of the invoices produced, **the Compensation Committee recommends the payment of a further sum of \$30,000.00 to Miss Reid as compensation.**

Miss Tanya Reid of 40 Bond St is a higgler. The fire in the Coronation Market destroyed her stall and goods. Her estimate was that she lost goods valued at over \$3 million. The Compensation Committee examined receipts presented to the Public Defender by Miss Reid. The receipts show a level of trading over a 2 month period at over \$900,000.00.

Miss Reid received a grant of \$250,000.00 from the Ministry of Labour and Social Security. **The Compensation Committee recommends that she be paid a further sum of \$250,000.00 as compensation.**

The Committee notes with regret that Miss Reid was referred to the Bellevue Hospital in July 2010. It is hoped that her condition has improved and that she is now not in need of medical treatment.

Miss Beauty Rhoden is a vendor in the Coronation Market. She lives at Building 5, Block C Apt 19 Blount St. According to her, she saw her stall at 6:00 a.m. on May 24, 2010, and all was well at that time. The following day, she received a call from a church sister indicating that the stall had been destroyed. Miss Rhoden confirmed this when she visited the area on June 5, 2010.

In June 2010, she estimated her loss at \$157,000.00. In March 2011, she revised that estimate and placed it at \$212,449.00. Finally, she submitted pro forma invoices to the tune of \$247,000.00.

Miss Rhoden received a grant of \$50,000.00 from the Ministry of Labour and Social Security. **The Compensation Committee recommends that she be paid a further sum of \$50,000.00 as compensation.**

Mr. David Richards and Miss Audrey Whyte: The claim in this case was made by Mr. Richards. However, on July 5, 2017, the Compensation Committee was informed that Mr. Richards died in 2014. In view of the fact that Mr. Richards and Miss Whyte had lived together from 1985 up to Mr. Richards' death and shared their material possessions together, we instructed that Miss Whyte be treated as a claimant. She gave evidence before the Committee on July 5, 2017, and spoke

to the very matters that Mr. Whyte and their daughter Natasha Hinds had given statements on.

Mr. Richards and Miss Whyte lived with their children at Block C Apartment 67 Tivoli Courts, Tivoli Gardens. While they were at home on May 24, 2010, they heard “several rapid discharges of what sounded like gun shots”. They went “on the floor and under the bed...until the shooting ceased”.

In Mr. Richards’ statement, he said that he “heard members of the security force personnel saying that everybody should throw their guns through the windows and come downstairs”. He and his family came downstairs and they were ordered to go into another apartment on the ground floor. On May 26, 2010, the family was allowed back into their apartment. They were told that two men had been killed in their apartment after they had run in there. There was blood in the passage and in the bedrooms. Damage was done to a dinner table, a refrigerator, a component set, fans, a chest of drawers and a gas stove. In her evidence Miss Whyte said that the mattresses were soaked with blood.

Miss Whyte said that her family has had a tremendous setback as a result of this incident. She does “a little washing” for her livelihood. One of her sons, Andrew, is “sickly” while the other is a fisherman. They were both detained during the incursion but were released shortly after without any charge being laid on them.

Having examined the pro-forma invoices, and the fact that Mr. Richards received a grant of \$75,000.00 from the Ministry of Labour and Social Security, **the Compensation Committee recommends that Miss Audrey Whyte be paid the sum of \$350,000.00 as compensation.**

The Office of the Public Defender has agreed to assist Miss Whyte in producing Mr. Richards’ death certificate to the paying authority.

Mr. Jameth Richards is a businessman. He now lives in Old Harbour. At the time of the incursion, he lived at 16 Raymond Place Kingston 14. His business address was the same as his residence. He gave evidence before the Compensation Committee on August 17, 2017.

Mr. Richards left his residence on May 22, 2010, for Spanish Town as he was in fear due to the tension in Western Kingston. On May 27, 2010, he received a telephone call from his employee Edward Mansel who informed him of a search of his premises by members of the security forces, and of their conduct during the search.

Mr. Richards went back to Tivoli Gardens on May 29, 2010. In his evidence before the Compensation Committee, he expressed shock and horror at what the members of the security forces had done in his premises. He described how they had turned over the beds, stepped on his couch, and dragged a bag of coal through his house. They took monies that he had put aside for various purposes, as well as two mobile phones. He said that he did not know that it was illegal to have money; nor did he know that the police had come to steal. His business, he said, was “wrecked totally” by these actions as after the search he was “traumatized and devastated”. He had to make arrangements with his creditors for repayment at a time when he was also unable to do business as his monies had been taken.

Mr. Richards said that he was not in the habit of taking money to the bank as there were the long lines to contend with, and also the difficulties encountered in making withdrawals. He was “turned off” by the many questions asked at the time of deposit as well as at the time of withdrawal.

Mr. Edward Mansel gave a statement to the Public Defender on July 30, 2010. He said that he was held at gunpoint and physically assaulted during the search. The search party questioned him about the legality of the business. He was asked about the monies found on the premises, and he replied that they were the property of Mr. Richards. Mr. Mansel said that the members of the search party helped themselves to the drinks that were in the shop, and even treated other members of the forces to same. The search party left the premises with what Mr. Mansel described as “an undetermined sum of money”, and other items.

Mr. Richards itemized the monies that were removed from his premises:

- a) Cash from sale of phone cards - \$199,000.00
- b) Money earned from his business – US\$789.00 and J\$77,000.00

- c) Money set aside for his children - \$12,500.00
- d) Money for car loan payment - \$32,200.00
- e) Partner payments - \$8,000.00

The Compensation Committee is absolutely convinced that these sums of money and other items were removed by members of the security forces in the presence of Mr. Mansel and that Mr. Mansel did, as testified to by Mr. Richards, give details of the search and the conduct of the officers to Mr Richards. The Committee is also satisfied by the evidence of Mr. Richards that about two weeks after the incursion, police officers came to the premises to interrogate Mr. Mansel and that he Mr. Richards was there. Mr. Mansel indicated then that these officers were part of the search party. The officers admitted that they were a part of the search party and that they had removed the phones. They told Mr. Richards he could retrieve them at the police station. However, Mr. Richards has not received them.

In the circumstances, the Compensation Committee recommends the payment of \$500,000.00 to Mr. Richards as compensation.

Miss Jennifer Richards gave her address as Building 43, Flat 1, Bustamante Highway. In her statement dated June 13, 2010, she said that she was at home when she heard a barrage of gunshots. She and other family members took cover. The result of the gunshots was a hole the size of a grapefruit in the wall of the room, damage to the top section of a window and damage to the bed frame lath. She then heard frantic banging on the door. Members of the security forces entered, then searched the house and left. She noticed that the side of the door closest to the door jam was cracked in two places.

There is a statement from Miss Simone Gavin, who claims to be living in a house in front of that of Miss Richards. The statement makes interesting reading. Miss Gavin states that she saw Miss Richards' house burn to the ground; and that Miss Richards lost a stove, mattress and other items.

Pro-forma invoices were provided by Miss Richards in respect of 5 aluminum windows, a washing machine and a Queen mattress and base. These invoices

were apparently submitted on the basis of Miss Gavin's statement as to Miss Richards' loss. The invoices total over \$150,000.00.

The Compensation Committee rejects the claim for compensation at that level. However, the Committee accepts Miss Richards' statement as to the damage to the wall, one window, the door and the bed frame lath. Miss Richards received \$15,000.00 from the Ministry of Labour and Social Security. **The Committee recommends that she be paid a further sum of \$15,000.00 as compensation.**

Miss Joan Richards is employed as a cashier. She lives at 26 Tulip Lane, Denham Town.

In her statement, she said that she left home for work on May 23, 2010 but was unable to return until May 26 due to the unrest. When she returned, she noticed that the front door had been kicked in, and her queen size Sealy mattress had been cut in three sections, across the length and width of the mattress. The back of her 4-burner gas stove , and the back of her Sharp television set had also been torn off. A standing Accutek fan was broken.

She replaced the door.

She submitted pro forma invoices in respect of the items damaged.

The Compensation Committee recommends the payment of \$146,000.00 as compensation.

Mr. Rohan Richardson resides at 24 Harold Path Tivoli Gardens. The police did significant damage to his property in his absence. The Ministry of Labour and Social Security made a grant of \$15,000.00 to him but this was wholly inadequate. Having considered the material presented in the form invoices, **the Compensation Committee recommends the payment of a further sum of \$194,000.00 to Mr. Richardson.**

Miss Shernette Ricketts lives at Building 4 Flat A, Sangster Crescent. She is a vendor. As such, she received the sum of \$100,000.00 from the Ministry of Labour

and Social Security in respect of losses that she sustained. She also received the sum of \$15,000.00 for household damage.

The Compensation Committee is not satisfied that she has been fully compensated in respect of her household loss. Consequently, **the Committee recommends that she be paid a further sum of \$15,000.00 in that regard.**

Miss Sophia Riley lives at Building 4, Sangster Crescent, Flat H, Tivoli Gardens. She is aged 38 years and is unemployed. On May 24, 2010, she was at a neighbour's house when police and soldiers kicked open the door, and proceeded to interrogate them. They also searched the premises. In her statement dated July 12, 2010, Miss Riley said she heard other voices outside saying, "next house, next house". Later, she went home and found her front door split from top to bottom. Her daughter's bed was cut open, and a king size mattress was cut in two places. The drawers of her 7-drawer chest of drawers were damaged, the computer was on the floor with the monitor on its face, and the cpu cord missing.

Pro-forma invoices were submitted in respect of the door, the mattresses, and the chest of drawers. As regards the computer, the Compensation Committee accepts Miss Riley's estimate of \$14,000.00. Taking that estimate and the invoices together, the Compensation Committee has arrived at an amount of \$76,197.00 as being appropriate compensation. The Ministry of Labour and Social Security made a grant of \$15,000.00 to Miss Riley. Taking that into consideration, **the Committee recommends that Miss Riley be paid a further sum of \$62,000.00 as compensation.**

Miss Tasha Riley is an hairdresser. She lives at Building 35 Flat 5 Dreckett's Place with her mother Miss Dawn Edwards. On May 24, 2010, at about 7:30 p.m. security officers removed them to the ground floor. On the following morning at about 8:00 o'clock, they were permitted to return to their house to change their clothes. She noticed that the house had been ransacked and that there were 3 soldiers in occupation. They told her that it was "pure tiefing goods' in the house. According to her, she missed a gold chain, and her television set and settee were

damaged. She submitted a receipt dated December 14, 2006, for \$13,500.00, from Island Jewellers in respect of a gold chain and bracelet.

The Compensation Committee recommends the payment of \$36,000.00 to Miss Riley as compensation for the missing jewellery and the damage to the household items.

Miss Carol Roache lives at 22 Shearer Drive Tivoli Gardens. In her statement dated June 30, 2010. Her house was damaged apparently by bombs and gunshots. The police searched her residence on that day. During the search, a settee was also damaged. The Ministry of Labour and Social Security made a grant of \$15,000.00 to her. This sum, in the opinion of the Compensation Committee was wholly inadequate. In the circumstances, the **Compensation Committee recommends the payment of a further amount of \$100,000.00 to Miss Roache as compensation.**

Miss Brendalin Robinson lives at Building 4 Sangster Crescent. She is a customer service representative. She left home on May 24, 2010, for Lawrence Tavern. On her return on May 28, 2010, she discovered that the door to her house had been damaged. She said that only a quarter of the bottom section of it was left on the hinge. Her television set was on the ground, with its internal parts dislodged. Photographs were produced showing damage to windows, a breakfront and a what-not. On the basis of the invoices, **the Compensation Committee recommends the payment of \$84,000.00 as compensation.**

Miss Collette Robinson is a coffee packer, living at 4 Linton Place Kingston 14. She was at her doorway on the lower floor when she was shot. This was on May 24, 2010. Miss Robinson was admitted on May 25, 2010, and treated at the Kingston Public Hospital. She was discharged on June 4, 2010. The report from the hospital indicates that there was a gunshot injury to the left arm, and that there were no fractures.

The military conducted a search of Miss Robinson's house on May 25, 2010 while Miss Robinson was in the hospital. However, her daughter Peta Gaye Gordon was present.

The Compensation Committee is of the view that there is only a suspicion that this shooting was done by a member of the military. In the circumstances, the Committee suggests that the State may wish to make an ex-gratia payment. If the suggestion is accepted, the amount recommended is \$1 million.

Mr. Felton Robinson lives at Building 18, Seaga Boulevard. He is a teacher, aged 39 years old. On May 22, 2010 he and his spouse left for St Catherine. His spouse returned on June 2, 2010, and made a report to him. When he returned the next day, he noticed that his house and contents had been damaged extensively. The items damaged included: doors, closet, 2 television sets, chest of drawers, windows, computer screen, mattresses, floor tiles, curtains, utensils and books.

There was a supporting statement from Miss Sheryl Brown.

The Compensation Committee is satisfied that the losses and damage arose directly from the activities of the security forces during the intrusion and recommends full payment of Mr. Robinson's claim. The sum recommended is \$408,000.00.

Miss Nakeisha Robinson lives at 11 Levy Path. She left her house on May 23, 2010, and went to 43 Oxford St. When she returned to her house on or about June 2, 2010, she noticed that members of the military were in occupation of it. They told her they would not be coming out as it was being used as a station. She said when she threatened to go to the media, they told her to go on as they had authority to use it as a station.

She observed that the doors, the tiles, ceiling, windows and the kitchen sink were damaged. In a further statement to the Public Defender, she said that a standing fan and a microwave oven were missing.

Miss Robinson received a grant of \$15,000.00 from the Ministry of Labour and Social Security. Having examined the invoices presented, **the Compensation Committee recommends that Miss Robinson be paid a further sum of \$41,000.00 as compensation.**

Mr. Paul Robinson is a shopkeeper at 1 McKenzie Drive. He was detained from May 24 to 29, 2010. Upon his release, he inspected his shop and discovered that during his detention the locks on the door to the shop had been broken, his glass showcase cracked and goods strewn on the floor. He said that some goods were also missing. In his statement dated June 21, 2010, he said that also missed were 2 mobile phones that he said were stored in the shop, as well as a 13 inch colour television set. Apart from the phones and the television set, he estimated his total loss at \$30,000.00. Nearly a year later (May 20, 2011) he gave a further statement to the effect that a quantity of liquor was also missed and that tiles had been broken.

The Compensation Committee was not impressed by this further statement. Taking everything into consideration, including the fact that he received a grant of \$15,000.00 from the Ministry of Labour and Social Security, **the Compensation Committee recommends that Mr Robinson be paid a further sum of \$15,000.00 as compensation.**

Miss Rushell Robinson is a vendor living at 25 Seaga Boulevard. She received the sum of \$15,000.00 from the Ministry of Labour and Social Security in respect of damage done to her property, that is, a gas stove, a fan and a door. The estimate of damage is approximately \$39,000.00. **The Compensation Committee therefore recommends the payment of a further sum of \$24,000.00 to compensate her.**

Miss Myrtle Rose aged 40 years lives at 12 Chestnut Lane. She is a higgler. On May 24, 2010, members of the security forces came and searched her house. In the process, they damaged a dvd player by dropping it causing it to break into two, and they opened up the panels around her washing machine causing it to leak.

Miss Rose has had to replace these items and receipts were produced indicating she spent \$19,500.00 to do same.

The Compensation Committee recommends that Miss Rose be paid \$19,500.00 as compensation.

Miss Adora Russell resides at Lot 11 Block 3 Greenwich St Kingston 14. She is a vendor in the Coronation Market. Her claim is in respect of losses sustained in the market and gunshot damage to her house. The Ministry of Labour and Social Security made a grant of \$15,000.00 to her. Her losses amounted to approximately \$64,000.00 as found by the Compensation Committee. **As a result, it is recommended that she be paid a further sum of \$49,000.00 as compensation.**

Mr. Fabian Russell received the sum of \$15,000.00 from the Ministry of Labour and Social Security. This was in respect of damage done at his home and items missing therefrom. The items missed include a Motorola phone and a Dell laptop computer. He lives at 1 McKenzie Drive and is a security guard. He left home on May 23, 2010, and returned on June 3, 2010. The lock to his door had been forcibly removed and the door damaged. The drawers of his dresser had their bottoms broken and the bottom section of his bed was ripped open.

The photographs submitted confirmed the damage. There is also a statement from Shanna-Lee James to the effect that she saw members of the security forces forcibly enter Mr. Russell's house on May 25, 2010. As a result of a telephone call from Mr. Russell, Miss James went into his house and viewed the damage done after the security officers had left.

The pro-forma invoices presented show that the loss to Mr. Russell is more than \$100,000.00. **In the circumstances, the Compensation Committee recommends that Mr. Russell be paid a further sum of \$85,000.00 to compensate for his loss.**

Mr. Rhyman Russell is a welder residing at 53 Christopher Road Denham Town. His welding plant was destroyed by fire on May 27, 2010. In his statement dated June 16, 2010, he estimated that it would cost \$120,000.00 to replace it.

However, a pro-forma invoice from Delta Supplies suggests that the price is approximately \$49,350.00. In the circumstances, **the Compensation Committee recommends the payment of \$50,000.00 to him as compensation.**

Miss Paulette Samuda lives at 177 Tulmania Avenue Harbour Heights, Kingston 17 and operates a bar at 60 North St Kingston 14. On May 30, 2010, on receiving a call from the bartender, she went there and saw her son Romaine Murray lying on the ground surrounded by soldiers. She fainted. On recovering, she noticed damage to a poker box. She went upstairs and noticed damage to a divan bed, 2 doors, a wooden centre table, the ceiling in the three bedrooms, and her son's clothes.

Miss Samuda submitted pro-forma invoices in respect of the items that she said were damaged. The Compensation Committee recommends that she be compensated for the damage done to the doors, locks, bed and ceiling. **The amount recommended is \$42,000.00.**

Miss Sharlene Samuels lives at 15 Tulip Lane Kingston. Soldiers searched her house on June 7, 2010. In the process, they widened a crack that was already in the wall. The Compensation Committee recommends the payment of \$15,000.00 for the purpose of effecting the repairs.

Miss Ann Marie Scott is a business woman residing at Apt 107 Block D Tivoli Courts. She locked her house on May 19, 2010, and went to Old Harbour. She returned on May 30, 2010, to find that the front grill was open. Her bathroom door had a large hole in its centre, although it was still on its hinges. A barrel with footwear and clothing was missing. This was a gift from her sister overseas. The cost of repairing the grill and doors is approximately \$14,000.00.

The Compensation Committee recommends the payment of \$75,000.00 as compensation for the damage done to the premises and for the missing items.

Miss Natalie Shann lives at 2 Victoria St Kingston 14. She is a bartender. On May 27, 2010, while she was at work she received a call from her sister Sashalee who informed her that soldiers had damaged her house. When she went home she noticed that the television screen had been smashed and her clothes had been scattered on the floor. Her “Highboy” lock had been dug off. Her component set was on the ground and according to her it was not working. She also said in her statement to the Public Defender that money, (\$42,000) that she was saving to purchase a refrigerator was missing.

On the basis of the material presented, **the Compensation Committee recommends the payment of \$20,000.00 to Miss Shann as compensation.**

Miss Karlene Sharpe is a higgler, aged 46 years, who lives at 1 McKenzie Drive. In her statement dated June 18, 2010, she said that she was at home with her children on May 25, 2010, when she heard explosions. They ran to 1 Zacky Ave to seek refuge at the residence of one Miss Laing. They remained there until May 28 when they returned to 1 McKenzie Drive, only to find that their residence had been totally destroyed. She provided a list of items lost, to the tune of \$249,000.00. The Ministry of Labour and Social Security made a grant of \$250,000.00. **The Compensation Committee recommends that Miss Sharpe be granted a further sum of \$50,000.00 in view of the fact that the list of items lost did not include a value for the physical structure in which they were housed.**

Miss Angella Shaw resides at Building 26 Seaga Boulevard. She is a vendor who is registered with the Kingston and St. Andrew Municipal Corporation.

On May 24, 2010, she was at her home with her boyfriend Archibald Walton. She said (in her statement dated June 29, 2010) that soldiers surrounded the area, and she heard them shouting, “window, window”. There was a barrage of gunshots; some came through the room window, damaging it. Her dresser glass was smashed and damage was done to the wall and some clothing. Later that evening, soldiers searched her premises. In the process, they smashed a television set belonging to her cousin.

They detained Mr. Walton who, she said, returned on May 28, 2010 with bruises all over his body. She took him to the doctor on May 29, 2010. While she was at the doctor's office, she received a call that soldiers had entered her house. On her return, she noticed that a door and other items including a television stand, a water pump, and two chairs had been damaged.

On May 27, 2010, Miss Shaw had discovered that the stall she operated in the Coronation Market had been damaged by fire. Her merchandise was completely destroyed.

Miss Shaw received a grant of \$15,000.00 from the Ministry of Labour and Social Security. The Compensation Committee, on the basis of the estimates provided, **recommends that she be paid a further sum of \$120,000.00 as compensation** for her loss.

Miss Etta Shaw is a vendor who sells in the Coronation Market. She lives at 111 Charles St Denham Town. In her statement dated June 14, 2010, she relates how she locked her goods in her shop in the market on May 22, 2010, and returned on May 27, 2010, to find the lock off and the door smashed. The goods had been stolen. She estimates her loss at \$100,000.00.

The Compensation Committee is of the view that during the period of the loss, the security forces were in control of the area and ought to have prevented looting. The estimate appears exaggerated. **Consequently, the Committee recommends the payment of \$50,000.00.**

Mr. Evrol Shaw lives at 1 McKenzie Drive. He is a security officer aged 29 years. In a statement to the Public Defender on June 28, 2010, Mr. Shaw relates that he was detained by soldiers on May 25, 2010, and released on May 27. On his return to his house, he noticed that the front door and the lock for it had been damaged; the door had apparently been kicked in. Inside his house, his television set, component set and laptop had been damaged. The antenna on the outside had been shot and destroyed. A Blackberry phone in a suitcase under his bed as well as cash \$34,000.00 were missing. He estimated his loss as follows: fan (\$34,000),

component set (\$15,000), phone (\$35,000), television set (\$16,000), antenna (\$10,000) and laptop (\$60,000 to \$70,000). This estimate, which excluded the cash he said he missed, placed his losses in the region of \$148,000.00 to \$158,000.00). However, he presented pro-forma invoices in respect of these items, showing a total of \$196,436.50.

The Compensation Committee accepted the original estimate and placed Mr. Shaw's total loss at \$148,000.00. In view of the fact that Mr. Shaw received a grant of \$15,000.00 from the Ministry of Labour and Social Security, **the Committee recommends that he be paid a further sum of \$133,000.00.**

Miss Sandra Shaw gave evidence before the Commission of Enquiry. The Commission found that her house at Building 5, Flat D, 5 Sangster Crescent, Tivoli Gardens was damaged by members of the Jamaica Defence Force "who may also have taken her personal property".

Miss Shaw was away from her house between May 17 and 28, 2010. On her return, she saw 4 soldiers in occupation of it. The metal grill gate was damaged and floor tiles were broken and scattered across the room. She estimated the cost of repairs to be about \$6,000.00. She discovered a number of items missing including jewellery, cologne and wine.

Page 184 of the report of the Commission of Enquiry reads thus: "Ms. Shaw estimated the value of missing items at over \$20,000.00 but she received compensation of \$15,000.00". The transcript of her evidence before the Enquiry reads:

"COMMISSIONER: So the 15,000 was to compensate you for that then,
helped you with that?

A: Yes sir

COMMISSIONER: Is that enough or you want more?

A: Sir, it's not the looks of the money but it's the look of

your things, that is people who are supposed to protect and serve you and they did, they say who wish to leave must leave. And they go there and I wasn't there and them broke it down and go in a tek wha' them want to."

The Compensation Committee, having considered Miss Shaw's evidence at the Commission of Enquiry, recommends that she be paid a further sum of \$15,000.00.

Miss Tatlyn Shirley is a shopowner, aged 47 years, living on the second floor of Building 16, Flat C, Keith Avenue. She was at her home with her family on May 26, 2010, when members of the security forces came and escorted them downstairs where they were detained for about two hours. On her eventual return to her house, she found the front door open and it had been ransacked. According to her, she missed a digital camera and cash \$40,000.00. A water tank on top of her building was damaged by gunshot and her dvd player was dented.

Photographs were presented to the Committee, and these confirmed the damage to the dvd player and the water tank.

Pro-forma invoices were also presented showing the values for the water tank, dvd player and the digital camera. These total \$38,118.00. Miss Shirley received \$15,000.00 from the Ministry of Labour and Social security. Taking that into consideration, **the Compensation Committee recommends that Miss Shirley be paid a further sum of \$24,000.00 as compensation.**

Miss Kidiesha Simmons gave evidence before the Compensation Committee on July 4, 2017. She lives on Charles St. having relocated since the unfortunate incidents of May 2010 at which time she was living at what her statement describes as "PWD land Settlement Tivoli Gardens".

On May 24, 2010, she and her son went to be with her grandmother at Charles St. During her absence, her house and contents were destroyed by fire. In her statement of June 29, 2010, she listed the items that she said she lost. The estimated loss at the time amounted to \$163,500.00. The pro-forma invoices submitted at the time show values that were above the estimate in her statement. In her evidence before us, she listed items that she had replaced and the cost to her.

Taking everything into consideration, **the Compensation Committee recommends that Miss Simmons be compensated by a grant of \$200,000.00.**

Miss Janet Sinclair gave evidence before the Compensation Committee on July 12, 2017. She said she was an entertainer and vendor. She seemed confused at the time that she gave her evidence. The Compensation Committee decided to rely more on her statement which was given to the Public Defender on June 25, 2010. This statement was corroborated by Myrtle Kelly who used to visit Miss Sinclair regularly at her residence on Spanish Town Road.

It seems that the house in which Miss Sinclair lived was a frail structure. According to Miss Kelly, it and other similar structures in the area were bulldozed. Apparently, prior to the demolition Miss Sinclair's personal and household items were damaged or destroyed.

The Compensation Committee notes that Miss Sinclair received \$15,000.00 from the Ministry of Labour and Social Security, and recommends the payment to her of a further sum of \$100,000.00 as compensation.

Mr. Aubrey Smith now lives in Kellits Clarendon. He used to live at 80 North St Kingston. He was a vendor and farmer while he lived in Kingston. He gave evidence before the Compensation Committee on July 5, 2017. A fire destroyed his house and contents on Tuesday May 25, 2010. He lost a television set, a fan, a refrigerator and a divan set.

Mr. Smith was reluctant to give an estimate of his loss. After much urging from the Committee and the attorneys-at-law from the Attorney-General's Chambers

and the Office of the Public Defender, he eventually gave an estimate of \$250,000.00. The Compensation Committee considers this estimate an exaggeration, and **recommends the payment of \$75,000.00 as compensation.**

Miss Kedise Smith of 44 Bustamante Highway received a grant of \$15,000.00 from the Ministry of Labour and Social Security. She is a cosmetologist. She left her home on May 20, 2010, and returned during the week of May 30, 2010. Her entrance door was broken into two pieces and the locks destroyed. Among the items damaged in her house were: her dresser, closet doors, drawers, bed bottom, vases, settee, what-not, dining table leg, computer, front part of her air-conditioning unit, fans and the ceiling.

The Compensation Committee was presented with photographs of the damage. However, no proper estimates were produced. **In the circumstances, the Committee recommends that Miss Smith be paid a further sum of \$60,000.00.**

Mr. O'Neil Smith lives at Sandy Bay, Clarendon. He gave evidence before the Commission of Enquiry as well as before the Compensation Committee. On July 27, 2017, he told us that he is 44 years old. He described how he was detained on May 26, 2010, and kicked on the knee by a soldier. At the time of his detention, he was at his place of employment at Top Ten Tivoli Gardens. He was employed as an attendant at Mr. Lucius McFarlane's shop.

His knee became swollen and was painful. It still pains him at times. Although Mr. Smith has not produced any medical evidence, the Compensation Committee is satisfied that he suffered an injury to his knee, and that injury still affects him.

Two mobile phones and cash \$3,000.00 were taken from him at the time of his detention. These were not returned to him when he was released on May 28, 2010.

The Compensation Committee recommends the payment of \$310,000.00 as compensation to Mr. Smith.

Miss Marcia Solomon, a domestic helper, of 8 Wellington St. Denham Town, gave two statements to the Public Defender, the first on June 17, 2010, and the second on June 28, 2010. She left her home on May 25, 2010, and returned two days later to find the ceiling torn down, her mattress and pillow “cut up” and her figurines destroyed. The Compensation Committee viewed photographs which confirm the damage done to the ceiling, mattress and pillow. Pro-forma invoices were presented to indicate the cost of replacement.

The Compensation Committee recommends an award of \$30,000.00 to Miss Solomon as compensation for the damage done to her property.

Mr. Carlton Spencer is a vendor in the Coronation Market. He lives at 65 Charles St Kingston 14. At the time of the incursion he was living on Regent St. Mr. Spencer gave evidence before the Compensation Committee on June 27, 2017.

On May 25, 2010, his goods were destroyed in the fire that raged in the market. He was among many persons, he said, who took refuge in the bathroom at the market while gunshots were being traded between the security forces and criminals. On the following day he was taken from the market and detained at the National Arena until May 28, 2010.

Mr. Spencer claims for the goods that he lost in the fire. These were 600 pounds of melon, 10 bags of onion and 250 pounds of sweet potato. **The total value is \$58,000.00. The Compensation Committee recommends the payment of this amount to him as compensation.**

Mr. Deryck Stewart is a pastry chef living at 1 Levy Path. On May 24, 2010, he and his wife were removed from their house while the security forces searched it. While conducting their operation, the police instructed Mr. Stewart to hand over his TV phone which has not been returned to him since. It is valued at \$15,000.00. **The Compensation Committee recommends the payment of \$15,000.00 to Mr. Stewart.**

Miss Evadne Stewart of 69 Derrick Path, Tivoli Gardens, gave evidence before the Commission of Enquiry. A summary of her evidence appears at pages 176-177 of Volume 1 of the Report of the Commission. There is no need to repeat it here. The Commission accepted her evidence and found that the sum of \$15,000.00 paid to her by the Ministry of Labour and Social Security was inadequate. Having considered the material placed before us, **the Committee recommends the payment of a further sum of \$55,000.00 to compensate Miss Stewart for the damage done to her house.**

Miss Angella Strachan lives at Building 35 Flat 1 Dreckett's Place. On May 24, 2010 she was at home with her boyfriend when six soldiers came and ordered them out of the house. Thereafter, a search was conducted. In the process, damage was done to a glass closet door and a bathroom door. The soldiers also took Miss Strachan's Blackberry phone valued at \$45,000.00.

Miss Strachan received a grant of \$15,000.00 from the Ministry of Labour and Social Security. The Compensation Committee estimates that that sum was sufficient to effect repairs of the items damaged during the search. **The Committee recommends the payment of \$45,000.00 to Miss Strachan as compensation for her phone.**

Miss Betslyn Style is a vendor residing at 17 Chestnut Lane, Kingston 14. In a statement to the Public Defender dated December 30, 2010, Miss Style said that on May 24, 2010, at about 1:30 p.m. four soldiers and a policeman came to her house. The policeman asked, "whey the gunman deh?" She replied, "I don't know what yu talking about". The policeman said, "How yu no know whey the gunman deh, and yu out a road a block road". She said that she told him she could not go out the road as she had pains in her knees.

The party proceeded to search by digging down the ceiling and box eave, she said. The resulting damage brought water into the house whenever it rained.

Miss Style paid \$18,000.00 to repair the damage and invoices submitted suggest that the total cost of lumber and nails for the project was \$16,916.75. Considering that Miss Style received \$15,000.00 from the Ministry of Labour and Social Security, **the Compensation Committee recommends that she be paid a further \$20,000.00 as compensation.**

Miss Carol Taylor, aged 55 years, is an office attendant living at 2 Dreckette Place. She watched the police and soldiers as they searched her house on May 27, 2010. In the process of the search, the ceiling was damaged and a sofa was cut. She said that no assault took place during the search and regarded the officers as having “acted responsibly”. Photographs were taken of the damage done during the search but due to technical difficulties the Committee was not able to view these photographs. Estimates were provided for our consideration. In respect of the ceiling, the amount of \$13,745.57 was required for its repair and a new three-piece sofa would cost \$69,324.00. The Committee was informed that the Ministry of Labour and Social Security made a grant of \$15,000.00 to Miss Taylor. This sum was actually paid to her daughter Miss Kerry Ann Taylor. **In the circumstances, the Committee recommends the payment of an additional amount of \$70,000.00 to Miss Carol Taylor.**

Miss Dawnett Thomas of 4a East Road, Kingston 12, was a vendor who suffered loss in respect of goods she had in the Coronation Market. Having left the market on May 22, 2010, she returned on May 27, 2010, to find the charred remains of her goods. She estimated her loss at \$31,800.00. The Compensation Committee, in assessing her statement to the Public Defender, concluded that this was a genuine loss. **We accordingly recommend the payment of \$31,800.00 to her.**

Miss Janet Thomas lives at 1 McKenzie Drive. She is a vendor in the Coronation Market. Her house was destroyed by fire. The Ministry of Labour and Social Security gave her a grant of \$250,000.00. This sum, she said, did not compensate her. She thinks she should have been paid one million dollars. She said that everything she had earned in her 42 years had “gone in the fire”. She was left

with one suit on her back and “a flip flop slippers”. Soon she was without the said slippers as someone stole it when she visited a neighbour and left the slippers on the step. She confirmed that much stealing took place during the incursion.

Miss Thomas not only lost her household items; she lost goods that she had taken home from the market, having felt that they would have been safer at her home. She estimates that she had about \$500,000.00 worth of goods – small appliances, sheet sets, dry goods such as biscuit, and tinned products.

Taking everything into consideration, **the Compensation Committee recommends the payment of a further sum of \$250,000.00 to Miss Thomas as compensation.**

Miss Keniesha Thomas lives at 65 North St. She is a vendor in the Coronation Market. Her shop was burnt on May 24, 2010. She submitted a claim, through the Public Defender, for the following:

- a) Entertainment system - \$400,000.00
- b) Deep freezer - \$23,500.00
- c) 32-inch television set - \$33,000.00
- d) Sony dvd player - \$9,000.00
- e) Goods – Unspecified value

The Compensation Committee notes that Mr. Kirk Morgan, common-law husband of Miss Thomas, received the sum of \$100,000.00 from the Ministry of Labour and Social Security. **The Committee recommends the payment of a further sum of \$150,000.00 to Miss Thomas as compensation for the damage and loss suffered.**

Miss Marlene Thomas lives at Flat G Building 13 Bustamante Highway. On May 26, 2010 she was at home with her 3 daughters when soldiers came and searched. They damaged the base of the refrigerator, causing a repair bill of \$10,000.00. There was also the damage by bullet of a very large window at the

front of the house. The cost to replace that window is \$150,000.00. **The Compensation Committee recommends compensation of \$160,000.00.**

Miss Nadine Thomas lives at 22 Nuttall St Kingston 14. On May 26, 2010, soldiers entered her house and pushed over a refrigerator, a microwave oven and a television set; they also cut a mattress and damaged a cable box. **The Compensation Committee recommends the payment of \$122,200.00** in keeping with the pro-forma invoices.

Miss Pearlina Thomas lives at Building 41, Flat 7, Bustamante Highway, Kingston 14. She gave evidence before the Compensation Committee on June 27, 2017. She testified that on May 24, 2010, while taking a nap in her apartment on an upper floor, she was awakened by glass splinters from a window that had been pierced by bullets. That window along with other windows, a clock, a refrigerator, a blender and a what-not were damaged by bullets.

Miss Thomas and other individuals in Building 41 were ushered downstairs by soldiers and taken to the Tivoli Gardens Community Centre. She was released at about 11:00 p.m. that day. From conversations that Miss Thomas said she had with the soldiers in whose custody she was, it appears that the soldiers were of the view that someone dressed in white had been seen in Miss Thomas' apartment by soldiers positioned atop another building. That someone, it seems, may have been thought by the soldiers to be a gunman – hence the firing of bullets into Miss Thomas' residence. However, no such person was actually seen.

The Compensation Committee is of the view that Miss Thomas should be compensated for the damage done to her property. She received a grant of \$15,000.00 from the Ministry of Labour and Social Security. Taking into consideration the invoices and receipts submitted by her, **the Compensation Committee recommends the payment of a further sum of \$85,000.00 to Miss Thomas as compensation.**

Mr. Rowmell Thomas is a vendor who lives at 90 Charles St. Kingston. He left his home on May 23, 2010, and when he returned on May 31, he noticed that the

front door had a hole through which a hand could fit. The house was ransacked and a tray of cigarettes and lighters that he had for sale were missing. The mattress for his double bed was cut and the sponge hanging out of it. His Sharp television set was lying on its side and was no longer in working condition. A standing fan had also been damaged in that its base was broken and it was not functioning.

Mr. Thomas provided invoices in respect of the damaged door and the missing cigarettes. The cost totalled \$58,850.00. The Ministry of Labour and Social Security gave him \$15,000.00. As a result, **the Compensation Committee is recommending that he be paid a further sum of \$43,850.00 as compensation.**

Miss Jamiella Thompson of Block 5 Building C, 33 Blunt St has been deprived of her passport without good cause. During the incursion, a note was left on the floor of her house which had been opened in her absence by members of the security forces. The note advised her that her passport had been taken and that she is to go to the Denham Town Police Station to retrieve it. All her efforts to regain possession of it have failed. **The Compensation Committee recommends the payment of \$10,000.00.**

Miss Nekiesha Thompson lives at 44 Derrick Path. She and other family members were ordered out of the house and instructed to lie on the ground. In the meantime, the house was searched by members of the security forces. Items such as a fan, a laptop, chest of drawers, and glasses were damaged during the search. The Compensation Committee viewed photographs of the damage.

The Committee recommends the payment of \$100,000.00 to Miss Thompson as compensation.

Miss Suzanne Thompson aged 38 years lives at 1 McKenzie Drive. She stated that she was a vendor in the Coronation Market. This status has not been verified. However, the losses complained of are in respect of Miss Thompson's house which was completely destroyed by fire. She provided a list of items that were

destroyed. These included the usual household furniture as well as goods that she said she had for sale. The Compensation Committee accepted that Miss Thompson had in her house the items that she said were destroyed. The Ministry of Labour and Social Security made a grant of \$250,000.00 to her. This being far off the mark as far as her losses are concerned, **the Compensation Committee recommends that she be paid a further sum of \$350,000.00.**

Mr. Thomas Thorpe lives at 14 Carwena Ave., Pembroke Hall, and has his business address at 12 ½ Bond St. He is the proven owner of a Nissan Pick-up which was damaged by fire inside the Coronation Market during the incursion. The pickup had been having mechanical problems and was pushed into the market for security reasons.

An estimate by Binns Auto Repairs indicated that it would require the sum of \$117,950.00 to effect the necessary repairs. Mr. Thorpe received a grant of \$15,000.00 from the Ministry of Labour and Social security. In the circumstances, **the Compensation Committee recommends that he be paid a further sum of \$102,950.00 as compensation.**

Mr. Maurice Tomlinson is a construction worker who lives at 1 McKenzie Drive. He and his wife were at home with their children on May 24, 2010 when soldiers came and separated him from them. He gave evidence before the Commission of Enquiry as well as before the Compensation Committee.

He gave evidence that soldiers violently assaulted and intimidated him. He was detained for several days. On his release, he discovered that his house had been damaged and several personal items missing. His wife received the sum of \$15,000.00 from the Ministry of Labour and Social Security. The Compensation Committee, having considered all aspects of Mr. Tomlinson's complaint and the evidence presented, **recommends the payment of a further sum of \$225,000.00 to Mr. Tomlinson** as compensation. The recommendation is on the basis of \$125,000.00 for property damage and loss, and \$100,000.00 for assault. The amount of \$15,000.00 already paid has been taken into account.

Miss Terry Vilorio of Flat H, Building 24, Seaga Boulevard, is claiming in respect of damage done to her 1994 Nissan motor car. The damage occurred while it was being searched and removed from in front of Miss Vilorio's house to the playing field. The rear lights, rear fenders and the 4 tyres were damaged. One Alley Skervia saw the tyres being "stabbed" by a police officer.

The invoices presented by Miss Vilorio amount to \$73,000.00. In view of the fact that she was paid \$15,000.00 by the Ministry of Labour and Social Security, **the Compensation Committee recommends the payment of a further sum of \$58,000.00 as compensation.**

Mr. Dane Walker, an employee of the Blood Bank, gave his address as Block L Apt. 218 Golden Heights. He gave evidence before us on January 6, 2017. His mobile phone was taken, and not returned, by the security forces. He described it as a white Digicel Samsung valued at \$35,000.00. He received a compassionate grant of \$15,000.00 from the Ministry of Labour and Social Security. **We recommend the grant of an additional \$20,000.00 to compensate him for his loss.**

Miss Ismay Walker claimed on behalf of Operation Friendship Basic School which she said was locked up on May 20, 2010. At that time, there was a pouch left on a desk there with \$43,000.00 in it. This money was earmarked to go towards the purchase of a fire extinguisher, a water pump and a photo copying machine. On May 31, it was discovered that the chain and lock on the gate had been cut off; the grill lock had been sawn off, the door was ajar and there was damage to the roof, ceiling and windows. The money was missing also. In addition, there were two water tanks that appeared to have been damaged by bullets. Both tanks were eventually repaired at a cost of \$3,000.00. Based on invoices submitted to the Public Defender and examined by the Committee, it is **recommended that the sum of \$116,015.69 be paid to the school as compensation for the damage done.**

Mr. Karl Walker, a security guard, of 1 McKenzie Drive, gave evidence before us on January 6, 2017. His house was “burnt flat”, he said, as a result of the dropping of grenade and bomb on it by the security forces. He had a shop at Coronation Market which was partially burnt. Some goods in the shop were saved. However, he lost household items such as a gas stove, a double bed, fan, dresser, and a small refrigerator, as well as personal effects. Mr Walker received a compassionate grant of \$250,000.00. Based on the pro forma invoices presented, we are of the view that **a further sum of \$100,000.00 is necessary to compensate Mr. Walker for the loss he suffered. We so recommend.**

Mr. Melbourne Walker lives at 46 Fong Yee Terrace, Kingston 14. He is a crane operator at Port Bustamante. On May 25, 2010, he noticed that his Toyota motor car was damaged, in that it had several bullet holes to the windshield. In his statement to the Public Defender, he said that at 2:00 p.m. on that day, he and his two teen-aged sons were detained. They were taken to the Tivoli Gardens Community Centre, then to the premises of Seprod Manufacturing Company, and finally to Vale Royal. He managed to speak to the Minister of National Security and he and his sons were released. They proceeded to stay with friends in Long Mountain. On the following Saturday, he said, he went back to Tivoli Gardens and noticed that there was further damage to the vehicle. Its grill had been shot up.

Mr. Walker estimated that it would cost \$108,000.00 to repair his car. However, in November 2010, Burns Auto Repairs gave him an estimate of approximately \$285,000.00.

The Compensation Committee wished to receive the actual cost of the repairs, given the time that has elapsed. This information has not been forthcoming. It is noted that Mr. Walker received a grant of \$75,000.00 from the Ministry of Labour and Social Security, and \$20,000.00 from his insurers for the windscreen. In the circumstances, **the Committee recommends that Mr. Walker be paid a further \$20,000.00.**

Mr. Romaine Walker gave evidence before the Commission of Enquiry. He also gave evidence before the Compensation Committee. In its report, the

Commission of Enquiry stated at paragraph 8.113 that Mr. Walker had received \$25,000.00 from the Ministry of Labour and Social Security. That was an error as Mr. Walker was not so favoured.

The Commission of Enquiry found that on May 24, 2010 Mr. Walker's house suffered damage which was "probably the result of an explosion of mortar" nearby. There was a hole in the roof and there was damage to a microwave oven, a radio, a television set, a fan, and a bed and mattress. A laptop was stolen. Having examined the evidence as to the cost of these items, **the Compensation Committee recommends the payment of a sum of \$100,500.00 to Mr. Walker as compensation.**

Mr. Jerome Wallace gave evidence before the Compensation Committee on March 9, 2017. He is one of only a handful of persons who told the Compensation Committee that they know Mr. Coke, the individual at the root and centre of the incursion into Western Kingston. He lives at 18 Sangster Crescent Kingston 14. He is assistant shift manager at Kingston Freeport Terminal Ltd.

He said that he surmised that the area in which he lives would have been a target area for the search for Mr. Coke, so on May 24, 201, he secured his house and went to another section of Tivoli Gardens. He returned to his house on May 27, 2010, to find the jamb torn off, and the grille broken off. He said that it appeared to him that the door was damaged "via a force not by human strength". There were gunshot holes in the wall and the couch was "torn up and broken down". A hole probably 4 metres long 5 metres had been dug in the living room. The tiles were broken right through the concrete into the dirt.

A neighbour of Mr. Wallace witnessed the digging of the hole by members of the security forces. According to the neighbour, who is called Kerron, the security personnel said that the claimant worked at the wharf and brought in guns so that is why they were digging.

Apart from this, there was damage to the roof, carpet, a vacuum cleaner, and a washroom. He also missed cash and jewellery and other personal items.

Mr. Wallace received the sum of \$15,000.00 from the Ministry of Labour and Social Security. Taking into consideration all the circumstances, **the Compensation Committee recommends the payment of a further sum of \$500,000.00 as compensation.**

Miss Karen Watson is a pastry shop operator living at 6 Regent St. Kingston. She had a container shop in front of the Denham Town Primary School. She sold fried chicken, chips, sweets, patties, drinks and liquor.

On May 22, 2010, she locked the shop. She returned on May 27, 2010, and found the door off, the shop ransacked and merchandise all over the floor. The cash register and snow-cone machine with a combined value of approximately \$115,000.00 were damaged. Goods, including drinks, were missing or spoilt.

The Compensation Committee recommends the payment of \$150,000.00 to Miss Watson, she having already received \$15,000.00 from the Ministry of Labour and Social Security.

Mr. Robert Webb is an auto mechanic living at 77 Bustamante Highway. The Compensation Committee viewed photographs of the damage done to Mr. Webb's house by explosion of devices under the control of the security forces. **The Committee recommends the payment of \$35,000.00 as compensation.**

Miss Ann-Marie Wedderman lives at 21 Pink Lane. On May 24, 2010, she secured her house and left in the company of her teen-aged son and infant daughter. On the road, her son was seized by soldiers and taken into a building, she said. Later, she received a telephone call indicating that her son had been shot and she was required at the hospital to consent to an operation on him. She duly attended at the hospital.

When she returned home on May 27, 2010, the front door to her room was split into two, and the room ransacked. Her washing machine, component set, 3-piece settee and a refrigerator had been damaged.

Based on the estimates, **the Compensation Committee recommends the payment of \$104,000.00 to Miss Wedderman.**

Miss Alicia Weir is a hot dog and snow cone vendor residing at Building 4 Sangster Crescent. She is 34 years old. In her statement to the Public Defender, she said that she was at home on May 24, 2010, with her family when she heard loud explosions like gunshots. Soldiers came, she said, and kicked down her door. They ordered her to lay on the ground, and then they tied her hands behind her. The soldiers proceeded to search the house. Thereafter, she was taken to an unfinished building along Derrick Path. The soldiers took away their mobile phones.

When she was allowed to return to her house that night, Miss Weir discovered that her house had been ransacked. The refrigerator had a lot of holes in it resembling gunshot holes and it was not working. The walls and windows of the kitchen appeared to have been shot up also.

Miss Weir estimated then that the total damage was \$100,000.00 [refrigerator \$25,000; window \$20,000; and bedroom and kitchen \$55,000]. She subsequently produced an invoice in respect of the refrigerator alone for \$48,000.00.

The Compensation Committee accepts her original estimate and notes that she received the sum of \$15,000.00 from the Ministry of Labour and Social Security. In the circumstances, **the Committee recommends that she be paid a further sum of \$85,000.00.**

Mr. Bryan Weir is a clerk living at Building 20 Apt A Seaga Boulevard with his uncle and his uncle's wife. Soldiers searched the house on May 24, 2010. During the search, they damaged a computer and took a telephone while advising Mr. Weir to "make his don buy it back". **The Compensation Committee recommends the payment of \$79,000.00 to cover the cost of the computer and the telephone.**

Miss Tamara Weir, an assistant teacher, lives at Block C, Tivoli Court. She secured her house on May 23, 2010, and went to her grandmother's residence in Kingston¹¹. On her return on May 26, 2010, she observed that her grill was open, the front door had been broken into two pieces, and her clothing and household items were all over the floor. The dry-wall partition in the living room had been damaged in that there were huge holes in it. The door to the bedroom was damaged and lying on the floor. Her computer was also on the floor and was no longer functioning.

Miss Weir provided invoices in respect of the doors, partition wall and computer. The total damage is estimated at \$135,730.22. In view of the fact that the Ministry of Labour and Social Security has paid Miss Weir the sum of \$15,000.00, **the Committee recommends a further payment of \$121,000.00 to her.**

Mr. Steve Wellington lives at Building 38 Flat 2 Dreckett's Place. He "sells music" for a living, according to his statement. On May 24, 2010, the front door of his house was kicked off by the police who detained him. Upon his release on May 28, 2010, he went to Buff Bay. He returned to Tivoli Gardens 3 weeks later and found that his musical equipment that he used to keep in a storeroom was exposed and in the rain. The storeroom door had been opened and everything scattered all over, he said.

One Ann Marie Kates gave a statement to the effect that she saw soldiers going into the storeroom and putting the items in the yard.

The Compensation Committee recommends the payment of \$100,000.00 to Mr. Wellington for the loss sustained by the damaging of his musical equipment.

Miss Beverly Welsh resides at Block 9 Lot 1 Bond St. She is a higgler. She lost goods in the fire at the Coronation Market. These goods (clothing and shoes) had been imported from Curacao and were valued at approximately US\$1,648. In her statement to the Public Defender, Miss Welsh said that on May 22, 2010, members of the security forces advised her to be off the street by 6:00 p.m. Consequently, she packed her goods (4 barrels, 2 boxes and 1 bag) under her stall,

secured them and went home. When she visited the market on May 27, she observed that all her goods had been destroyed.

The Compensation Committee is satisfied that Miss Welsh was a regular importer and that she lost the goods mentioned. **The Compensation Committee recommends the payment of \$150,000.00 to her as compensation.**

Miss Allison White of 12 Seaga Boulevard gave a statement to the Public Defender indicating loss totalling \$79,000.00 incurred in the fire at Coronation Market. She received \$15,000.00 from the Ministry of Labour. The Compensation Committee regarded her statement as genuine and therefore **recommends that she be paid an additional sum of \$77,000.00 as compensation.**

Miss Dorothy White is a vendor who lives at 11 Kennedy Lane, Gordon Pen, Spanish Town and operates two stalls in the Coronation Market. She was at home on May 24, 2010, when she received a call saying that the market was afire. She went to the scene on May 27 to find that both stalls had been completely destroyed. She provided a list of goods lost. According to her, she lost 72 bottles of honey valued at \$800.00 per bottle, 10 stoves valued at \$1,200.00 each, 80 five-gallon drums of molasses valued at \$1,800.00 per drum and soap powder valued at \$2,000.00, making a total loss of \$215,600.00. She produced receipts that she obtained for the molasses (\$49,600.00) and soap (\$1,800.00). In respect of the claim for the molasses, the total sum indicated on the two receipts (\$49,600.00) was a far cry from the \$144,000.00 that she had given as an estimate in her statement to the Public Defender. Taking into consideration the fact that she had received \$100,000.00 from the Ministry of Labour and Security, **the Committee now recommends that she be given a further sum of \$20,000.00 which would then amount to full compensation for her loss.**

Mr. Osbourne Whittick gave evidence before the Compensation Committee on July 4, 2017. He described himself as a Jack of all trades. He lives at 1 McKenzie Drive in Tivoli Gardens. At the time of the incursion, he was the sole occupant of his house which he said was one room measuring approximately 14 x 14 feet.

Mr. Whittick's house, like many of the houses at 1 McKenzie Drive, was destroyed by fire shortly after the incursion. He gave a statement to the Public Defender on June 21, 2010. Attached to that statement was a list of the items of furniture that he said he lost. The estimated total value was \$377,000.00.

Having examined the pro-forma invoices provided by Mr. Whittick, and having considered his evidence before us, **the Compensation Committee recommends that Mr Whittick be paid \$250,000.00 as compensation.**

Miss Sophia White lives at 24 Dee Cee Avenue. She used to be at 1 McKenzie Drive. She is a janitor. On May 24, 2010, she left home with her 4 children and went to a friend's house on the said McKenzie Drive. On the following day, she saw smoke and flames coming from the roof of the apartment building in which she lived. Soldiers and firemen were in the vicinity, she said, but neither group attempted to put out the fire. All her furniture and personal belongings were destroyed.

The estimated loss was \$282,000.00. Miss White received a grant of \$250,000.00 from the Ministry of Labour and Social Security. In the circumstances, **the Compensation Committee recommends the payment of an additional amount of \$32,000.00 to Miss White as compensation.**

Mr. Stafford White lives in a one-bedroom house at 21 Tulip Lane. He is a deliveryman. On May 23, 2010, he locked his house and went to Denham Town where he said he remained for 2 weeks. He returned to his house on June 13, 2010, and found the door open and damaged. His television set and a fan were missing. He said he removed the rest of his belongings to his friend's house in Denham Town.

Mr. White was told by neighbours that soldiers had entered the house and left it open, and afterwards civilians went in and helped themselves to his property.

The Compensation Committee recommends the payment of \$50,000.00 to Mr. White as compensation.

Mr. David Whitely operates an optical repair business at Darling St. He lives at 29 Vincent Path, Kingston 14. His shop was entered and searched in his absence, and the front door left open. As a result, goods were removed from his establishment. **The Compensation Committee recommends the payment of \$56,000.00 plus US\$169**, the latter amount being for a hot air warmer.

Miss Angela Whitfield is a vendor who lives at 1 Baugh Path Tivoli Gardens. Her house was entered, apparently by the security forces. The lock for the front grill had been forcibly removed, clothes were strewn on the floor, dining table broken into two, settee ripped open by a sharp instrument, and ceiling damaged.

There were bullet marks in the bedroom door, and the television set was not functioning.

Taking labour costs into consideration, the Compensation Committee recommends the payment of \$100,000.00 as compensation.

Miss Mendisha Whyte of Block D Apt 108 Tivoli Court is asthmatic. On May 24, 2010, soldiers, while escorting her from her home to another building, forced her to swallow liquid medicine that she had in her hand, causing her to feel drowsy. When she returned to her home on May 27, 2010, she noticed that the partition walls for the bedroom and the kitchen as well as the door for the what-not had been damaged. A 600-gallon tank had bullet holes, and also damaged were a sofa, dining table and chair and a closet. The estimates put the damage at \$119,000.00.

This estimate is probably high. Miss Whyte received a grant of \$15,000.00 from the Ministry of Labour and Social Security. **In the circumstances, the Compensation Committee recommends payment of a further sum of \$60,000.00.**

Mr. Samuel Whyte aged 54 years lives at 1 McKenzie Drive. He is a plumber. His house was destroyed by fire. He was not at home at the time. Due to the unrest, he stayed elsewhere. He returned to Tivoli Gardens on May 28, 2010.

Mr. Whyte lost everything that he owned, including all his documents such as birth certificate and banking records.

He received \$250,000.00 from the Ministry of Labour and Social Security. Having considered the items lost and the receipt and pro-forma invoices presented, **the Compensation Committee recommends the payment of a further sum of \$100,000.00 to Mr Samuel Whyte as compensation.**

Mr. Beresford Williams resides at 9 Derrick Path. He left his home on May 23, 2010 and returned on May 27, 2010. He observed damage to the front door of his house, as also to a window, the refrigerator, dining table, bedroom door, bathroom door and to cutlery and chinaware. He also missed cologne, three men's watches and cash \$25,000.00.

Mr. Williams' list of losses and damage amounts to \$118,000.00 except for the cash, watches and cologne. The invoices presented do not cover all the items of which he complains. In the circumstances, **the Compensation Committee recommends the payment of compensation in the amount of \$100,000.00** [determined as follows – 2 doors and a window plus labour charges (\$37,180); watches (\$26,500); cologne (\$13,900) and the rest complained of (\$22,420)].

Mr. Daneilo Williams aged 25 years of 44 Bustamante Highway was detained on May 25, 2010, and released on May 28, 2010. When he returned home he noticed that 2 chairs were damaged and his Nokia camera phone missing. There was also a bullet hole through his toilet tank. The circumstances indicate that the damage and loss were caused by the security forces. Mr. Williams estimates the value of his loss at **\$50,000.00**; and the Compensation Committee accepts the estimate and **recommends payment of that amount to Mr. Williams.**

Mr. Danny Williams of 35 Wellington St. Kingston 14 complained to the Public Defender that while he was in another section of the community, his house was ransacked and door and lock damaged by the security forces. They also removed

\$4,000.00 that he had left under a phone. The Compensation Committee **recommends the payment of \$15,000.00 to Mr. Williams as compensation.**

Miss Donette Williams is a chef living at Building 5 Flat B Sangster Crescent. She received a grant of \$15,000.00 from the Ministry of Labour and Social Security. Miss Williams gave evidence before the Compensation Committee on March 29, 2017.

On May 24, 2010, she was at her home at about midday when there were loud explosions. Soldiers came into the house and used the butts of their guns to beat the male members of the household. They damaged windows, a television set and a chair. The phones were taken from all the occupants, and they were threatened with death, she said.

The Compensation Committee recommends the payment of a further sum of \$222,000.00 to compensate Miss Williams for the damage done to her property.

Miss Jacqueline Williams lives at 71 Dee Cee Avenue. She shared house with Ian aka "Cripple". She left her home on May 24, 2010, and went to Montego Bay to be with her mother. On her return on June 1, 2010, she was informed that three men had died in the house. She noticed that it had been ransacked, and several items were missing.

In her section of the house, the door was broken off, a Lasko standing fan had been pulled apart and the fabric for her queen size bed base torn up. She said she missed a Sony dvd, a 21-inch television set, \$250,000.00 from ticket sales as well as 100 tickets. Interestingly, her neighbour Carol Hyatt states that the missing amount from ticket sales was \$52,000.00. It seems so unwise (if true) to be leaving that amount of money in a house at a time when one is travelling to the other end of the country, intending to be away for a little while.

The Compensation Committee recommends the payment of compensation for damage to the door, bed, refrigerator and stove and for the missing dvd and television set. **The amount recommended for payment is \$108,000.00.**

Miss Kamala Williams of 1 McKenzie Drive said in her statement that she received her house spot from “The President”. She received permission to build, and had light and water facilities, but paid no bills.

On May 24, 2010, she was at home. She heard gunshots. She ran to Dor’s at Seaga Boulevard. She returned home the next day to find her house burnt to the ground. Apart from the structure itself, she lost her household items and \$50,000.00 cash.

The invoices for the household items and building materials submitted to the Public Defender amount to \$551,402.00.

The Compensation Committee notes that Miss Williams was paid \$250,000.00 by the Ministry of Labour and Social Security, **and recommends that she be paid a further sum of \$250,000.00 as compensation.**

Mr. Marvin Williams of 81 North St, Kingston, left home on May 30, 2010 and went to his mother’s house in Denham Town. He received a call on June 13, 2010 informing him that soldiers were at his house. He returned on June 14, 2010 and found that the front door had been broken off, closet and a glass table destroyed, mattress cut, two glass windows broken, the ceiling in the kitchen and bedroom torn down, and his television set not working.

Having examined the replacement costs, **the Compensation Committee recommends the payment of \$150,000.00 to Mr. Williams.**

Miss Patricia Williams lives at Levy Path, Building 1, Flat O. On May 24, 2010, her house was searched by soldiers. During the search, a bed and a refrigerator were damaged. The damage to the refrigerator resulted in spoilage of foodstuff. In addition to the damage done during the search, there was an explosion by a device under the control of the security forces. This explosion damaged the ceiling which resulted in leaking of water into the house.

Miss Williams' claim amounts to \$80,000.00. She received a grant of \$15,000.00 from the Ministry of Labour and Social Security. **The Compensation Committee recommends the payment of an additional sum of \$50,000.00 to her.**

Mrs. Rebecca Brown Williams lives at 56 Bustamante Highway. She is a vendor whose goods were burnt in the market. She estimates her loss at \$150,000.00. Mrs. Williams received a grant of \$15,000.00 from the Ministry of Labour and Social Security. The documents submitted by her did not satisfy the Compensation Committee that her loss was as much as that claimed by her. In the circumstances, **the Compensation Committee recommends that she be paid a further sum of \$50,000.00.**

Miss Sophia Williams received a grant of \$15,000.00 from the Ministry of Labour and Social Security in respect of damage done to her house by gunshots and during searches by the security forces. She lives at 74 Tivoli Courts. Apart from the damage done, Miss Williams also claims for a missing television set and a laptop computer. The total sum claimed as per invoices and estimate is approximately \$110,000.00. In addition, the claimant states that she missed cash \$86,000.00. **The Compensation Committee recommends the payment of an additional amount of \$95,000.00 as compensation for the damage done and for the missing laptop and television set.**

Miss Audrey Williamson of 1 Dreckett's Place received \$15,000.00 from the Ministry of Labour and Social Security in respect of the destruction of a painting of her deceased father. On June 8, 2010, soldiers came to her house and ordered her to take down the painting which was on the wall. She refused and made a complaint to a sergeant who told her to make a note of the soldier's number if she sees him again. Later that evening, she saw him and noted the number of the jeep. At midnight, Miss Williamson received a call from a neighbour informing her that soldiers had "painted out" the picture which was on the verandah.

The painting had been done by one Cleaver Cunningham, and an invoice dated August 30, 2008, was produced indicating a cost of \$30,000.00. In the

circumstances, **the Compensation Committee recommends the payment of a further sum of \$15,000.00 to Miss Williamson.**

Mrs. Maudlyn Williamson of 1 Dreckett's Place, left home on May 22, 2010. Her daughter Valerie Williamson remained. Mrs. Williamson returned in mid June and was told by her daughter that the police had visited and searched the house in her absence. No damage was done during the search.

However, Miss Williamson gave a statement that bombs were dropped in the community resulting in the shaking of the house. Subsequently, she noticed that tiles had been shaken out of their position, the roof was leaking and the chandelier was damaged.

The Compensation Committee recommends the payment of \$35,000.00 to Mrs. Williamson as compensation.

Miss Daphne Wilson received \$15,000.00 from the Ministry of Labour and Social Security. She lives at Apt 110 Block B Tivoli Gardens. On May 25, 2010, members of the security forces searched her house. In the process, they damaged the dry wall, 2 doors, and a television monitor among other things. The Compensation Committee, having examined the pro-forma invoices, **recommends the payment of an additional amount of \$62,000.00 as compensation.**

Mr. John Wilson is a vendor in the Coronation Market. His cart and goods were destroyed in the fire. He claims a loss of \$95,100.00. **The Compensation Committee recommends the payment of \$50,000.00 to him as compensation.**

Mr. Patrick Wilson lives at 107 Charles St Kingston. He is an auto mechanic and carpenter. On May 25, 2010, he was at his aunt's house at 102 Charles St Kingston when soldiers came there, held him and threatened to kill him. They took him and others to clear the street of barricades that had been set up.

Mr. Wilson was injured in the right thigh by a bullet while he was moving barricades on Bread Lane. Soldiers took him to hospital where he received

treatment. He subsequently attended a private doctor in Portmore for further treatment.

The Compensation Committee has considered the amount that a court would order as compensation for an injury of this kind, and **recommends the payment of the sum of \$400,000.00 to Mr. Wilson.**

Miss Nadia Wolfe lives at Building 21 Flat C, Seaga Boulevard. She is a hairdresser, aged 33 years. She made a complaint to the Public Defender on July 1, 2010. She gave evidence before the Compensation Committee on June 26, 2017. The house in which she lives is owned by Headley Williams, her “baby father”. It is noted that Mr. Williams has filed a claim limited to damage of a car. According to Miss Wolfe, he was not in Tivoli at the time of the incursion.

Miss Wolfe was at home with her daughter on May 24, 2010, when she saw her “door fly in and then shattered into pieces”. Seven soldiers appeared at her doorway, enquiring whether there was a man at home with her. She said there was none. She said that she was forcibly instructed to go to the first floor, to Miss Syretta Bolt’s premises where she and others were detained for 3 days.

She said that during her absence from her house, she heard a lot of gunshots. Eventually, she was escorted by soldiers back to her house. There she noticed that her premises had been shot up. She blames the soldiers. Her house was damaged and contents destroyed by bullets. There were items also missing.

The Compensation Committee notes that Miss Wolfe was given the sum of \$75,000.00 by the Ministry of Labour and Social Security. She is of the view that the damage suffered by her is in the region of two million dollars. Having examined the evidence presented by her, **the Committee recommends that she be paid a further sum of \$300,000.00 as compensation.**

Mr. Cecil Wright, a retiree, resides at 22 Harold Path, Kingston 14. He made contact with the Office of the Public Defender in 2010, but did not make a formal claim until December 2016 when his attorney-at-law Mrs. De Clou submitted to the Compensation Committee a summary of the instructions she had received.

This summary was totally inadequate for a review to be done and recommendation made.

As a result of guidance from the Committee, Mr. Wright made an affidavit in which he related his complaint and the circumstances of his loss.

At the time of the incursion, Mr. Wright lived with his son (aged 13 years) and son-in-law. They decided to vacate their house and stay with a friend on Kirk Patrick Path. This they did on Monday May 24, 2010. There was much gunfire in the neighbourhood. He saw “smoke and fire coming into the front room of the building” in which he was staying. They vacated that building. He then noticed that “the whole block was on fire”. He said they asked the police to call the fire brigade but the reply they received from the police was: “let the whole place burn down”. The police, he said, placed them to lie on their bellies facing the ground. He said it “was a very scary time as we did not know what was going to happen”. Eventually, those whose houses were burnt were asked, he said, to find places to stay. About 4 days later, he returned to his house and noticed it was “completely burnt out”.

Mr. Wright lost everything he owned – legal documents, furniture, clothes, jewellery. He supplied a sworn estimate of his loss which amounted to \$747,806.00. **The Compensation Committee is quite satisfied with the estimate and recommends the payment of \$750,000.00 to Mr. Wright as compensation.**

CLAIMANTS WHO HAVE NO BASIS FOR A CLAIM OR WHO HAVE ALREADY RECEIVED ADEQUATE COMPENSATION

Mr. Jermaine Abrahams, a laboratory supervisor, of 20 Chang Avenue, filed a complaint in respect of his detention. There is no other complaint. **The terms of reference of this Committee do not cover his situation; hence no recommendation can be made.**

Mr. Derrick Allen of 87 Mark Lane was detained between June 15 and 16, 2010. His claim for compensation for his detention cannot be entertained by the Compensation Committee due to want of jurisdiction.

Mr. Marlon Allen who used to work at the Ministry of Agriculture was scheduled to appear before the Compensation Committee on December 16, 2016. However, he did not appear as he was overseas. Miss Shirley Ellis told the Committee that Mr. Allen was in Florida, and she did not know when he would return. She was advised to inform the Public Defender' Office when he returns. Up to August 4, 2017, the Compensation Committee had not been informed that Mr. Allen has returned. Consequently, the Committee is not in a position to make a recommendation in respect of his claim.

Mr. Christopher Angus resides at 51 ½ Chestnut Lane, Denham Town. He is unemployed. In a statement dated July 12, 2010, to the Public Defender he complained of damage being done to a water cooler, and the taking of an I-phone by members of the security forces. On February 16, 2011, he abandoned the claim in respect of the phone. As regards the water cooler, he and his mother gave conflicting statements as to the manner and nature of damage done to the cooler. The Compensation Committee noted that a photograph of the cooler did not assist in supporting the claim that it had been damaged. **In the circumstances, the Compensation Committee is not in a position to recommend any payment to Mr. Angus.**

Mr. Kerron Ashley lives at 20 Sangster Crescent. He is a janitor. He was detained between May 25 and 28, 2010. He is seeking compensation for assault in that he said he was verbally abused, and kicked in the left side by a policeman. Although he was seen by Dr. Mundluru and Dr. Lloyd Brooks, he has not provided any supporting medical evidence of an assault.

In the circumstances, the Compensation Committee, noting that he received a grant of \$15,000.00 from the Ministry of Labour and Social Security, regards Mr. Ashley as having been compensated.

Miss Natalie Bailey of 1 McKenzie Drive submitted a claim for damage to property and for items missed from her house. Her total loss, she said in her statement, amounts to \$286,400.00. The Compensation Committee wished to hear from Miss Bailey in person. She failed to attend before the Committee on the dates scheduled for her appearance, although she was advised. **In the circumstances, the Compensation Committee is unable to make a recommendation in respect of her claim.**

Miss Shereen Bailey of 1 Upper Oxford St, Hannah Town received a grant of \$15,000.00 from the Ministry of Labour and Social Security. This was in respect of damage done to the door, kitchen wall, dresser and tiles at her house. Neighbours of Miss Bailey told her that soldiers had kicked off the door on May 26, 2010. Further, on June 6, 2010, soldiers came and searched; during this search, three drawers were damaged.

The Compensation Committee regards the payment of \$15,000.00 as sufficient to cover the cost of the damage that was done.

Mr. Franklyn Barnett of 80 Zackey Avenue submitted a claim in respect of damage to his 1998 Toyota motor car. The claim was not in a form that permitted the Compensation Committee to consider it.

Mr. Ian Barrett is a photographer living at 52 Lenford Path Bustamante Highway. He received a grant of \$75,000.00 from the Ministry of Labour and Social Security. During the incursion damage was done to his house and contents. On the basis of the estimates, the Compensation Committee is of the view that Mr. Barrett has been compensated for the damage done.

Miss Charmaine Barrett of Apt 268 Building O, 10 ½ Race Course Lane, Denham Town, complained that she lost stock valued at \$70,000.00. However, **she received \$75,000.00 from the Ministry of Labour and Social Security. Consequently, she is to be regarded as having been compensated.**

Mr. Christopher Barrett lives at 1 McKenzie Drive. He received a grant of \$250,000.00 from the Ministry of Labour and Social Security. His house was burnt and he suffered loss which he originally estimated at \$205,600.00. The Compensation Committee was not impressed by the fact that by the time pro-forma invoices were submitted, the amount being sought for compensation was approximately \$750,000.00. **The Committee accepts the original estimate and regards Mr. Barrett as having been already compensated.**

Miss Aneita Bartley is claiming approximately \$1.5 million for loss of goods in the Coronation Market. The Compensation Committee notes that Miss Bartley received a grant of \$150,000.00 from the Ministry of Labour and Social Security. However, the Committee is unable to make a recommendation in respect of the claim as Miss Bartley is said to be overseas.

Mr. Wayne Bartley was a special assistant to the Honourable Bruce Golding. He lives at Building B Lot 64 Tivoli Courts. According to a statement given to the Public Defender, Mr. Bartley's jeep was damaged during the incursion. He failed to provide an estimate of the damage to the Office of the Public Defender, although he promised to do so. **Consequently, the Compensation Committee is not in a position to make a recommendation for compensation.**

Miss Schalen Beckett left home on May 23 and returned on May 29 to find her house being occupied by soldiers. Items such as an aquarium, a pump, a filter, figurines and a lock were either damaged or destroyed. Goldfish that were in the aquarium died. According to the statement given to the Public Defender, the total loss was estimated at \$15,975.00. **She received a compassionate grant of \$15,000.00 from the Ministry of Labour and Social Security. There is therefore no basis for any further sum to be offered or recommended.**

Mr. Ainsworth Bernard is a security officer residing at 3 to 7 Race Course Lane, Apt 184 Block J, Golden Heights, Kingston 14. On May 22, 2010, at 9:00 p.m., according to him, he left his motor vehicle on Spanish Town Road due to engine trouble. The next time that he saw the vehicle, its windshield was broken.

There is nothing to indicate how this damage was done. In the circumstances, the Compensation Committee is not in a position to recommend compensation. Mr. Bernard ought to have checked with his insurance company, assuming that the vehicle was insured.

Mr. Jermaine Bennett claimed compensation for detention and physical and verbal abuse. No medical evidence has been presented to justify the claim for physical abuse. As regards detention and verbal abuse, the Compensation Committee has no jurisdiction to entertain such claims.

Miss Marva Bernard lives at Building 12 Flat E Bustamante Highway. She is a higgler. She claims for damage to her house. However, the Compensation Committee did not find a link between the damage to her property and the activities of the security forces. No compensation is recommended.

Miss Iyhana Biggs of 72 Doris Path, Bustamante Highway, is 22 years old. On May 23, 2010, she was at home with her mother Donna Linton when she heard the sounds of bombs and gunshots. According to her statement dated July 14, 2010, to the Public Defender, six windows flew out. The ceiling collapsed in part; also a wall outside. The following day, she and her family went next door to their

neighbour Beverley. While there, she heard a smashing sound. She said this smashing was being done by soldiers. She later went to her house to find that the lock had been spoilt and a window smashed.

In a further statement dated February 21, 2011, Miss Biggs said that a soldier had stood on a dresser and used a machete to cut the ceiling; and that she received a cheque for \$15,000.00 from the Ministry of Labour and Social Security.

The Compensation Committee viewed photographs taken of Miss Biggs' property and is of the opinion that these photographs do not support her claim. **She is to be regarded as having been compensated.**

Miss Andrea Black of 14 Linton Place Tivoli Gardens received a grant of \$75,000.00 from the Ministry of Labour and Social Security in respect of damage done to her house during a search by members of the security forces. The Compensation Committee regards the amount as compensation for the damage claimed.

Miss Angella Blair lives at 14 Wellington St (Board Villa). She was shot in the foot while looking at 2 men who had been shot earlier. This was on May 24, 2010, at about 8:00 p.m. outside her house. She had heard shooting and when there was a lull in the shooting, she ventured outside. The Compensation Committee makes no recommendation for compensation as there is nothing to indicate that the injury to Miss Blair was caused by any member of the security forces.

Mr. Arthur Blake is a security guard who lives at 1 McKenzie Drive. He left home on May 24, 2010, and went to work at a quarry. His neighbour Michael Thomas informed him that he had seen police and soldiers throwing objects on the houses and they were set ablaze. One such house was Mr. Blake's. All his belongings were destroyed. He provided an estimate of \$232,797.60 in relation to his loss.

The Compensation Committee notes that Mr Blake received a grant of \$250,000.00 from the Ministry of Labour and Social Security. In the circumstances, he has already been compensated.

Mr. Conroy Blake describes himself as a higgler and mechanic. In his statement dated September 21, 2010, he said that he is the caretaker of the premises (Flat B 19 Seaga Boulevard) where he lives. His grandmother who owned it is deceased. Near the end of the month of April, he left for Ocho Rios and did not return until after July 7, 2010. He then noticed extensive damage to the house and contents.

The Compensation Committee is not in a position to make a recommendation for payment of compensation. There is no clear connection between the damage and the security forces, given the extensive time that the premises had been left unattended by the caretaker. The Committee wished to interview Mr. Blake but time did not permit same.

Mr. Dwayne Bloomfield complained that he was dismissed from his position of assistant bailiff, as a result of having been detained. Quite apart from the fact that the Compensation Committee has no jurisdiction to deal with compensation for detention, it is noted that the bailiff denies knowing Mr. Bloomfield.

Miss Daphne Bolton of 73 Chestnut Lane made a claim in respect of goods and a cart allegedly lost in the Coronation Market. There are contradictory statements as to the circumstances of the loss. The Compensation Committee does not find it possible to make a recommendation for compensation.

Miss Karen Boothe resides at 2 Seaga Boulevard, Tivoli Gardens. Her claim is in respect of damage to her house and for loss of goods in the Coronation Market. The Compensation Committee wished to interview Miss Boothe and she was scheduled to appear on May 31, 2017 but did not. The Committee is not in a position to make a recommendation on the material in the file.

Mr. Oswald Boothe of 2 Ebenezer Lane complains of having been detained. The Compensation Committee has no jurisdiction to entertain this claim.

Miss Alicia Bowen resides at Block 40 Lot 274 Slipe Pen Road. She received the sum of \$15,000.00 from the Ministry of Labour and Social Security in respect of a car windscreen damaged by a bullet. In view of the estimate provided by Dr Glass, the Compensation Committee regards Miss Bowen as having been compensated by the payment she received from the Ministry.

Mr. Anthony Brooks who lives at 1 McKenzie Drive suffered loss that he estimated at \$236,500.00. This was for total destruction of his house by burning. Subsequent to the giving of his statement to the Public Defender, he produced pro-forma invoices indicating loss of \$277,395.00. **He received a compassionate grant of \$250,000.00 from the Ministry of Labour and Social Security. The Compensation Committee regards Mr Brooks as having been compensated.**

Miss Joan Brooks resides at Lot 14 Block 67 Percy St Denham Town. In her statement, she states that she is a vendor. The Compensation Committee is not prepared to make a recommendation in respect of losses she claims to have sustained in the market, as she is not a registered vendor in that market.

Miss Sharon Brooks lives at Percy St in Denham Town. In 2010, she lived at 1 McKenzie Drive in Tivoli Gardens. The Compensation Committee examined her statement to the Public Defender and requested that she attend for certain questions to be asked of her. She did not attend on the scheduled date: July 4, 2017. Consequently, **the Committee makes no recommendation in respect of her claim.**

Mr. Clinton Brown, a carpenter, aged 63 years at the time he gave his statement, lives at 34 Water St., Denham Town. On May 22, 2010, he was walking on Little King St. on his way home, when he saw persons blocking the roadway. He heard several explosions which apparently caused persons to start running. He joined the running group and unfortunately slipped and injured his right hip. He was hospitalized and had surgery on his hip. He gave details of the cost of medication,

and the fact that there is now a pin in his hip. **The Committee does not feel that the circumstances warrant any recommendation for compensation.**

Mr. Dwayne Brown lives at 1 McKenzie Drive. He was detained by the security forces between from May 26 to 27, 2010. When he returned to his home on May 31, 2010, he noticed that his front door had been broken, his bed cut with a knife, the bed base broken, and his stove, fan, refrigerator, television set and DVD damaged. He estimated his loss at \$105,000.00. However, he produced pro-forma invoices indicating that the cost of replacing these items was \$154,000.00. **Whatever is the appropriate sum, the Committee regards Mr Brown as having been compensated due to the fact that the Ministry of Labour and Social Security made a compassionate grant of \$250,000.00 to him.**

Miss Imogene Brown of 9 Seaga Boulevard locked her house on May 24, 2010, at about 5:00 p.m. and went next door to be with one Mr. Spaulding. In her absence, the side door to her house was damaged and the lock broken off. She received a grant of \$15,000.00 from the Ministry of Labour and Social Security. The Compensation Committee regards Miss Brown as having been compensated for the damage done, although there is nothing to indicate this was done by the security forces.

Miss Janet Brown lived in Building 32 Flat 8 Dreckett Place. She gave evidence before us that on May 23, 2010, she left home with her children and returned on May 27, 2010. On her return, she noticed that the doors to her house had been damaged beyond repair. There was damage to her DVD and television set. She estimated the damage to be in the region of \$67,800.00. In view of the fact that the Ministry of Labour and Social Security gave her a grant of \$75,000.00, we are of the view that **she has been compensated for her losses.**

Mr. Keith Brown of 91 Bustamante Highway was at his aunt's house at Sangster Crescent on May 24, 2010. There was an explosion. He was thrown by the blast

and injured. According to his statement, he was beaten by soldiers and ordered to drink dirty water.

No medical report has been provided. The Compensation Committee is unable to make a recommendation in the absence of such a report. The Office of the Public Defender was written to in this regard on May 30 and August 3, 2017.

Miss Phebian Brown of Building 46 Bustamante Highway left home on May 22, 2010, for a funeral. On returning home on May 28, 2010, it was discovered that there was no door on the house, and there were drawers that had been damaged along with tiles on the walls of the bedroom. The claim was for \$80,000.00 as indicated by invoices presented. This claimant received a grant of \$75,000.00 from the Ministry of Labour and Social Security. The Compensation Committee is of the view that **this claimant has already been compensated by that payment.**

Miss Suzette Brown lives at Block E 3 Apt 1, Central Kingston Housing Scheme. She claims that her house was destroyed by fire but there has been no estimate of loss. Consequently, **the Compensation Committee is not in a position to make a recommendation for compensation.**

Miss Tanya Brown lives at Board Villa, Wellington St. She gave a statement to the Public Defender on June 14, 2010. In it she said that she went to work on Trafalgar Road on June 9, and returned home on June 10, 2010, to find her house damaged. Her television set was thrown off the stand, a fan broken and her bed base damaged. The ceiling had also been torn down. One Wayne Logan gave a statement that he saw soldiers using a crowbar to gain entrance to the house.

The estimates indicate damage amounting to a maximum of approximately \$90,000.00. However, Miss Brown is on record as having received the sum of \$250,000.00 from the Ministry of Labour and Social Security. **In the circumstances, she appears to have been over-compensated.**

Miss Terieka Brown of Building 46 Bustamante Highway left for England on May 21, 2010. In making her claim for losses allegedly suffered in her absence, she gave a statement which contained inconsistencies. The Compensation Committee wished to interview her. She was not in attendance on the date scheduled to hear her.

Mr. Victor Brown aged 76 years lives at 4 Upper King St. He claimed that while he was away from home on June 7, 2010, his house was entered by the security forces and his spectacles destroyed. He also lost \$6,000.00 cash. The records show that the Ministry of Labour and Social Security made a compassionate grant of \$15,000.00 to him. In the circumstances, **the Committee is of the opinion that he has been adequately compensated.**

Mr. Noel Buchanan of Chestnut Lane gave evidence before the Compensation Committee on January 10, 2017. He said that he was at home on May 28, 2010, when soldiers and police personnel came there and kicked off his entrance door. The police found a firearm at the back of his house and he was detained. During the detention, according to him, the sum of \$14,000.00 was removed from his dresser drawer. The Ministry of Labour and Social Security gave him \$75,000.00. **We do not know the basis for this grant. However, if he suffered any loss, we are of the view that he has been compensated.**

Miss Geraldine Burrell of Apt 288 Block P, 3-7 Race Course Lane, Denham Town, is a ward assistant, aged 53 years. She owns a studio apartment at 40 Regent St. It was in good condition, she says, on May 22, 2010. Subsequent to that date, it was “shot up”. The ceiling was found with gunshot holes and a bed belonging to Miss Burrell’s “baby father”, Mr. Robert Stewart, had a gunshot hole which went through the pillow, sheet and mattress.

There is no indication as to when and by whom this damage was caused. In the circumstances, **the Compensation Committee is not in a position to recommend any compensation. This is so, notwithstanding the fact that Miss Burrell received the sum of \$15,000.00 from the Ministry of Labour and Social Security.**

Mr. David Chen describes himself as a roofing contractor living at 1 Zackie Ave Tivoli Gardens. He and Miss Sasha Nugent are parents of a male child. Due to certain serious discrepancies discovered between the statements in his claim, on the one hand, and those in the claim of Miss Nugent, on the other, **the Compensation Committee is not in a position to recommend any payment of compensation to him.**

Miss Janet Clarke of 3-7 Race Course Lane Building 71C Denham Town claims the sum of \$50,900.00 for goods lost in Coronation Market. The Compensation Committee has doubts as regards Miss Clarke's status as a vendor in the Market and as regards her loss.

Mr. Lennox Clarke of 1 Mckenzie Drive gave evidence before the Committee on January 10, 2017. His house was totally destroyed by fire on May 24, 2010. He estimated his loss at \$196,000.00. However, he produced pro-forma invoices totalling over \$300,000.00. **The Committee regards the sum of \$250,000.00 paid to him by the Ministry of Labour and Social Security as adequate compensation for his loss.**

Mr. Ramon Clarke resides at Building 12 Flat C Bustamante Highway. Further particulars are needed for the consideration of this claim. Efforts to receive same have proven fruitless. The Compensation Committee is not in a position to make a recommendation.

Miss Hazel Colquhoun-Kennedy gave a statement to the Public Defender to the effect that she lives at 13 Stephen St, Allman Town. On May 25, 2010, she left her home for Sarah St. An armoured car came up. Shots were fired. People ran. She ran. She fell and damaged her glasses. **The Committee does not feel that it has jurisdiction in this matter, given the location and the circumstances of the damage or loss complained of.**

Mr. Anthony David Coombs is a janitor residing at 37 Derrick Path. He received a grant of \$15,000.00 from the Ministry of Labour and Social Security for damage done to his house by soldiers. The Compensation Committee regards this payment as sufficient compensation for the damage that was reported in Mr. Coombs' statement dated June 14, 2010.

Miss Blossom Cowans of 28 Pink Lane is a higgler who claims to have lost goods in Coronation Market. Due to the insufficiency of evidence of loss, the Compensation Committee is unable to recommend compensation.

Miss Jacqueline Cross indicated in her statement that she had a ply and zinc structure valued at \$50,000.00 which was destroyed by fire along with items valued at \$202,000.00. She received a grant of \$250,000.00 from the Ministry of Labour and Social Security. In the circumstances, **we are of the view that she has been compensated for her loss.**

Mr. Peter Crossgill of 5 ½ North Street, aged 25 years, gave a statement to the Public Defender on January 11, 2011. He said that he was detained on June 7, 2010, by soldiers, fingerprinted, interrogated, photographed and then released.

The Compensation Committee has no jurisdiction to deal with this claim.

Mr. Denton Dacres lives at 27 Dee Cee Avenue in his sister's house. He gave evidence before the Commission of Enquiry which found that his property was damaged by members of the security forces. The damage that he mentioned was to 3 wooden doors, a window and a laptop. He said that there was a dvd player which was not functional. However, that dvd player was not his. **He received \$75,000.00 from the Ministry of Labour and Social Security, and the Compensation Committee regards that amount as sufficient to compensate him.**

Mr. Easton Daley resides at Building 25 Flat A Seaga Boulevard, Tivoli Gardens. His claim is in relation to damage done to his motor car. There are conflicting

statements in respect of this matter. It has not been shown that the car was damaged by members of the security forces. Accordingly, there is no recommendation for compensation.

Mr. Nico Daniels of 19 Regent St. gave a statement to the Public Defender that on June 1, 2010, soldiers kicked off the door to his house, ripped up linoleum and the ceiling, and overturned a barrel with clothes. He estimated that the cost of repairs would be \$10,000.00. The house is owned by one Errol Moodie. He (Mr. Daniels) is not aware of any repairs having been done by Mr. Moodie. There is no loss to him Mr. Daniels personally. In the circumstances, **the Committee does not see it appropriate to recommend any compensation to this claimant.**

Miss Adina Darby of 3 Wilton Hill Drive, Tivoli Gardens, gave evidence before the Commission of Enquiry. She filed a suit against the state in respect of torts allegedly committed against her. The suit number is HCV 02124 of 2016. The Compensation Committee is of the view that Miss Darby's claim would be more appropriately addressed by the Supreme Court.

Miss Deborah Darby of Building 42, Bustamante Highway, in her statement to the Public Defender, said that she left her house on May 24, 2010, to go to North St to store meat she said she had, as there was no electricity in Tivoli. When she returned on May 27, 2010, she saw soldiers watching DVD in her house. She listed a number of items that she said were damaged: 3 doors, a television set, speakers, breakfront shelf and a side glass. Missing, she said, were 5 boys' wristlet watches and \$120,000.00 cash that she said she had left in a scandal bag.

Miss Darby received the sum of \$100,000.00 from the Ministry of Labour and Social Security. This sum was credited to her on the basis of being a market vendor. However, nowhere in her statement did she say she lost anything as a vendor. Further, she did not disclose in her statement that she had received \$100,000.00 from the Ministry.

The Compensation Committee does not feel that this is altogether a genuine claim. In the circumstances, **the Committee is of the view that Miss Darby has been sufficiently compensated if, indeed, she lost anything.**

Miss Catherine Davis, aged 81, lives at Building 11, Faith Fong Yee Terrace. Her statement to the Public Defender indicates that soldiers damaged the door to her house. The invoice presented in respect of the replacement of this door shows quite clearly that **the sum of \$15,000.00 granted to her by the Ministry of Labour and Social Security was sufficient to compensate her for her loss.**

Mr. Joel Dennis is 28 years old. He is a plumber living at 1 Mckenzie Drive. He received a grant of \$250,000.00 from the Ministry of Labour and Social Security. This amount was paid to persons whose property was totally destroyed. In this instance, it seems that the Ministry of Labour and Social Security was misled as Mr. Dennis has not mentioned in his statement anything that comes close to total destruction.

In his statement, Mr. Dennis said that he left his home on May 24, 2010, and went to his mother's house at the same 1 McKenzie Drive. He remained there until the following day when both police and army personnel detained and assaulted him. He was detained until May 28. On his release, he said, he went to a cousin's house, and then back to Tivoli Gardens on Jun 3, 2010. When he went to his house, he noticed damage to various items such as settee, speaker box, radio, mattress.

Mr. Dennis' mother gave a statement indicating that her three sons live in separate dwellings at 1 Mckenzie Drive. They are Joel Dennis, O'Neil Palmer and Shawn Palmer. The Palmer brothers received \$15,000.00 each from the Ministry of Labour and Social Security.

In respect of the instant claimant, Joel Dennis, the investigator from the Office of the Public Defender noted that there was damage to a door and a lock, and to a radio. There was a small hole in a plyboard wall and there was a stereo that could not have been tested for play as there was no electrical current available.

The records of the Ministry of Labour and Social Security show Mr Dennis' age as 24 years, whereas in his statement dated July 14, 2010 he gives his age as 28 years. The Ministry's records also bear a telephone number that is different from the one he gave on his statement. The mobile telephone number that he gave to the Ministry of Labour and Social Security when he collected the sum of \$250,000.00 is the number given by his mother in her statement.

Mr. Dennis' claim is highly suspicious. He may well have been over-compensated, if he suffered any loss at all.

Mr. Ivan Dixon lives at 124 Matthews Lane. He is aged 79 years and is a coconut vendor. On May 24, 2010, he was at his gate speaking to someone. He noticed some men on the roof of the Kingston Public Hospital. He heard a loud explosion and then fell. He realized that he had been shot in the right leg. He was taken to the Kingston Public Hospital where he remained under treatment for 18 days.

The Compensation Committee is not in a position to recommend any compensation for the injury suffered by Mr. Dixon as no link has been established between his injury and any agent of the State.

Mr. Neil Dixon is a taxi driver who lives at 47 Chestnut Lane, Kingston 14. He said in his statement to the Public Defender that he was at home with his girlfriend Sashana Smith on June 20, 2010, when members of the security forces came and searched his premises. In doing so, he said that they damaged a section of the roof. He was detained and released the next day. The Compensation Committee is not empowered to deal with his claim for detention. He received a grant of \$75,000.00 from the Ministry of Labour and Social Security. That clearly satisfies any claim he may have had for property damage.

Mr. Sheldon Dixon of Building 16, Flat G, Keith Avenue was detained on May 27, 2010, and released on May 28, 2010. He is seeking compensation for his detention. The Compensation Committee does not have jurisdiction to deal with this claim.

Mr. Steve Douglas lives at 40 Dee Cee Avenue. He is aged 41 years and is employed as an orderly at a public hospital. He was detained on May 24, 2010 and released on May 27, 2010. Prior to his detention, his house was searched by soldiers. During the search, a fan and a closet glass were damaged. Mr. Douglas' friend Sonia was present during the search. The total estimate of the damage done was \$6,500.00.

According to Mr. Douglas, on his return from detention on May 28, 2010, he noticed that his house had been ransacked and damage done to items therein. Jewellery and cash were also missing, he said. He gave an estimate of total loss being \$237,880.00.

Even if Mr. Douglas suffered the loss and damage complained of, the Compensation Committee is not satisfied that the security forces were responsible for such. Accordingly, the Committee recommends that Mr. Douglas be regarded as having been compensated by the payment of \$15,000.00 that was made to him by the Ministry of Labour and Social Security.

Mr. Locksley Ducalley is unemployed. He is 28 years old and lives at 16 Wilton Hill Drive. In his statement dated December 21, 2010, he said that he was at his home on May 25, 2010, when the police came and detained him. He was taken to the Mobile Reserve and then to the National Arena. He was released on May 28, 2010, and now claims compensation for his detention. The Compensation Committee does not have jurisdiction to deal with this matter.

Miss Kerry-Ann Edwards lives at 1 McKenzie Drive. She left her house on May 24, 2010, and returned on May 26, 2010. She observed splinters on her bed, a broken mirror, a damaged door and several broken glass shelves from her what-not. The house had been searched by soldiers, according to Miss Edwards' mother. It is noted that Miss Edwards' boyfriend, Fitzgerald Gray, who lives at 1 Levy Path, was detained for four days by members of the security forces.

The Committee notes that there is a discrepancy between Miss Edwards and her mother in respect of the damage to the door. However, nothing turns on it as

Miss Edwards received \$15,000.00 from the Ministry of Labour and Social Security, which sum the Committee feels is sufficient compensation for the damage done.

Miss Marsha Edwards is a cosmetologist at Rasta City (part of 1 McKenzie Drive) Tivoli Gardens. She went to Cling Cling Drive to be with her mother on May 17, 2010. She returned home on May 31, 2010, to find the house burnt. She is seeking over \$700,000.00 as compensation. However, there is a statement from one Janet Thomas that Miss Edwards does not live at the address given. Further, the house is supposed to be owned by Miss Edwards' cousin Samantha Jones who died in 2009.

The Compensation Committee regards the material presented as insufficient to justify the claim being made, and so makes no recommendation.

Mr. Patrick Edwards of 38 Regent St Kingston 14 was scheduled to appear before the Compensation Committee on July 12, 2017, but he was absent. In the circumstances, the Compensation Committee is not able to make a recommendation in respect of his claim.

Mr. Rohan Elliott is unemployed and lives at 62 Spanish Town Road. He claims to have been beaten by soldiers, and to have received treatment at the University Hospital of the West Indies. He also claims for damage done to his television and component sets by the soldiers at the time of his detention.

There are issues as regards the credibility of his claim as the University Hospital says that it has no record of Mr. Elliott being treated at that institution.

The Compensation Committee notes that Mr. Elliott received a grant of \$15,000.00 from the Ministry of Labour and Social Security and so regards him as having been compensated.

Miss Shirley Elliott resides at 59 Dee Cee Avenue. Her claim has not been properly submitted; hence the Compensation Committee is unable to make a recommendation.

Miss Emily Farquharson aged 65 years, is a shopkeeper living at 132 Little King St., Denham Town. On May 27, 2010, at about 11:00 a.m., she was at her shop at 11 Seacole Avenue, Denham Town, when she heard loud explosions like gunshots. Two shots hit the wall of the shop. She ran. While doing so, she fell and injured her leg. She went home. On returning to her shop on May 28, 2010, she noticed that her shop had been looted and that the stock missing was about \$60,000.00 in value.

The Compensation Committee sees no evidence which links the State to Miss Farquharson's situation. In the circumstances, no compensation is recommended.

Miss Simone Farquharson is a vendor, aged 25 years, living at 8 ½ Victoria St Denham Town. Her goods were destroyed in the fire at the Coronation Market. Her estimate of the loss is \$77,900.00. In addition, she said that during the search of her house by 2 soldiers on May 26, 2010, they damaged a door and linoleum. The damage was estimated at \$4,000.00.

The Ministry of Labour and Social Security made a grant of \$75,000.00 to Miss Farquharson. **In the circumstances, the Compensation Committee is of the view that Miss Farquharson has been compensated.**

Miss Winnifred Foster is a vendor living at Building 36, Flat 6, Drecketts Place. In her statement dated July 9, 2010, she claimed losses of \$125,660.00 for goods destroyed in the fire at the Coronation Market. In a further statement made in April 2011, she admitted that she was not a registered vendor. However, she received a grant of \$15,000.00 from the Ministry of Labour and Social Security.

The Compensation Committee regards Miss Foster as fortunate in receiving compensation of that amount, and so makes no recommendation for any further payment.

Mr. Clement Francis 6 Harry St Rose Town Kingston 13, made a claim in respect of personal injury. However, no medical report has been submitted by him; thereby making it **impossible for a recommendation for compensation to be made by the Committee.**

Mr. Joel Francis of Building 12 Flat C, Tivoli Gardens, is a contractor. He complains of being detained from May 25 to 28, 2010. This is outside the jurisdiction of the Compensation Committee.

Miss Keisha Francis lives at Building 43 Apt 6 Bustamante Highway. In her statement to the Public Defender she said she operated a bar at 44 Bustamante Highway. She locked her bar on May 21, 2010, and left her home on May 22, 2010. She returned on May 28, 2010, and noticed damage to both bar and house as well as items missing from the bar. There is a material inconsistency between her statement and that of her brother Andre Francis as regards the damage and loss alleged. In addition, there is an insufficiency in the particulars of loss. **The Compensation Committee is not in a position to resolve the inconsistency, and so cannot recommend any compensation for Miss Francis.**

Miss Muriel Frazer lives at 16a Charles St. Kingston. Her claim is in respect of damage to a shop at 50 North St Kingston, and the loss of goods from that shop. There is no evidence to link the damage or loss to the activities of the security forces. Consequently, **the Compensation Committee makes no recommendation for compensation.**

Mr. Kenneth Fung of 55 Mark Lane gave a statement to the Public Defender on December 20, 2010. He said that he is a higgler aged 31 years. On June 17, 2010, he said that he was at his brother-in-law's house at Dreckett's Place when

members of the security forces took him to his house and searched it. According to him, they broke the lock to gain entrance. He was taken to the Mobile Reserve where he was fingerprinted and interrogated. He was released on June 20, 2010.

His claim is for damage to the lock, and for cosmetics he said that were thrown away, and for repairs to a speaker box and 2 pounds of tobacco.

The Compensation Committee was presented with no photographs or invoices or any other form of documentation in support of this claim. The Committee is not satisfied that it is genuine, and so makes no recommendation.

Mr. Jabar Gauntlette of 1 McKenzie Drive states that he lives in a 3 bedroom house at 2 Shearer Drive. The house was damaged, he states, by gunshots and hand grenade. However, **he has not provided any estimate of the damage. In the circumstances, no recommendation can be made.**

Miss Tricia Gauntlett of 1 Mckenzie Drive is a bartender. She lives with Ricardo Allen who is recorded as having received \$250,000.00 from the Ministry of Labour and Social Security. Miss Gauntlett also received \$250,000.00 from the Ministry of Labour and Social Security.

Miss Gauntlett's one-bedroom structure was destroyed by fire. She gave a list of items destroyed. The list includes a 21-inch television set, a Queen sized bed, a 7-dresser drawer, a dvd player, a 2-burner gas stove, a component set, a fan, a Samsung refrigerator, and clothes for the family. The total loss, by her estimate, was \$241,500.00.

As stated earlier, Miss Gauntlett received \$250,000.00. **There is no basis for any further compensation.**

Mr. Ceon Gayle of 4 Lower Elletson Road gave a statement to the Public Defender on December 13, 2010. In it, he said that he is a music engineer and that on June 16, 2010, he was at his home when members of the constabulary came and searched his premises. They took him to the Mobile Reserve where he was

fingerprinted and photographed. He was released the following day. His claim for compensation for his detention is not within our jurisdiction.

Miss Deborah Golding of 14 Crawford Avenue Acadia operates Trendsetter Plaza. She is a purchaser in possession. Extensive damage was done to the plaza. However, there is nothing to indicate that this was done by the agents of the state. In fact, it seems that this was done by criminal elements. In the circumstances, the Compensation Committee does not see it possible to make a recommendation for compensation.

Miss Keneisha Gordon lives at 11 Victoria St Denham Town. She is a dressmaker aged 31 years. She left home on May 22, 2010, and returned on May 26, 2010. In her absence, soldiers entered her house forcibly and damaged items while searching. Miss Gordon received a grant of \$75,000.00 from the Ministry of Labour and Social Security. **The Compensation Committee does not see any evidence to warrant any further payment to her.**

Miss Natoya Gordon is a vendor living at 11 Bond St with her four children. She is 32 years old and occupies one room in a house owned by her mother Delores Thomas. On May 19, 2010, she locked her room and left with her children for St. Elizabeth. During her absence, soldiers damaged a door and a section of the ceiling while they conducted a search.

The section of the house occupied by Miss Gordon was not damaged, and she missed nothing. Miss Delores Thomas received \$15,000.00 from the Ministry of Labour and Social Security in respect of the damage done to the door and the ceiling. **In the circumstances, there is no basis for recommending compensation for Miss Gordon.**

Mr. Marvin Grant is a handyman residing at 8 Shirley Terrace Kingston 14. He claims to have witnessed the killing of Mr Garfield Rose, his mentally challenged uncle, on May 25, 2010. Mr. Grant said that he was detained on May 27, 2010,

and again in August 2010. The Compensation Committee has no jurisdiction as regards detentions.

Mr. Steve Green of 83 Bustamante Highway, Kingston 14, filed a claim for compensation for his detention between May 24 and 25, 2010. The Compensation Committee has no jurisdiction in respect of this claim.

Mr. Robert Groves of 43 Dee Cee Ave was detained between May 24 and 29, 2010. The Compensation Committee has no jurisdiction to deal with his detention.

Miss Tricia Hall decided that she did not wish to give evidence on oath before the Committee, although she attended in response to our invitation. Nevertheless, we recorded what she had to say. She was most uncooperative and rude. She said that she lived in a house at 1 McKenzie Drive built by one Kemar Creary. It was burnt to the ground. It was a one-bedroom and one bathroom structure. She said that she has rebuilt the bathroom. The estimated loss is \$368,000.00. She received \$250,000.00 from the Ministry of Labour and Social Security. It is not clear why she was the recipient, given the indication that it was really Mr. Creary's house. She refused to quantify the sum of money that would be sufficient for her to regard herself as having been compensated. **In the circumstances, the Committee is not satisfied that she lost anything. Accordingly, there is no recommendation for payment to be made.**

Mr. Roberto Harmond of Building 13 Flat S Bustamante Highway was detained between June 20 and 21, 2010. His claim for compensation for his detention is not within the remit of the Compensation Committee.

Mr. George Harriott lives at 76 North St Kingston. He filed two claims, one for personal injury and the other for property damage. In respect of the latter, he received from the Ministry of Labour and Social security a grant of \$15,000.00 for damage done to a window.

On May 25, 2010, at about 6:40 a.m., Mr. Harriott was shot in the right arm while he was outside his home. He was hospitalized as a result and surgery was done on his arm. However, there is no available evidence as to who shot Mr. Harriott. In view of this, **the Compensation Committee is not in a position to make any recommendation for compensation.**

Mr. Jason Harris lives at Tivoli Court. He was detained from May 24 to 29, 2010. He was then a tiler working on a construction site. He was also a chef. As a result of the detention, he said he lost his job as a tiler as well as his income. Compensation for detention is not within the terms of reference of the Compensation Committee.

Mr. Gary Harrow of 7 Milk Lane Denham Town gave a statement to the Public Defender on September 21, 2010, in respect of loss he said he suffered as a result of the incursion. He presented several pro-forma invoices which were not in his name. In the circumstances, the Compensation Committee is not in a position to make a recommendation in respect of his claim. It has to be noted that Mr. Harrow should have attended before the Compensation Committee on April 19, 2017, but he did not.

Miss Vivienne Hastings is a businesswoman who gives her address as 49 Wellington St., Kingston 14. She gave statements to the Public Defender as regards damage that she said was done to her house and shops. She estimated that in relation to her business, she had suffered losses amounting to \$220,600.00. As regards her house, the damage was put by her at \$260,260.00.

The Compensation Committee wished to hear from Miss Hastings in person. Consequently, hearings were scheduled for her on two occasions in April 2017. On both occasions, though warned to attend at the Ministry of Justice before us, she chose not to do so. In fact, we were informed that on both occasions she chose instead to be part of a group demonstrating in front of the Public Defender's Office.

We note that Miss Hastings received a grant of \$75,000.00 from the Ministry of Labour and Social Security. In view of her clear rejection of the invitation to attend before us, the Committee does not recommend any further payment to her.

Miss Janet Haye of 97 Charles St. Kingston made a claim in respect of damage she claimed was done to her house by members of the security forces. Her statement does not indicate any loss or physical abuse. In the circumstances, no recommendation is being made for compensation.

Mr. David Hayles lives at Building 34 Flat 6, 6 Dreckett's Place. He received a grant of \$15,000.00 from the Ministry of Labour and Social Security. However his claim is for payment of an amount in excess of that, for damage to doors, mattresses, refrigerator and settee.

The Compensation Committee issued an invitation to Mr. Hayles to appear in person. He received the invitation, conveyed through the Office of the Public Defender, but failed to appear on April 11, 2017.

In the circumstances, the Compensation Committee is unable to make a recommendation in respect of his claim.

Miss Faithlyn Henry lives at 25 Mark Lane. On May 24, 2010, she heard gunshots being fired and she ran. A pot overturned and injured her. She received a grant of \$15,000.00 from the Ministry of Labour and Social Security. The Compensation Committee does not see the basis for an award in this case.

Mr. Jason Henry gives his address as Walker's Wood, Bramble Hill, St. Ann. On May 25, 2010, he was mixing mortar at his uncle's yard in Allman Town when he was detained by the police. He was released on May 28, 2010. The Compensation Committee does not regard events in Allman Town as being part of the incursion into Western Kingston; hence no recommendation is being made. In any event, detention is not within the Committee's jurisdiction.

Miss Natasha Herbine resides at Flat F Building 8, Bustamante Highway. Miss Herbine gave three statements to the Public Defender. Each tells a different tale as regards damage allegedly done to her property when soldiers searched it on May 24, 2010. The Compensation Committee formed the view that this is not a credible claim.

Mr. Everton Hewitt has provided two addresses. The records of the Ministry of Labour and Social Security show his address as 27 Seaga Boulevard, whereas in a statement to the Public Defender on November 22, 2010, he states that he lives at 1 McKenzie Drive. That apparent conflict is of no moment, however.

Mr. Hewitt received a grant of \$15,000.00 from the Ministry of Labour and Social Security. This grant was made on the basis of a claim that Mr. Hewitt's house at Seaga Boulevard had been damaged. The estimate of that damage was \$16,950.00. The difference between the grant and the estimate is negligible. **Consequently, the Compensation Committee regards Mr. Hewitt as having been compensated.**

The Committee notes that Mr. Hewitt was detained between May 25 and 28, 2010 during which period of time the damage was allegedly done, and the sum of \$45,000.00 which he said he had in a chest of drawers stolen.

Mr. John Hibbert is aged 21 years. He is a higgler. He lives at Block C Lot 82, Tivoli Courts. He says that he was detained, and assaulted by the security forces in a manner which the Compensation Committee feels would be best handled by a court of law. The Public Defender has been so advised. Consequently, no recommendation is being made.

Mr. Peter Higgins lives at 28 Chestnut Lane, Denham Town. Having been away from his home, he returned on June 3 to find his door "licked off", component set and television on the ground, a glass top table smashed and a play station missing. The Compensation Committee received no evidence to indicate who did this damage and when. **We note however that Mr. Higgins received a**

compassionate grant of \$15,000.00 from the Ministry of Labour and Social Security which would have satisfied any entitlement to compensation that he may have had.

Mr. Alton Hinds of Lot 12, Albert St. has filed a claim for \$20,442.00 in respect of damage that he stated to the Public Defender was done by soldiers to his television set. He had been watching the television with his mother when soldiers came and pulled it from the what-not thereby damaging it. **Mr. Hinds received a grant of \$15,000.00 from the Ministry of Labour and Social Security. The Committee is of the view that Mr. Hinds has received sufficient compensation for the damage that he claimed was done.**

Miss Marjorie Hinds lives at Building 2, Flat N, Levy Path, Kingston 14. On November 23, 2016, the Compensation Committee reviewed Miss Hinds' claim and decided that she should be requested to appear before us as early as possible. Miss Hinds duly appeared on December 14, 2016. Her claim related to personal injury as well as property damage. The Compensation Committee noted that Miss Hinds has filed a suit in the Supreme Court, and it is our view that her claim should be determined in that forum. Consequently, the Compensation Committee makes no recommendation other than that the Attorney-General's Department should co-operate as much as possible with Miss Hinds' legal representative as regards the setting down of this matter for early determination by the Supreme Court. The suit number is HCV 02125 of 2016.

Miss Jacqueline Holness states that she is a vendor who sells in the Coronation Market. There is no satisfactory proof of any loss by her. Consequently, the Compensation Committee makes no recommendation for compensation.

Miss Marcia Howard lives at Building 31 Flat 4 Zackey Place. Her claim is in respect of an injury to her hand, as well as for damage allegedly done by the security forces to a settee and several windows.

There is no evidence that the injury was caused by the security forces. Furthermore, the statement of this claimant conflicts with that of Nadia Howard which was preferred by the Compensation Committee.

In the circumstances, no recommendation for payment is being made.

Mr. Michael Howard of 1 McKenzie Drive was listed as a claimant. However, the Compensation Committee, having consulted with the Ministry of Labour and Social Security, was informed that Mr. Howard had not made a claim to them but Miss Suzan Gayle, his spouse, had been granted \$250,000.00 for the household.

Miss Cynthia Humphrey resides at 17 Elgin St Kingston 14. She received a grant of \$15,000.00 from the Ministry of Labour and Social Security. There was no evidence as to how her property came to have been damaged. She was away from her house between May 23 and 25, 2010. She found her microwave damaged, also a back door and window. Her component set was also not working. **The Compensation Committee regards the grant she received as adequate compensation.**

Miss Cassandra Hurd resides at Building 26 Flat G Seaga Boulevard. The Ministry of Labour and Social Security has no record of Miss Hurd as a claimant. This is so because the Ministry dealt with Miss Hurd's sister, Miss Carol Edwards, who provided information as to the circumstances of the claim. Miss Edwards received a grant of \$15,000.00 and there is a claim by her. In the circumstances, there is no basis for any payment to Miss Hurd.

Mr. Leroy Hutchinson lives at 48 Lenford Pathway Tivoli Gardens. His name is not on the list of recipient of funds from the Ministry of Labour and Social Security. However, he told the Public Defender that he had received \$15,000.00. The Compensation Committee does not have any material on which to make a recommendation for the payment of any sum to Mr. Hutchinson.

Mr. Gary Hylton of 30 Greenwich St Kingston 13 is a cook shop operator. He was at home with his mother on May 26, 2010, when he was detained by members of the military and ordered to load bodies of deceased persons into a vehicle. He was released on May 29, 2010. When he went home, he noticed that several items of furniture were missing.

Mr. Hylton's detention is not a matter for the consideration of the Compensation Committee. As regards his losses, he has provided no supporting statements or invoices. In any event, his mother Veta Bennett received a grant of \$15,000.00 from the Ministry of Labour and Social Security. It appears to the Compensation Committee that Mr. Hylton has been compensated for his loss.

Miss Cassandra Hyman describes herself as a small businesswoman living and operating an ice cream parlour at 20 Bond St. in Denham Town. She said that her electricity supply was disconnected resulting in loss of sales and spoilage. **The Compensation Committee finds no basis for recommending the payment of compensation to Miss Hyman especially when it is considered that she was not a registered customer of the Jamaica Public Service Company. She also confirmed that she was not in the habit of paying for electricity consumption.**

Mr. Jamal Jackman lives at 93 Bustamante Highway. He is a carpenter. His claim is in respect of damage done to the house which belongs to his sister. However, she is in Brooklyn, New York, and there is no evidence that he is authorized to act for her. The Compensation Committee accordingly declines to consider the claim or to make a recommendation in the circumstances.

Mr. Kenniel Jackson of 11 Victoria St is a technician who says that he supplies restaurants with onions and Irish potatoes and onions. He claims to have lost tiles and also produce items left in the Coronation Market with one Marvin on May 15, 2010. The invoices submitted are unconnected and, in any event, there is insufficient material to link his losses with the incursion.

Miss Lelieth James of 1 Wilton Hill Drive gave evidence before the Commission of Enquiry. She said that she received a grant of \$75,000.00 from the Ministry, although the Ministry's documents show \$15,000.00. There was damage to the ceiling and windows of her house. **The Compensation Committee is of the view that on the basis of her evidence, she has already received adequate compensation.**

Mr. Everton Johnson lives at Block 340 Little King St. Denham Town. He claims that a section of an outside washroom was damaged as a result of explosions. The invoices submitted are not in keeping with his statement. The Compensation Committee is not in a position to recommend any compensation.

Mr. Henry Johnson of Building 4 Sangster Crescent complained of damaged done to his house by the security forces on May 24, 2010. He estimated his loss as \$144,500.00. He submitted pro-forma invoices totalling \$159,550.00. The Compensation Committee regards him as having been compensated by virtue of payments made to Miss Angella Smith.

Miss Hilma Johnson of 4 a Upper Ivy Road, Kingston 5, has filed a claim on behalf of her son Mr. Orville Bailey who was shot and injured in his right side, and was unconscious in hospital. There is nothing on the file to indicate who did the shooting and in what circumstances.

Mr. Bailey was born on May 31, 1983, and lives at 36 Beeston Street.

The circumstances clearly do not lend themselves to the making of a recommendation.

Mr. Jabari Johnson of 69 Mark Lane Fletcher's Land made a complaint which does not fall within the remit of the Compensation Committee.

Mr. Marvin Johnson of Apt 85 Block B Tivoli Court is a computer repairer. There is insufficient information for a conclusion to be drawn as to alleged damage to

computers and computer parts, and also as to allegations of missing items. The Compensation Committee did not have time to invite Mr. Johnson to appear before it.

Mr. Rohan Johnson gave a statement to the Public Defender on July 8, 2010. In it, he said that he was living at 2 Ebenezer Lane and a telephone number for contact was stated. The Compensation Committee wished to interview him in respect of his claim. However, efforts to contact him have proven fruitless. In the circumstances, the Committee is not in a position to make a recommendation.

Mr. Andrew George Jones a vendor living at 36 Dee Cee Avenue filed a claim in respect of damage done to a car registered in the name of Novlette Jones, his sister. The Compensation Committee is not in a position to make a recommendation for Mr. George to be compensated. Miss Jones last saw the car on May 3, 2010. In addition, an invoice presented to the Committee has no connection with the matter.

Miss Yvonne Jones is a cosmetologist who lives at Building 29 Flat 6 Dreckett's Place. In a statement made to the Public Defender on 15 July 2010, she said that she was at home on May 24, 2010, with her son when several gunshots came through her bedroom and bathroom windows, and did damage to her 14-inch television set, her chest of drawers and some clothes.

After the shooting had stopped, she said that soldiers came and ordered them outside. They were placed in another building until May 27 when they were sent back to their home. On her return, she missed a compact disc player, a charger and a Razor cell phone.

Miss Jones estimated her total loss at \$60,394.70. The Compensation Committee notes that she received a grant of \$75,000.00 from the Ministry of Labour and Social Security. **In the circumstances, she has already been compensated.**

Mr. Kevin Josephs of 6 Leicester Ave. Constant Spring Gardens was detained from May 24 to May 27, 2010. There is no mandate to recommend compensation for those detained.

Mr. Melvin Kelly of 112 Tivoli Court, Block D was detained from May 24, 2010, to July 10, 2010. He said in his statement that he lost income during his detention and that his hair was cut without his consent. He regards the cutting of his hair as a violation of his constitutional right. This is a matter that would best be dealt with by the filing of the appropriate constitutional action by Mr. Kelly.

Mr. Mario Kidare is from Bath, St Thomas. He was detained on May 26, 2010, while at his workplace, a restaurant, at 10 Chestnut Lane. He was released on May 28, 2010. He said that there were certain personal documents taken from him which have not been returned to him. There is a document in his file showing that he has reported to the police that the documents were stolen or lost. The Compensation Committee does not have a mandate to deal with this complaint.

Miss Deneisha Kirkpatrick lives at Building 26, Seaga Boulevard, Tivoli. On May 24, 2010, while at home on the third floor of the complex with her two daughters and her sister, Samantha Kirkpatrick, she heard explosions. Samantha ran to Building 25 and later returned to the ground floor for the children. Deneisha said she was unable to return to her house due to the “large amount of gunshots being fired”. In addition, she said something that was dropped in the yard exploded. Her house was left open while she went to the first floor of Building 26 where Miss Hermine Campbell, aged 68, lives. She peeped through a window at Miss Campbell’s house and saw about 100 or more policemen. The police came and searched the house.

Eventually, she was taken to her house where the police carried out further searches. According to her, they searched her house “in a rough way”, damaging her fan and blender. According to her, when the police left, she noticed a play station was missing. She is claiming for the damage as well as the play station.

The Committee is of the view that if the police were responsible for the missing play station, Miss Kirkpatrick would have seen when they took it. That claim is therefore denied. However, the Committee accepts that damage was done to the fan and blender. Invoices indicate that the cost of the fan and blender amounts to \$10,199. The records indicate that Miss Deneisha Kirkpatrick received \$15,000.00 from the Ministry of Labour and Social Security. That means she has already been compensated.

Miss Samantha Kirkpatrick lives at Building 4 Flat 2, Sangster Crescent. She left her home on May 23, 2010, and returned on May 31, 2010. She noticed that her house was damaged, in that the grill gate had been cut off and thrown aside; the lock on the front door was bent and twisted, and there were large cracks in “the area on the door that houses the lock”. On entering the house, she noticed that her clothing as well as her son’s were scattered across the floor. Her figurines and an outside pipe were damaged, and she missed a 14 karat gold chain and a bottle of Andre wine. She was told by neighbours that soldiers had cut the grill gate and entered her house.

Miss Kirkpatrick originally estimated her loss as being in the region of \$41,000.00. However, she subsequently produced invoices and revised her loss, putting it at \$57,703.34. The records of the Ministry of Labour and Social Security show that she received a grant of \$75,000.00. The Committee is therefore of the view that whatever figures are used, Miss Samantha Kirkpatrick has been compensated.

Mr. Edwin Lawson gave a statement to the Public Defender in December 2010. In it he said that he was a higgler living at 54 Oxford St. He was detained from June 19 to 20, 2010 while walking downtown. On May 24, 2010, he went to spend time with his sister on Waltham Park Road. On his return on May 26, he noticed that his house had been damaged, walls broken out, windows shattered, and his television set and radio were on the floor. Someone, he said, surmised that the damage to his property may have been the result of a helicopter flying low.

Without more, the Compensation Committee is not in a position to accept that any damage was done as a result of action by the security forces.

Mr. Lawson said that he repaired his television set and would produce the receipt for the repairs he had paid for. So far, no receipt has been submitted.

In the circumstances, the Compensation Committee makes no recommendation for any payment to Mr Lawson.

Miss Marcia Lemonious resides at 1 McKenzie Drive. Her claim was not submitted in the manner directed by the Compensation Committee, so no recommendation is being made.

Miss Dahlia Lewin has been a vendor in the Coronation Market since 2000, according to a statement that she gave to the Public Defender. The address given is 18 West Bay Farm Road. Her claim is that her shop and goods were destroyed by fire in the market on May 24, 2010.

The Compensation Committee is unable to make a recommendation for compensation to be paid to her as several efforts to contact her have failed. The telephone number that she provided has not helped to locate her.

Mr. Roy Lindo (for Keershaw Lindo) – The claimant resides at 93 West St. Kingston. This claim arises from a shooting incident during which Keershaw Lindo was injured. There is uncertainty as to who shot Keershaw Lindo. In the circumstances, the Compensation Committee is not in a position to make a recommendation for the state to make compensation. Liability has to be first determined.

Miss Tamara Lindsay is a higgler residing at Building 14, Flat J, Bustamante Highway. She gave two statements to the Public Defender: the first on 1 July 2010, and the second on March 29, 2011. These statements are in conflict. In the first, she said that she had stored building materials close to her brother's house at 1 Mckenzie Drive. On May 24 2010, she went to check on the material and

noticed that “everything was in place and well secured”. When she returned during the week of June 12 to check on them, she noticed that they had been destroyed by fire. In the second statement, Miss Lindsay said that she had actually commenced building a house and that walls had already been erected and the roof was on. The front and back doors were also on. So, it was not a question of materials in storage. The building of her house was almost complete. She said that the reason for this clear discrepancy in her account was the fact that at the time of her first statement she was suffering a nervous breakdown. Based on the two receipts and pro-forma invoice that she presented to the Public Defender and to the Committee, and considering the credibility issue, **the Committee considers that the sum of \$250,000.00 paid to her by the Ministry of Labour and Social Security was adequate compensation for any loss that she may have suffered.**

Mrs. Maxine Love of 76 Zackey Avenue stated to the Public Defender that she and her children were at home on May 24, 2010, when they heard a JDF helicopter hovering over her house. She and her children had to “get flat” on the floor during the subsequent shooting up of her house (presumably by the JDF). The walls, windows and chest of drawers were damaged by gunshots. She left the house on May 27 to take her daughter who had had an asthma attack to the doctor. While at the hospital, she received a call from a neighbour informing her that soldiers were at her house searching. She returned home on May 29, 2010, to find that her bedroom door had been kicked off and damaged beyond repair, and a mattress had been cut open. Her estimate of her loss totalled \$47,000.00. She submitted invoices indicating that it would cost \$73,472.00 to rectify the loss and damage that she had sustained. The records of the Ministry of Labour and Social Security show that she received a grant of \$75,000.00. **She has therefore been compensated for the damage done to her property.**

Mr. Neville Lynch of Block B Apt 30 Golden Heights, Denham Town, gave a statement to the Public Defender that on May 22, 2010, he left his cart outside the Coronation Market with goods tied to it, and covered by tarpaulin. He went back on May 23 but had to leave because of commotion. He returned on May 28 and noticed that there had been a fire that had destroyed his cart with the goods.

He estimated the value of the goods at \$28,800.00 and the replacement cost of the cart at \$30,000.00. He was the recipient of the sum of \$75,000.00 from the Ministry of Labour and Social Security. **Consequently he has been compensated for more than he has lost.**

Mr. Vivert Lyons is an auto mechanic. His address is given as 12 Wilton Hill Drive Kingston 14. His claim is in respect of a motor car which was allegedly damaged by the security forces. The file contains statements that conflict. Efforts have been made to contact the claimant but those efforts have been unsuccessful. In the light of those circumstances, **the Compensation Committee is unable to make a recommendation.**

Miss Rasheada Lyttle of 1 McKenzie Drive, in a statement to the Public Defender, said that she and her traumatized son left her home on May 28, 2010, and returned on June 2, 2010. According to her, the house was in shambles. Her chest of drawers had been pulled out and broken into two parts. She said that the chest of drawers had been given to her as a gift the cost of which she estimated at \$17,500.00. She presented an invoice which quoted the price of a new chest of drawers as \$35,835.33. The Committee viewed photographs of the damage complained of, and notes that Miss Lyttle received a grant of \$15,000.00 from the Ministry of Labour and Social Security. **In the circumstances, the Committee regards Miss Lyttle as having been compensated.**

Mr. Mikhail Marriott lives at Building 27, Apt 4, Dreckett's Place. He was searched and then detained by the security forces on July 13, 2010, for the day. This does not fall within the ambit of the Compensation Committee.

Mr. Tashane Marsh gave a statement to the Public Defender to the effect that he lives at 8 Metcalfe St. Kingston 14, and was detained from May 27 to 28, 2010. His request for compensation for his detention does not fall within the scope of the Compensation Committee.

Mr. Lloyd Marshall of 5 Wilton Hill Drive Kingston 14 received a grant of \$15,000.00 from the Ministry of Labour and Social Security in respect of damage done by the security forces to his house. The Compensation Committee does not make a recommendation for further payment given the fact that there is only a slight difference between the estimate and the amount received.

Miss Donna Mattis resides at Building 18 Seaga Boulevard. Her statement to the Public Defender speaks of damage to her bedroom window and loss of a camera and 2 cell phones. Miss Mattis has not shown any real interest in this claim as she has not provided any reliable estimate of the damage or her loss. Consequently, the Compensation Committee makes no recommendation.

Mr. Byron Maxwell lives at 1 McKenzie Drive. His house was totally destroyed by fire. He received a grant of \$250,000.00 from the Ministry of Labour and Social Security. Taking into consideration the invoices submitted and Mr. Maxwell's estimates of his loss, **the Compensation Committee regards him as having been compensated.**

Mr. Dwayne Maxwell resides at Block 15 Lot 5 Greenwich St. In his statement to the Public Defender on 25 June 2010, he claimed that he does vending at "Back Market" and that his goods (liquor and juice) valued at \$15,000.00 were "destroyed as (he) was unable to go and plug out the freezer" due to the unrest.

The Compensation Committee is not satisfied that this is a genuine claim and so makes no recommendation for payment.

Mr. Fray McDonald is a driver living at Apt 62, 89 Tivoli Court Kingston 14. He was detained by soldiers between May 26 and 28, 2010. His claim is in respect of losses he said he suffered by theft during the period of his detention. He was invited to attend before the Compensation Committee but failed to appear on two scheduled occasions. He even gave an assurance to a member of the Committee that he would have been in attendance on the second occasion, having failed to appear at the time first schedule. **The Compensation Committee**

is not in a position to make any recommendation in respect of his claim which is for a sum in excess of \$500,000.00.

Mr. Nyoka McDonald lives at 5 Foote Terrace, Tivoli Gardens. He gave a statement to the Public Defender on June 30, 2010, in which he claimed for the loss of a Blackberry phone and cash. The material submitted was insufficient. Consequently, he was invited to attend before the Compensation Committee. He did not attend. The Compensation Committee is therefore not in a position to make a favourable recommendation in respect of his claim.

Mr. Peter McDonald gave a statement to the Public Defender on December 22, 2010. He lives at Lot 1 Block 3 Race Course Lane, Denham Town. In his statement he complains of being detained by the security forces on July 17, 2010 while he was on his way to the Coronation Market where he is a vendor. He was released at 6:00 p.m. that day. According to him, when he got to the market, the items on his stall were missing. The value of those items is \$7,000.00. Mr. McDonald is seeking compensation for this loss.

The Compensation Committee has no jurisdiction in respect of a claim of this nature.

Mr. Brian McFarlane is a taxi operator residing at 1 McKenzie Drive. He owns two cars which he used as taxis. He left home on May 24, 2010, and returned on June 7, 2010. His house was destroyed by fire. He listed household items valued at \$114,000.00 as having been destroyed in the fire. In view of the fact that he received \$250,000.00 from the Ministry of Labour and Social Security, the Compensation Committee regards him as having been compensated.

Mr. McFarlane claimed for a Honda Civic motor car valued at \$250,000.00, which was also destroyed in the fire. However, that car was insured in the name “Wayne Miller”.

The Committee notes that the investigator from the Office of the Public Defender was taken to number 18 Sangster Crescent although Mr. McFarlane resided at 1 McKenzie Drive. There the burnt remains of household items were photographed.

Mr. Trevion McFarlane lived at 1 McKenzie Drive. The Compensation Committee regards him as having been compensated by the grant of \$250,000.00 made to him by the Ministry of Labour and Social Security. In dealing with the claim of his brother Willis, which was accepted, the Committee has already commented on the evasiveness of Mr. Trevion McFarlane.

Mrs. Juliet McIntosh lives at 32 David Path, Chang Avenue, Tivoli Gardens. On May 16, 2010, she left home for New York to purchase goods, she said, for her stall in the Coronation Market. Her son Owen McIntosh and her grandsons were left at home. Owen is an accountant. Mrs. McIntosh said that before going on her trip, she had borrowed \$60,000.00 from Victoria Mutual Building Society. She gave her son this amount to keep until her return. According to Mrs. McIntosh's statement given to the Public Defender in September 2010, her son was detained and on his release on May 29, 2010, he called to say that the money was missing.

Mr. McIntosh gave a statement indicating that he was detained on May 24, 2010. At the time he was being taken into custody, he locked up the house securely. However, the police told him to throw away the key as he would not need it again. He threw it under an old car. After his release, he noticed that the lock to the house had been broken off, and the money and two digital cameras were missing.

There is nothing to indicate that the security forces were responsible for Mrs. McIntosh's losses. **In the circumstances, the Compensation Committee makes no recommendation for compensation.**

Mr. Travis McKenzie lives at 8 East Road, Kingston 12. He was detained by the police on May 25, 2010, and released two days later. He was detained again on July 18, 2010, and released later that day.

These detentions do not fall within the mandate of the Compensation Committee.

Miss Sandra McLaughlin, a clerk, resides at 2 Sangster Crescent Kingston 14. On May 23, 2010, she secured her house and went to be with her son at his flat on Seaga Boulevard. She remained there until May 27, 2010. On her return, she noticed that the grill to her front door had been torn off and the door, made of mahogany, had been damaged. Everything, she said, “was turn (sic) upside down”, and her room had been ransacked. A manhole which was in her room was now open, and the internal doors had been kicked off. She had the grill repaired at a cost of \$2,500.00. Several photographs of the damage were exhibited. **Miss McLaughlin said that the overall estimate of the damage done to her premises was \$18,500.00. However, she received a compassionate grant of \$75, 000.00 from the Ministry of Labour and Social Security. In the circumstances, the Committee considers that she has been adequately compensated.**

Miss Shirley McLean lives at Lot 39 Hope Glade Housing Scheme Kingston 11. She is a vendor of long standing in the Coronation Market. She lost goods that were burnt in the fire. In her statement made to the Public Defender in July 2010 she estimated her loss at over \$350,000.00. The Compensation Committee wished to speak with her in respect of her loss. However, though scheduled to appear on two occasions, she did not show. In the circumstances, **the Committee makes no recommendation for further compensation, given that she was received a grant of \$25,000.00 from the Ministry of Labour and Social Security.**

Mr. Sylvester Medley, a baker, occupies a one-bedroom structure at Building 4 Sangster Crescent. He was detained by the police on May 26, 2010, while he was with other persons at a house on Bustamante Highway. He was released on May 28, 2010.

On returning to his house, he discovered that the bolts on the grill on the verandah had been torn off, the lock removed and a section of the front door was damaged. His washing machine was also smashed. He submitted to the Compensation Committee a repair bill which totalled \$48,850.00. In view of the

fact that the Ministry of Labour and Social Security made a grant of \$75,000.00 to him, **it seems that he has already been well compensated.**

Miss Kaydian Merchant of 4 Upper Oxford St Hannah Town gave a statement to the Public Defender on December 28, 2010. In it, she said that on May 25, 2010, while at a friend's house, she heard shots being fired and she went under a bed. She discovered that she was shot in the right thigh. She was transported on a handcart to the Kingston Public Hospital and underwent a surgical operation on August 27, 2010. She was discharged from hospital on September 1, 2010. She is unable to walk properly as a result of this injury.

On September 6, 2010, she went to her house and discovered several items missing.

There is nothing to link the security forces to Miss Merchant's injury or her losses. In the circumstances, the Compensation Committee is not in a position to recommend any compensation for her.

Mr. Brian Mitchell of 2 Ebenezer Lane claims in respect of his detention. The Compensation Committee has no jurisdiction.

Miss Patricia Mitchell gave evidence before the Compensation Committee on June 1, 2017. At the commencement of her evidence before the Committee, she said that she lived at 51 Dee Cee Avenue. However, later, she said that she had relocated to Duke Street, Kingston. Her claim is in respect of damage she said that was done to her house and a shop that she operated at the front of her house. She said that it would take "About a two fifty or a three hundred thousand fi fix up mi house and to set up back mi shop".

The Compensation Committee is unable to recommend the payment of compensation to Miss Mitchell due to serious reservations in respect of her credibility. The shop claimed by her was, we find, being operated by her niece at the relevant time. In addition, she gave conflicting evidence as regards her

brother at one point in time being in hiding in a manhole from the police, and at another time being in conversation with the said police.

Mr. Adrian Montique of Lot 20, Block 1, Greenwich St. made a complaint to the Public Defender on December 23, 2010. The Compensation Committee wished to interview him. It is understood that he was contacted. However, on the date scheduled for him to appear (July 11, 2017), he did not. In the circumstances, the Compensation Committee is not in a position to make a recommendation in respect of his claim.

Mr. Donald Montgomery is a welder aged 53 years. He lives at Block 16, 59 Laws St. On May 25, 2010, he was at home with his sister Miss Jacqueline Walcott. While standing in his yard at about 6:00a.m., something happened to him. According to his statement given to the Public Defender on June 15, 2010, he felt as if someone had hit him in the face with a 2 x 4 board. He said further that he felt like (he) “get cocaine and (his) whole body start to swell”. He said he heard “gunshot continuing non stop”, and realized that he had been shot in his chest and back. He was unable to leave his house until the following day at about midday when he was assisted by soldiers who were on foot patrol in the area. They took him to the Kingston Public Hospital, where he was admitted. He was discharged on May 31, 2010. Prior to the arrival of the soldiers, Mr. Montgomery was treated by his sister, Miss Walcott, who states that she had been taught how to deal with persons who are wounded. She is an accounting clerk at the Bustamante Hospital for Children.

There is nothing to indicate that any member of the security forces was responsible for the injuries sustained by Mr. Montgomery. Indeed, Miss Walcott states that she did not see any police officer or soldier near their house when Mr. Montgomery was shot. **In the circumstances, the Compensation Committee does not recommend that there be any payment to Mr. Montgomery.**

Miss Taniesha Moore resides at Building 32 Flat 7 Dreckett Place. She gave a statement to the Public Defender on July 8, 2010. At the time of the incursion, she lived with her grandmother, Yvonne Walrond, and grandfather, Anthony Dixon.

She left the house on May 22, 2010, and went with her children to Bull Bay. On the following day, her grandmother told her that shots were being fired in the area. On May 27, 2010, she said that her grandmother called her to say that the police had been asking for her. The police told her grandmother that she (Miss Moore) had been on television saying that Jesus had died for us, and that they were prepared to die for Dudus.

According to what her grandmother had told her, the police searched her (Miss Moore's) room.

Miss Moore returned from Bull Bay on June 5, 2010. She said that she noticed that her fans had been broken in two, her fridge cord had been cut and her washing machine damaged. Her dvd, she said, was not working.

Her grandfather, she said, has no intention of making a claim; and her grandmother had received a grant of \$15,000.00 from the Ministry of Labour and Social security.

The Compensation Committee sees no reason to recommend any compensation for Miss Moore.

Mr. Horace Morgan of Building 34 Flat 8 Dreckett's Place claims in respect of his house being ransacked and furniture disturbed. He was detained between May 24 and 28, 2010. He missed cash and jewellery, he said. The Ministry of Labour and Social Security gave him \$15,000.00. There is insufficient proof of damage or loss. The Compensation Committee regards him as having been compensated by the grant of \$15,000.00, if he suffered any loss.

Mr. Kirk Morgan is a vendor living at 65 North St Kingston 14. He does his vending in the Coronation Market. His sound system was destroyed in the fire at the market. **The Ministry of Labour and Social Security made a grant of \$100,000.00 to him** as a result. In view of the fact that his claim was for more than that sum, the Compensation Committee wished to hear from him in person. He was invited to attend before us on June 26, 2017. He chose not to attend. **In the**

circumstances, the Compensation Committee regards Mr. Morgan as having been compensated.

Miss Marcia Morgan resided at Building 32, Flat 2, Dreckett's Place, Tivoli Gardens. The Compensation Committee regrets its inability to deal with this claim. Having read the file, it was determined that Miss Morgan should appear before us. Her hearing was scheduled for June 27, 2017. However, on that date, the Committee was advised that Miss Morgan had died.

Miss Veronica Morgan of 12 Goffe Way Denham Town claims to be a higgler in Coronation Market. However, the relevant authorities have refused to verify that claim. In the absence of adequate proof that Miss Morgan is a vendor in that market, The Compensation Committee rejects her claim for \$60,800.00.

Miss Karen Morris of 115 Canal Drive Portmore promised on June 28, 2010, to submit receipts to the Public Defender in respect of a claim she intended to make. She has not kept her promise so she is taken to have abandoned the idea.

Mr. Winston Morris of Block R 320 Race Course Lane Denham Town received a grant of \$15,000.00 from the Ministry of Labour and Social Security. His car, two coffee tables and a window were damaged by members of the security forces. On the basis of the estimates, the Compensation Committee is of the view that he has been compensated by the payment by the Ministry.

Mr. Ricardo Mullings of 1 McKenzie Drive was in the Kingston 5 area with relatives on May 24, 2010. While there, he received information that his house was on fire. When he returned home on June 11, 2010, the information was confirmed. He estimated his loss at over \$500,000.00. He received a grant of \$250,000.00 from the Ministry of Labour and Social Security.

The Compensation Committee wished to interview him in respect of his claim. He was scheduled to appear before the Committee on June 7, 2017, but did not appear.

The material before the Committee is insufficient for there to be any recommendation for further compensation.

Miss Lena Murray is a vendor in the Coronation Market. She claims for goods she said she lost in the fire. The Compensation Committee does not have sufficient material before it to make a recommendation. The Committee wished to interview Miss Murray but this was not possible during the time available to the Committee.

Miss Cynthia Myers who lives at 40 Pink Lane Kingston 14, complained that policemen damaged the wooden front door to her house on May 24, 2010. They said they were searching for guns. The search, she said, lasted for 5-6 minutes. During the search, a policeman thumped her washing machine. In late June 2010, it was discovered that the washing machine was malfunctioning in that it made a loud noise and was “not washing”. It was also discovered that her television set was damaged. In her statement given on August 30, 2010, Miss Myers never mentioned that the police did anything to the television; nor did she mention any damage being done to a chest of drawers. However, in a further statement dated February 21, 2011, she mentioned these two items. In particular, she said her chest of drawers was “ripped apart”. The Committee is prepared to accept her first statement given on August 30, 2010.

Miss Myers submitted a pro-forma invoice for a 21 –inch television set, a 6-drawer chest and a 7-drawer chest. The total cost of these new items is \$64,137.37. No invoice was submitted in respect of the washing machine.

The Committee has taken note of the fact that Miss Myers received a grant of \$15,000.00 from the Ministry of Labour and Social Security. In the circumstances, the Committee regards Miss Myers as having been compensated on the basis of her first statement.

Miss Alieth Nelson resides at Apt 100, Block D Tivoli Courts. She left her home on May 23, 2010, and returned on May 31, 2010. She found that in her absence damage had been done to doors and sections of the wall at the front entrance to her premises. She received information that members of the military were responsible for the damage.

Miss Nelson received a grant of \$15,000.00 from the Ministry of Labour and Social Security. Having viewed the estimated cost of repairs the Compensation Committee regards Miss Nelson as having been compensated by the sum received from the Ministry.

Miss Barbara Nelson lives with her common law husband Everal Bloomfield at 83 Bustamante Highway, Tivoli Gardens. On 24 May 2010, while they were at home, she heard an explosion which shook the house. About 3:30 p.m. on the same day, two soldiers came and conducted a search of the house. In her statement dated July 15, 2010, to the Public Defender, Miss Nelson said as follows:

“The two soldiers searched my house in my presence and did not find anything illegal. The only damage the soldier(s) did to my house in my presence was to break four (4) ceramic floor tiles that sounded hollow. The two (2) soldiers apologized for breaking my floor tiles...We (my common-law husband, my neighbour and I) were not ill treated by the soldiers who searched my house. The two soldiers thanked me for my cooperation”.

On the following day, according to Miss Nelson, she noticed on the upper floor of her house that the door jamb of one of the bedroom doors was separated from

the wall. Downstairs, in her kitchen, a metal blade in the window was “hanging down”. Subsequently, she noticed that the roof leaks when it rains. She has theorized that the explosion that shook the house was responsible for the damage noted.

Miss Nelson presented photographs of the damage and an estimate that the cost of material and labour to correct the damage would be \$30,000.00.

Miss Nelson also confirmed that she received a cheque for \$75,000.00 from the Ministry of Labour and Social Security. In the circumstances, the Committee regards Miss Nelson as having been compensated.

Miss Beatrice Nembhard resides at 41 Bond St Kingston 14. She is a nail technician. Her written claim was examined on February 8, 2017 and she was invited to appear before the Compensation Committee on May 31, 2017. In her written claim given to the Public Defender on July 6, 2010, she said she left for work on Monday June 14, 2010. Her mother-in-law Veronica Ricketts was left at the house. Soldiers visited her house at about 4:00 p.m. and damaged the roof. On Friday June 18, 2010, while she was at work, her mother-in-law called her to inform her that soldiers had returned to her house and had damaged her refrigerator and ripped out half of the left side of the board house.

In her evidence before us, Miss Nembhard said that she was present during the visit of the soldiers on both occasions. She said the first visit was at about 1:00 p.m. on a Wednesday which was her day off work, as she is normally off work on Wednesdays. The second visit was on the weekend.

The Compensation Committee has serious concerns as to the credibility of Miss Nembhard. Consequently, her claim is not accepted as genuine.

Mr. Keith Newman of 8 ½ Studley Park Rd Kingston is a craftsman/barber. He was shot in his right side while sitting at his gate on May 24, 2010. In a statement given to the Public Defender on January 21, 2011, Mr. Newman said that 8 ½ Studley Park Road is a firing line between police and gunmen coming from Denham Town. There is no link established between the injury to Mr. Newman

and the activities of the security forces. **In the circumstances, no recommendation is being made for compensation.**

Mr. Simon Oakley a vendor living at 1 McKenzie Drive, lost everything when his house was destroyed by fire on May 24, 2010. He had left his home, he said, to buy bread. Soldiers detained him for 7 days. On his return home, he saw only the charred remains of his dwelling. He estimated the cost of replacing his household items at \$155,000.00; and the cost of the structure at \$50,000.00. A pro-forma invoice from A Zee Electronics shows the value of the items lost at \$174,000.00.

Mr. Oakley received \$250,000.00 from the Ministry of Labour and Social Security. Therefore, whether the Compensation Committee uses Mr. Oakley's personal estimate or the pro-forma invoice from A Zee Electronics to assess any compensation due, **Mr. Oakley's claim has been more than satisfied.**

Mr. Charles O'Conner was residing at 1 McKenzie Drive at the time of the incursion. He now resides at 25 Watson Avenue, Swallowfield. On May 22, 2010, he left home and returned on May 28 to find his house destroyed. **His estimates of the cost to replace the structure and his clothes were in the region of the sum of \$250,000.00 that he received from the Ministry of Labour and Social Security. Consequently, the Committee is of the view that Mr O'Conner has been compensated for his loss.**

Miss Ann-Marie Oram is a higgler with a shop in the Coronation Market. There is a lack of supporting evidence for this claim. As it stands, the Compensation Committee does not find it credible.

Mr. Orlando Page of Building 16 Flat C Tivoli Gardens was detained between May 26 and 27, 2010, and again on June 14, 2010. On the latter occasion he was with his grandmother in Portmore. On the prior occasion he was at his home in Tivoli Gardens. The Compensation Committee does not have jurisdiction to recommend compensation.

Mr. Sharn Page lives at Building 22 Flat H Seaga Boulevard. He was a student of St George's College and was detained between May 25 and 29, 2010. The Compensation Committee is without jurisdiction in this matter.

Mr. Troy Palmer a chef of #2 Ebenezer Lane, Bustamante Highway, was found by the Commission of Enquiry to be "a straightforward and credible witness". His house was damaged by gunfire coming from the direction of the Coronation Market. However, the Commission said it was "in no position to make a finding as to the source of damage" to his property. The reason, said the Commission, was the video evidence that both gunmen and the security forces were exchanging heavy gunfire in the Market and its immediate environs. This was on May 24, 2010.

Mr. Palmer told the Commission of Enquiry that he was detained by a soldier, and later taken to the National Arena where he spent 4 days. When he returned on May 27, 2010 he noticed that his house had been ransacked, his businesses looted and his passport, a motor cycle and jewellery missing. He estimated his total loss at \$1,400,000.00.

Mr. Palmer gave evidence before us. Having carefully assessed his evidence, we are not in a position to agree with the Commission of Enquiry that he was a straightforward and credible witness. In respect of the missing motor cycle, the evidence before us shows three different registration numbers allegedly in Mr. Palmer's name. He was not able to help us clarify the multiplicity of numbers. The three registration numbers were put forward at different times by Mr. Palmer. He submitted to the Public Defender a photograph of himself seated on a motor cycle. The photograph bears a caption with the registration number 7654X. Tax Administration Jamaica's database does not show any reference to this plate number. There is also no reference in the database to plate number 2857F for which Mr. Palmer actually submitted a registration certificate and a certificate of fitness. The "plot" thickens when it is observed that the latter certificates were issued in October and November 2010, respectively – that is, long after the incursion. These certificates describe the motor cycle as a 2002 Honda which is blue in colour. The third number given by Mr. Palmer was 7536H. It appears in his

written statement given to the Public Defender on June 23, 2010. Tax Administration Jamaica's database shows this registration number. It states that this plate (7536H) "was issued from the Savanna-la-Mar Collectorate to a Valerie Parkinson of Sheffield, Westmoreland and is assigned to a 2013 Black Wassy motor cycle".

The totality of the evidence presented by Mr. Palmer suggests there is material for the police to investigate and prosecute.

There is another area of concern in Mr. Palmer's testimony. He said he was detained for four days (May 24 to 28, 2010) during which period his goods went missing, or were burnt. However, he produced a detention certificate which indicates that he was detained for one day only, May 27, 2010.

In the circumstances, the Committee finds that Mr. Palmer is wholly unreliable and so we are unable to recommend any payment to him.

Mr. Andrae Parkin of 12 3rd St. Kingston 12 is claiming compensation in respect of his alleged detention between July 18 and 19, 2010. This claim is outside the jurisdiction of the Compensation Committee.

Miss Narda Patterson resides at 48 Wellington St, Kingston 14. She received a grant of \$15,000.00 in respect of damage done to her house during a search by the security forces. Having examined the claim and invoices presented, the Compensation Committee is of the view that Miss Patterson has been compensated by the grant from the Ministry.

Miss Precious Pinnock lives at Building 27 Seaga Boulevard. On May 24, 2010, she was at home with her children when members of the security forces came and searched. She said that no damage was done to her premises then. However, after the search she was taken next door. While she was next door, she heard sounds as if her door was being sawn off and things thrown down. Later that evening, she discovered damage to a door and various items of furniture.

Miss Pinnock received the sum of \$15,000.00 from the Ministry of Labour and Social Security.

The Compensation Committee viewed photographs of the damage and regards Miss Pinnock as having been compensated by the payment referred to.

Miss Marion Pitter gave a statement to the Public Defender on November 23, 2011. At that time, she was living at her mother's house at 14 Fung Yee Terrace, Kingston 14. At the time of the incursion, she lived at 1 McKenzie Drive in what has been described as the Old PWD Building. On the May 25, 2010, she was at her home with her 5 children when she heard gunshots. In an effort to keep safe, they all proceeded to her mother's house, where they remained for 3 days.

Upon returning to 1 McKenzie Drive, she said that she and her friend Barbara Brown-Cole went to her house where she observed damage that had been done to her household items. **There is a serious conflict between her and Ms. Brown-Cole as to the nature of the damage to her goods. In any event, she has not provided any information on which compensation could be based. In the circumstances, the Committee does not recommend the payment of any compensation to her.**

Miss Donna Powell lives at Building 10, Flat B, Bustamante Highway. She gave a statement to the Public Defender on July 20, 2010. This was followed by further statements on August 4, 27, September 30, October 4, 2010 and February 28, 2011. There was also a statement from one Sophia Robinson who said that Miss Powell called her on her mobile phone and said she was to come around to her house "because them mash up her house".

We invited Miss Powell to appear before the Committee. She did so on July 4, 2017. In her evidence, she said that her property was not damaged, and that she did not recall whether she had told Miss Robinson that they had mashed up her house.

Miss Powell admitted receiving \$15,000.00 from the Ministry of Labour and Social Security. This is the amount that the Ministry paid to claimants for minor property

damage. Yet, Miss Powell swore that her property was not damaged. Instead, she sought compensation for two barrels of goods she said she had at Ray Ray Ground that were destroyed in the fire at the Coronation Market. At first she was reluctant to put a value to the goods she said she lost. However, she eventually said it was about \$400,000.00. Later in her evidence, she revised the figure downwards to \$200,000.00. She also sought compensation for damage to the property of her son Earl Anderson who she said lived at 5 Sangster Crescent.

Mr. Anderson was detained during the incursion. Upon his release, he gathered his belongings and left for St. Catherine indicating to his mother that he was finished with Tivoli Gardens. She had urged him to leave prior to the incursion but according to her, he went to be with a woman on Bond St. instead.

The Compensation Committee is not satisfied that Miss Powell is a genuine claimant. She was unable to show that she was registered as a vendor in the market at the relevant time, and there is grave doubt as to whether she had the items she claimed she had in the barrels. Given the time she said she had purchased the goods, the Committee is of the view that she would have completed selling them a long time before the incursion.

Mr. Anderson has not made a claim and so the Compensation Committee is not able to make any recommendation in respect of his circumstances.

Miss Melvena Powell is 54 years old and unemployed. She lives at Block D, 116 Tivoli Court.

On May 24, 2010, police and soldiers arrived at her premises and ordered her to open the door. They proceeded to kick off not only the front door, but also a room door. They conducted a search of the premises. Photographs were presented to the Compensation Committee to confirm the damage done to the doors and locks. Invoices were presented, indicating the cost of two doors and two lock sets as \$11,500.00.

Miss Powell received a grant of \$15,000.00 from the Ministry of Labour and Social Security. Consequently, the Compensation Committee regards her as having been compensated.

Mr. Renford Powell is otherwise called “Barnes The Tailor”. He lives at 8 Dreckett’s Place. He filed a claim for losses amounting to \$711,955.00. The Compensation Committee was most anxious to interview him. His claim was scheduled twice for hearing. Efforts to contact him proved futile as he failed to answer calls placed on behalf of the Committee to the two telephone numbers that he gave as his contact numbers. Messages were left on both telephones but there has been no response. In the circumstances, the Committee is not in a position to make a recommendation in respect of Mr. Powell’s claim.

Mr. Samuel Powell gave his address as Building 31, Flat 1, Tivoli Gardens. He stated that he was a vendor, and he filed a claim for loss of a stock of goods. The Compensation Committee wished to interview him and to receive evidence of his status as a vendor in the Coronation Market. He was scheduled to appear before the Committee on July 4, 2017. He did not appear as he was not contacted. In the circumstances, the Committee is not in a position to make a recommendation.

Mr. Sylvester Powell lives at 6 ½ White St Kingston 13. He gave evidence before the Compensation Committee on May 31, 2017. Having examined his claim on February 7, 2017, we decided that we wished to hear from him in person. His written claim was in respect of livestock lost through lack of care due to his detention by the security forces. The animals mentioned in the claim were: 24 piglets and 3 “sowers”. Mr. Powell’s written statement dated December 21, 2010, placed his loss at \$200,000.00. There is also a statement dated October 25, 2011, from one Oshane Davids purporting to support Mr. Powell’s claim.

In his evidence before the Compensation Committee, Mr. Powell said he lost 15 heads of cow, 35 heads of goat, 27 hogs and some piglets, and 6 or 10 sheep. He gave a total value of more than \$300,000.00. Mr. Powell denied knowledge of Oshane Davids, and said that he took no one to the Public Defender’s office for

the purpose of giving a statement. However, the note on the file indicates that Mr. Powell took Oshane Davids to the Office of the Public Defender on October 25, 2011.

The Compensation Committee rejects the claim of Mr. Powell on the ground of lack of credibility.

Miss Marcia Pryce lives at Building 3, 3 Chang Avenue, in a studio apartment. She is a babysitter. On May 23, 2010, she said that she went to be with her daughter at Spanish Town. On her return on May 29, 2010, she noticed that the front door was off its hinges and split in two. She also noticed that a plastic chair that she had was split and a lock damaged. There were some market goods that she said were spoilt. She estimated her loss at \$13,610.00. She received a grant of \$15,000.00 from the Ministry of Labour and Social Security. **In the circumstances, Miss Pryce has been compensated.**

Mr. Dalano Reid of 72 Bond St is aged 21 years and is a higgler. He complains of losing a phone and items that he normally sells, when he was taken into a vehicle and detained at Mobile Reserve for 3 days. There are serious discrepancies between his statement and that of his mother Ann-Marie Brown as to the circumstances of his detention and the loss of items complained of. **These discrepancies strike at the credibility of Mr. Reid and make it impossible for the Compensation Committee to accept his claim. In the circumstances, the Committee cannot recommend any compensation.**

Miss Merlyn Rhoden is a vendor, aged 50 years, living at Building 35 Flat 7, Dreckett's Place. She received a grant of \$15,000.00 from the Ministry of Labour and Social Security.

Her complaint is that she was at her home on May 24, 2010, when soldiers kicked in her door and ordered everybody outside. She and her children were taken to a nearby house where they remained for four days. She returned home on May 28, 2010. In a statement dated August 26, 2010, she told the Public Defender that no

damage was done to her house. However, she missed two bushels of raw peanuts valued at \$5,000.00 as well as \$6,000.00 cash. In a further statement dated April 5, 2011, Miss Rhoden said that her door and lock had been damaged. Her daughter Karion Osbourne said that her mother had two and a half bushels of peanuts, and that \$2,000.00 cash had been packed with the peanuts.

The Compensation Committee regards Miss Rhoden as having been compensated.

Mr. Everton Ricketts is represented by a private attorney-at-law. He made a sworn statement on April 24, 2017. He lives at 19 Linton Place Kingston 14 and is requesting compensation to the tune of \$665,700.00. Shortly after the incursion officers of the Ministry of Labour and Social Security noted that Mr. Ricketts' house and some furniture had been damaged. The damage seen was to windows, doors and walls. According to those officers, Mr. Ricketts also reported to them that he operated a shop which had damage to its walls.

In his statement, Mr. Ricketts said that he left Tivoli Gardens on May 20, 2010, but his son remained in the house with a family friend. He returned home on May 29, 2010. By then, his son had relocated to his grandmother's house. According to Mr. Ricketts, his son (who has not given a statement) had informed him on May 27, 2010, that the house had been searched by soldiers and police officers.

Mr. Ricketts said that two doors upstairs had been "knocked off the hinges", and that clothing and food items were strewn in the rooms. He operates a bar in the back of his yard, and according to him, his stock "on the shelves and under the shelves had been taken out". He estimates that the stock that he lost is valued at \$153,300.00. He replaced the doors at a cost of \$17,400.00 plus \$15,000.00 for labour. In addition to these sums, Mr. Ricketts is also claiming \$480,000.00 for loss of income over a period of three months based on sales that he said he used to make.

The Compensation Committee has not been favoured with any documentation to support the financial claims in respect of bar stock and loss of income. A pro-forma invoice dated November 17, 2016, from Incomparable Enterprise Limited

listed the prices for doors and locks, totalling \$17,400.00. The Compensation Committee notes that Mr. Ricketts received a grant of \$75,000.00 from the Ministry of Labour and Social Security. On the assumption that the security forces were responsible for the damage done to the house and furniture, **the Compensation Committee regards the sum of \$75,000.00 given to Mr. Ricketts as adequate compensation.**

Mr. Keino Ricketts, aged 28 years, unemployed of 59 Pink Lane, Denham Town, is claiming in respect of his detention during the period July 13 – 15, 2010. The Compensation Committee is not empowered to deal with claims for detention so cannot make a recommendation for compensation in this matter.

Miss Marie Ricketts returned on June 1, 2010 “from the country” to her home at 11 Elgin St. Denham Town. She found the front door open, the lock having been “picked”, and the kitchen door “on the side”. Her television set and refrigerator were “not working” as the “live wire” on the outside had been shot. Photographs were presented along with invoices relating to the cost of a door, a television set and a washing machine. The Compensation Committee was unable to discern any link between the operations of the security forces and any damage that may have been done to Miss Ricketts’ property. The security forces were clearly not given to picking locks to gain entrance into any house. **No compensation is recommended.**

Miss Kavaseeta Riley resides at Building 2 Levy Path. She is a bar operator in the Coronation Market, and claims losses amounting to \$100,000.00. Her status in the market requires verification from the Kingston and St. Andrew Municipal Corporation. That information has not been forthcoming. The Compensation Committee is therefore not in a position to determine the claim.

Mr. Donville Robinson resides at 28 Sangster Crescent. He is a construction worker. He was detained on May 24, 2010 and released on May 27, 2010. He

returned to Tivoli Gardens on May 29, 2010, and found his car damaged, and the battery missing. It had been parked outside his mother's house.

Mr. Robinson said in his statement to the Public Defender that he was assaulted by a member of the constabulary at the time of his detention. He said that he was X-rayed and subsequently treated by a Dr. Russell. The X-ray report shows that there was no fracture and that his internal organs were in good condition. There is no medical report from Dr. Russell, the treating physician, and there is no supporting statement.

Mr. Robinson produced receipts totalling more than \$14,000.00 in respect of payments made by him for a battery, glass for the car, a doctor's visit and an X-ray examination. The records show that he received a grant of \$75,000.00 from the Ministry of Labour and Social Security. In the circumstances, the Compensation Committee regards Mr Robinson as having been compensated.

Mr. Alton Russell of John St. Rae Town complained about his detention. The Compensation Committee has no jurisdiction in the matter.

Mr. Kemar Russell is 23 years old and lives at 26 Tulip Lane, Denham Town. In his statement to the Public Defender on December 23, 2010, he said that he left home on July 4, 2010, and went to Thompson Pen. While there, the security forces detained him for the day.

He returned home in the evening and noticed that the hinges of his front door had been damaged. He estimated that the cost of repairing the damage would be about \$5,500.00.

Seeing that there is nothing to link the security forces to this incident, the Compensation Committee makes no recommendation for payment of compensation.

Mr. Kenroy Sawyers of Building G Tavares Crescent Kingston 12 gave a statement to the Public Defender on December 20, 2010, in respect of an incident that took place on July 18, 2010. He said that at about 6:00 a.m. soldiers burst the padlock

on the door, entered, questioned him and searched the room in the presence of him and his girlfriend. He was detained and released the next day.

Damage was done to a bed foot, the front gate and a microwave oven.

Curiously, Mr. Sawyers does not know whose house he was in, as he pays no bills and apparently owns nothing there.

The Compensation Committee makes no recommendation for any payment to be made to Mr. Sawyers.

Miss Beverley Scott claims on behalf of the Open Bible Church at 54c Spanish Town Road where she is the pastor. On May 27, 2010, she tried to go to her church but due to the state of affairs at the time, she was prevented from doing so by soldiers at Industrial Terrace. She went back on the following day. On this occasion, she entered the building along with a large number of soldiers. They had instructed her to open the building. They searched the premises but, according to Pastor Scott, nothing was found.

Later that day, she returned and noticed several holes in the roof of the building, and several areas on the walls had been grazed by bullets. A few days later, she noticed that the glass in the light meter had been shot up, and water was seeping through the roof of the office into the kitchenette. This water also caused damage to several items that were in the storeroom.

The Compensation Committee is unable to recommend compensation as there is no linkage between the damage suffered and the actions of the security forces.

Mr. Shemron Sewell lives at Building 16, Apt F, Keith Avenue, Tivoli Gardens. At the time of the incursion, he was 24 years old and unemployed. On July 6, 2010, he gave a statement to the Public Defender in which he said that soldiers and police came to the building on May 26, 2010, and conducted a search. He was detained until May 28, 2010. In his absence, he said, his house was ransacked and items either damaged or removed.

He said that his refrigerator was damaged as a result of the switching on and off of the breaker. Also damaged was a component set. The back door and lock to his apartment were destroyed. He said he had in his dresser drawer \$21,700.00 and US\$271 being saved to go overseas to purchase goods for the purpose of sale. These sums were missing, along with a digital camera. The component set had been bought six years earlier for \$16,000.00. He produced a pro-forma invoice from Island Jewellers indicating that the cost had increased to \$19,000.00. In respect of the door, the cost to replace it was \$5,000.00 and for the digital camera a pro-forma invoice from Courts shows the value at \$41,000.00.

The Compensation Committee, having seen in these proceedings other invoices for digital cameras, rejected the price put forward for the camera. The Committee was also unable to make a link between the State and the damage said to have been done to Mr. Sewell's refrigerator. **The Committee took into consideration the fact that he received a grant of \$75,000.00 from the Ministry of Labour and Social Security and formed the view that Mr. Sewell has been adequately compensated for any losses he may have sustained.**

Miss Tasheya Sewell resides at 3 Wilton Hill Drive. She operates a shop at 4 Darling St. Her "baby father" Nicholas Wilson was among those individuals that the Commission of Enquiry found to have been extra-judicially killed.

As regards Miss Sewell's claim, the Ministry of labour and Social Security paid her a total of \$40,000.00 on the following basis: \$15,000.00 for property damage at home, and \$25,000.00 for loss of goods in her shop.

The Compensation Committee sees no basis for a recommendation for any further payment for property damage.

Mr. Clinton Shann lives at Building 1, Levy Path. His statement indicates that he was detained for 3 days. There is need for this to be verified before any determination may be made as to the validity of the claim.

Mr. Robert Sinclair of 37 Bond St describes himself as a seller/trader. On May 22, 2010, he placed his Nissan motor bus in a garage in the area where he lives. He returned to the garage on June 19, 2010, to find that the roof had been torn down, the arm rest broken off and the vehicle generally vandalized. Neither he nor his mechanic is in a position to say when or by whom the vehicle was damaged. He was fortunate to have received a grant of \$15,000.00 from the Ministry of Labour and Social Security. **His invoice indicating a loss of \$665,856.85 cannot be entertained. The Compensation Committee recommends no compensation.**

Mr. Neville Sloley lives at Building 45 Flat 3 Bustamante Highway. He is described as a cultural manager and is aged 40 years. He was at his home with an elderly female neighbour on May 25, 2010, when he heard a knock at the front door. He pushed his neighbour in front of him to open the door. There followed the entry of soldiers who conducted a detailed search. During the search, his settee was ripped.

On the previous day, there had been explosions which Mr. Sloley described as bombs. He noticed two gunshot holes in the bathroom walls and the shower curtain.

Mr. Sloley received \$15,000.00 from the Ministry of Labour and Social Security. The Compensation Committee regards him as having been compensated.

Miss Shelline Small lives at Building 33 Lizard Town Tivoli Gardens. She received a grant of \$15,000.00 from the Ministry of Labour and Social Security for damage done to appliances. The material placed before the Compensation Committee is insufficient for there to be a recommendation for the payment of an additional amount.

Miss Angela Smith of 55 Derrick Path, Tivoli Gardens, gave a statement to the Public Defender on July 7, 2010. She left home on May 22, 2010, and returned on May 29, 2010. The ceiling upstairs was destroyed in her absence. Some items of

furniture upstairs were also badly damaged. In respect of downstairs, everything, according to her, was badly damaged. Her dvd and remote standing fan were missing. She estimated her total loss at \$153,000.00

She provided no invoices. However, there were photographs showing damage to chairs, a television stand and the ceiling.

The records indicate that Miss Smith received two separate cheques totalling \$150,000.00 from the Ministry of Labour and Social Security. **In the circumstances, the Compensation Committee regards her as having been compensated.**

Miss Daisy Smith – There is no statement from the claimant in this file.

Mr. Jermain Smith of 19B Bread Lane Kingston 14, claims for assault and battery and unlawful detention which occurred outside the incursion period. The Compensation Committee makes no recommendation.

Miss Maudlyn Smith is a pensioner, aged 80 years. She resides at 26 Chang Avenue. She was at home with her grandchildren on May 24, 2010, when soldiers came and removed them. They were taken back there on the following day to watch while a search was carried out by the security forces.

During the search, a bed column was damaged, and the roof cracked, according to Miss Smith.

The Ministry of Labour and Social Security paid Miss Smith the sum of \$15,000.00. The Compensation Committee regards this amount as compensation for the damage done.

Miss Tanisha Smith resides at 10 Sangster Crescent. Her claim is in respect of losses at a liquor store. The Compensation Committee wished to interview Miss Smith but did not get the opportunity to do so, although she was listed to attend on July 12, 2017.

Mr. Wayne Smith is a mason and a vendor living at Building 17 Keith Avenue Tivoli Gardens. In his statement to the Public Defender in September 2010, Mr. Smith said that he left home on May 25, 2010, to take someone who had been shot to hospital. He went to his mother's house afterwards and then to Standpipe. On the next day, at about 11:30 a.m., soldiers came and said that they had heard that a wanted Garden man was in the house. The soldiers took him and his cousin, beat them, searched the room and started firing shots about the room. According to him, he was beaten, taken to the Standpipe police station, then to Half-Way-Tree police station where he was beaten again and asked about bad men in Tivoli. He remained at the Half-Way-Tree police station for about 2 months, he said.

On July 1, 2010, he was taken to Mobile Reserve where he was processed and released. On his return to Tivoli Gardens, he said he noticed that his house was burnt to the ground. His total loss is estimated at \$88,000.00.

Mr. Smith said that he operated a shop in the Coronation Market and there he estimated his loss at \$87,500.00.

One Miss Joyce Nelson gave a statement purportedly in support of Mr. Smith's claim. Strangely, she said that his shop was at Dee Cee Avenue.

Mr. Smith's claim is rejected due to inconsistencies that were detected. It is noted also that he was never seen by a doctor in spite of the beatings he complained of.

Mr. Calneth South resides at 123 West St. He is a driver aged 55 years. He was told by one "Miss Pearl" that soldiers in uniform had damaged the front door of his house. There is no confirmation of this from "Miss Pearl" as she has not given a statement. In the circumstances, the Compensation Committee is unable to make a recommendation.

Miss Kemoy Sparkes of 18 Chestnut Lane, Kingston 14, was scheduled to appear before the Compensation Committee on June 27, 2017. She failed to appear. Hence **the Committee makes no recommendation in respect of her claim.**

Ms. Mauvette Spence-Smith is a vendor, aged 42 years, who lives at 4 Cox Terrace, Tivoli Gardens, with her common law husband Mr. Derrick Bailey. On May 24, 2010, she left her premises and went to her aunt in Petersfield, Westmoreland. On her return on May 31, 2010, she observed that a door, a drawer, and 40 pairs of figurines were damaged. She put her loss at \$55,000.00. She received no grant from the Ministry of Labour and Social Security. However, Mr. Bailey received a grant of \$75,000.00. There is no evidence that Mr. Bailey had suffered any separate loss. In the circumstances, the Committee formed the view that the money received by Mr. Bailey was indeed in respect of the loss suffered by Mrs. Spence-Smith. **Consequently, compensation has already been paid.**

Ms. Mervis Staple indicated in December 2016, through her attorney-at-law, her intention to make a claim. This was followed by an affidavit dated April 27, 2017, in which she said that she is “a self-employed Higgler by profession”. She lives with her daughter and son at 59 Dee Cee Avenue Kingston 14.

On May 24, 2010, she said that she was at home “with (her) spouse and (her) daughter” when police officers wearing masks rushed into the house swearing and threatening them asking if they had guns, and ordering them to put their hands in the air. They were escorted with their hands on their heads to an area of the community called Haiti. When they returned home at about 11:00 p.m. the house had been ransacked – the ceiling “dug into”, the back door had been kicked off and was hanging. In her affidavit, Ms. Staple has said that she paid \$85,000.00 to repair the damage done. No receipts or other documentary proof of such payments were submitted to the Committee.

A social worker from the Ministry of Labour and Social Security has confirmed that damage was done to the roof, doors, window and furniture. It was on that basis that Ms. Staple received a grant of \$75,000.00 from that Ministry.

She complained in her affidavit of having lost agricultural produce. However, that was not communicated to the social worker at the time of the incursion. In the circumstances, given the fact that a payment was made for what was brought to

the attention of the authorities then, **the Compensation Committee regards Ms Staple as having been compensated.**

Mr. Andrew Stephenson lives at Third Street, Building U Flat 15, Trench Town. His complaint is in relation to his detention and alleged assault. The Compensation Committee makes no recommendation as his detention does not fall within the Committee's jurisdiction; and as far as the assault is concerned, there is a lack of medical evidence to support the claim.

Mrs. Debbie Ann Melody Sterling lives at 3c Padmore Drive Kingston 10. She operates 2 stalls and 6 shops in the Coronation Market. These, she said, along with the stock, "were burnt to ashes". She received a grant of \$100,000.00 from the Ministry of Labour and Social Security. The Compensation Committee wished to interview Mrs. Sterling and she was scheduled to appear before the Committee on April 19, 2017; however she did not. The Committee is not in a position to make a recommendation for any further amount to be paid to her.

Mr. Michael Sterling who lives at 3c Padmore Drive Kingston 10 was scheduled to appear before the Compensation Committee on April 19, 2017. He did not appear. The Committee is not in a position to make a recommendation in respect of his claim.

Mr. Christopher Strachon of 14 Dreckett's Place is a vendor, aged 31 years. In his statement he is seeking compensation for his detention and for loss of earnings during the period of his detention. The Compensation Committee does not have a mandate to deal with a claim of this nature.

Mr. Eric Strudwick resides at 13 Dee Cee Ave. He was at home with his girlfriend Veneisha Dushing on May 24, 2010, when soldiers ordered them out of the house. In his statement dated October 6, 2010, Mr. Strudwick says that he was detained for 6 days at the Mobile Reserve. When he was released on May 29, 2010, he went home, changed his clothes and went straight to work. He says that

he returned to his home on **Thursday September 30, 2010**. At that time, he noticed that the ceiling was torn down, the back door broken off the hinges, the back window had several panes missing, and he also missed several personal items. He promised to provide a list of the missing items but that list has not been submitted. He also noticed that drawers were smashed and 2 Mag lights missing.

Miss Dushing gave a statement to the Public Defender on December 2, 2010. In it she said that she was also detained on May 24, 2010, but was released that night. On her return home, she noticed that things were thrown all over the house and beds overturned. Many items were missed, she said.

Mr. Strudwick's statement does not indicate that there was anything untoward at his house when he returned home on May 29, 2010. He changed his clothes and "left at the same time to stay at (his) workplace at the Jamaica Public Service Plant." It was not until September 30 that he returned home and noticed the damage mentioned.

The Compensation Committee is not convinced that Mr. Strudwick suffered any loss or destruction of property as a result of the action by the security forces. In the circumstances, **no compensation is recommended.**

Mr. Richard Taylor of 151 Princess St claimed compensation in relation to his detention. The Compensation Committee has no mandate in respect of detention.

Miss Maxine Thomas lives at 81 North St. Denham Town. In a statement dated December 1, 2010, she gives details of a search of her house by soldiers on May 27, 2010, after she was forced to give them access. She listed items that she said were damaged by the soldiers. Miss Doreen Smith, her neighbour, gave a statement supposedly in support. However, they conflict as to the date of the search, the method and the number of participants in the search. According to Miss Smith, a different set of soldiers would come each day and search, starting on May 26, 2010, and continuing for a month and a half while they "destroyed all of (Miss Thomas') property". On the other hand Miss Thomas' statement refers to one search only on May 27.

The statements are irreconcilable. **There is grave doubt as to the genuineness of Miss Thomas' claim. Consequently, no recommendation is being made.**

Miss Delloris Thompson received a grant of \$250,000.00 from the Ministry of Labour and Social Security for loss of her goods in the Coronation Market and loss of her furniture at Anita Williams' house. Miss Thompson's address is 16 Chang Avenue. The total invoices presented do not amount to the sum received by Miss Thompson. It seems that she has been over compensated

Ms. Joyce Thompson lives at 41 Dee Cee Avenue Kingston 14. In December 2016, she indicated through her attorney-at-law her intention to claim for property damage. On April 27, 2017 she swore an affidavit to the effect that members of the security forces while searching her house damaged the roof and scattered her clothes all over the floor. There were gunshot holes also in the windows. She submitted an estimate dated November 23, 2016 for \$140,716.50 to carry out the necessary repairs.

The social worker who visited Ms. Thompson's premises saw damage to one window only. In keeping with that visit, the Ministry of Labour and Social Security made a grant of \$15,000.00 to Ms. Thompson.

The Compensation Committee accepts the report of the social worker as to the damage seen. In the circumstances, it is not possible to make a recommendation for any further payment for property damage.

The Committee notes that Ms. Thompson's son Laviama Wilson, aged 20, was shot and killed at the time of the incursion. There was no finding made by the Commission of Enquiry as regards liability for his death. It is therefore not possible for the Committee to make a recommendation as to compensation in that regard.

Miss Yvette Thompson of 3-7 Race Course Lane, Block A, Apt 21, Golden Heights, was apparently shot by soldiers atop the Blood Bank Building. Regrettably, the Compensation Committee is not in a position to make a recommendation as we would have wished to interview Miss Thompson. However, we received information that she died as long ago as August 18, 2011.

Mr. Mark Thorpe of 39 West Avenue, Kingston 13 said in a statement to the Public Defender that he was riding his bicycle near the Tivoli community centre when he heard gunshots behind him. His right foot became numb immediately and he fell. He had been shot in the foot. He was helped by 2 men who ran with him to “Top 10”. He was taken into a house where one Michelle gave him “busy” and dressed his wound. Mr. Thorpe said that soldiers came to the house on May 26, 2010, and inquired of him what had happened. His response was that he had had a workplace accident. His reason for making that false statement was, he said, to prevent them from killing him.

The next day, the police made what appeared to have been an uneventful visit to the said house.

Mr. Thorpe said that he went to the Kingston Public Hospital where he was treated. There is a medical report dated June 8, 2010. It shows that Mr. Thorpe reported he received the injury on May 26, and had removed the bullet himself. According to him, he is now unable to use his right leg. **The circumstances disclosed in this claim are very suspicious, the Committee finds. There is no basis on which the Committee can make a recommendation for payment of compensation.**

Mr. Jevon Todd is a higgler residing at 1 McKenzie Drive. He gave his age as 17 years. His statement given to the Public Defender on July 14, 2010, did not provide sufficient basis for the Compensation Committee to determine his claim. The Committee would have wished to interview him but this was not possible due to time constraints. No recommendation is being made.

Mr. Andre Wakefield of 32 ½ Pink Lane was detained from May 26 to 28, 2010. He claims that a soldier had taken him upstairs “and started to mash up (his) room”. There are no details of the “mash up”, and there is no mandate to compensate for detention. **Accordingly, no recommendation is being made.**

Mr. Renardo Walford aged 18 years is a student of the Abdullah Institute of Basic Studies. He lives at 73 Chestnut Lane. In a statement dated December 15, 2010, he said he was kicked in the chest by a soldier and detained from June 5 to 6, 2010. According to his statement, he went to the Denham Town Clinic on June 9, 2010, as he was experiencing chest pains. He was given a prescription which his mother filled. He took the medication prescribed and “felt better”. The Public Defender sought confirmation of the visit to the clinic. This is the response from the clinic:

“Mr. Walford was last seen at this Health Centre on June 19, 2009. His diagnosis at that time was Balanitis... (a fungal infection). He was treated for the same on June 9, 2008. There are no records for him for the period outlined in your letter (June 9, 2010)”.

Mr. Walford has clearly put forward a false claim. The Compensation Committee rejects it.

Mr. Deshaun Walker of Apt 122 Tivoli Court received the sum of \$15,000.00 from the Ministry of Labour and Social Security in respect of damage that he claimed to have suffered as a result of bullets fired in the vicinity of his house. It appeared to the Compensation Committee that his statement to the Public Defender showed him as saying specifically what was damaged, but making a claim in respect of other items. **The Committee regards the grant by the Ministry of Labour as sufficient compensation in the circumstances, if compensation was in fact due.**

Mr. Lawrence Walker of 38 Camp Road, is a casual worker. He complained that he was detained on May 24, 2010, and released on May 28, 2010. He said that he was assaulted during his detention. There is no medical report in respect of the assault. Consequently, no recommendation is being made for compensation. The detention is outside our realm of consideration.

Miss Sherika Walker resides at 4 Studley Park Road. In her statement dated June 25, 2010, she said that she was in her yard hanging out clothes when she felt like

gravel had splashed on her hands. She later realized that she had been injured in the region of her elbow. She used a towel to tie the injury, and went to the Kingston Public Hospital the next day for treatment. She was advised that she had a flesh wound.

There is no evidence to link Miss Walker's injury to any member of the security forces. Consequently, there is no basis to recommend compensation.

At the time she received her injury, she said that part of her bathroom door broke off. It is apparent that the missile that caused her injury did this damage to the bathroom door. The Compensation Committee notes that Miss Walker received a grant of \$15,000.00 from the Ministry of Labour and Social Security. This is regarded as compensation for the damage to the door. There is no basis for any further compensation.

Miss Gloria Walters of 58 Bustamante Highway is a retired packer. She said that on June 27, 2010, some Jamaica Public service workmen brought to her attention the fact that there were 7 gunshot holes in the wall of her house. A piece of her front gate column had also been chipped off.

This claim for compensation is clearly without merit as there is nothing to indicate that the State is responsible for any damage done to Miss Walters' property.

Mr. Oliver Watson of 74 Doris Path is recorded as having received \$250,000.00 from the Ministry of Labour and Social Security. He did not give evidence before the Enquiry. However, in his statement to the Public Defender, he said that he had been living at that address for 15 years in a house which belongs to his father. The house was destroyed by fire and according to his estimate the value of items destroyed in that fire was \$424,000.00. He presented pro-forma invoices showing a possible loss of \$328,147.00. **Given the obvious discrepancies and imprecision, we formed the view that the sum of \$250,000.00 that had been paid to Mr. Watson ought to be regarded as adequate compensation for his loss. We so recommend.**

Mr. Rajiv Webley of 1 McKenzie Drive is a vendor, aged 24 years. In a statement dated September 30, 2010, he said that on May 25, 2010, at about 8:00 or 9:00 a.m. he was at home when a policeman and 5 soldiers kicked in the door, came inside and started to beat him. He bled, and his shoulder blade was dislocated. They ordered him into a truck and instructed him to pick up 10 bodies from the street. He was the only person in the truck, he said.

Mr. Webley said he was detained until May 28. By then, he had developed pneumonia. He went to a doctor a month later and was treated. However, he never told the doctor about his shoulder. He returned to his house on July 25, 2010. There was damage to his front door, fan, louvers, stove, flat screen tv and settee. He also missed the sum of \$55,000.00 which he said he had hidden in a clothes basket.

Mr. Webley estimates that he lost \$300,000.00 in business as a result of his detention.

There is no medical report. However, on October 11, 2010, eleven days after he had given his statement to the Public Defender, he paid a visit to the Denham Town Health Centre. They have no record there of any prior visit by him.

The Compensation Committee views Mr. Webley's statement with incredulity, and does not recommend any compensation.

Mr. Devon Weir was scheduled to appear before the Compensation Committee on June 26, 2017. He did not appear. The Compensation Committee had wished to have him clarify certain aspects of his claim. In the circumstances, the Committee makes no recommendation for compensation.

Mr. Donald Weir appeared before the Compensation Committee on June 26, 2017. A very weird situation presented itself. Our records show that a complaint was made by a Mr Devon Weir to the Public Defender on July 1, 2010; and he was the individual scheduled to appear before us on June 26, 2017. However, instead Mr. Donald Weir presented himself and indicated that:

- i. He had made a complaint to the Public Defender;
- ii. He had heard on the radio that he was to attend on June 26, 2017 before the Committee; and
- iii. He had been to the Public Defender's Office and confirmed his attendance.

The Compensation Committee does not have before it any file in connection with Mr. Donald Weir. Accordingly, the Public Defender has been requested to see if there is such in their office. Notwithstanding the situation, we heard evidence from Mr. Weir. He said that he lives at Flat D, Building 9, Seaga Boulevard. However his driver's licence shows him as living at Flat E. This licence was renewed in 2014. He said he "was nearly born" in Flat E, and had not lived there since he was a child.

The Compensation Committee is sceptical of Mr. Weir's evidence as to his residence. This is partly due to the fact that our records show that there is an Angela Weir who lives at Flat E, and she received \$15,000.00 from the Ministry of Labour and Social Security for minor damage. Mr. Weir said that Angela Weir is his sister.

According to Mr. Weir, he was at home on May 24, 2010, when members of the security forces ordered him out, and proceeded to "search and destroy". They destroyed his washing machine and dining table. Mr. Weir is claiming \$60,000.00 as compensation.

Given the circumstances mentioned earlier, the Compensation Committee is not minded to make any recommendation for compensation to Mr. Weir.

Miss Peaches White of Building 28 Flat 4, Drecketts Place, is a shopkeeper aged 43 years. She received \$15,000.00 from the Ministry of Labour and Social Security.

On May 24, 2010, soldiers removed her and others to another building. When she returned on May 28, 2010, she noticed that the door to her house had been damaged; so too were her satellite dish, a clothes iron and a settee. No photographs were presented to the Committee. A new set of soldiers came and

searched the house. This set of soldiers told her that another set of soldiers was hitting off the door to her shop.

She went to the shop and opened it on the order of the soldiers. They ordered drinks and water. She served them, and they paid. One soldier asked for the remote control for the television. She gave him. After a while, she told them that she had to leave the shop to go and look after her son. The soldiers left the shop.

After the soldiers left, she realized that one of two bags that she had on the ice cream freezer was missing. That bag had in \$800,000.00 which she said was partner money. Incidentally, the two bags had been in the shop prior to Miss White's arrival to open it to serve the soldiers.

It is mystifying why Miss White would have left such a large sum of money on top of a freezer in her shop. It is noted that she was present with the soldiers in the shop. There is no evidence to suggest or indicate that the State had anything whatsoever to do with the alleged loss or theft of this money. **In the circumstances, the Compensation Committee is of the view that the sum of \$15,000.00 paid to her is to be regarded as compensation for the damage to her property.**

Mr. Cadion Whyte lived in a one-bedroom structure at 1 McKenzie Drive. He is a vendor, aged 26 years. He was detained by the security forces during the period May 25 to 28, 2010. When he returned home, he said that he only saw ashes where his house was. All his possessions were destroyed, he said. Mr. Whyte provided an impressive list of the items destroyed – clothing, phones, jewellery, bedding material as well as items of furniture. The latter include a refrigerator, a stove, a dvd player, 2 television sets, a component set, 2 beds, a dresser, an entertainment centre, a chest of drawers and a washing machine. According to Mr. Whyte, all these items were housed in one room.

He estimated that the clothing, jewellery, phones and bedding material lost amounted to a value of \$373,100. He produced pro-forma invoices which put the replacement value of his furniture at \$246,475.76.

Mr. Whyte also claimed for losses incurred in the Coronation Market.

One Orlando Patterson gave a statement purportedly in support of Mr. Whyte's claim. However, Mr. Patterson's statement has created grave doubts as to the credibility of Mr. Whyte.

Mr. Whyte received a grant of \$250,000.00 from the Ministry of Labour and Social Security. The Compensation Committee regards that amount as sufficient compensation for him.

Miss Tameka Whyte is a teacher residing at Building 4 Sangster Crescent, Kingston 14. She gave evidence before the Compensation Committee on April 6, 2017. During her absence from her home between May 24 and 25, 2010, her house was entered and items of food removed. Her microwave oven was damaged. She received a grant of \$15,000.00 from the Ministry of Labour and Social Security. **The Compensation Committee regards Miss Whyte as having been compensated.**

Miss Ann-Marie Williams lives at 14 Water St Denham Town. She gave evidence before the Compensation Committee on April 6, 2017. Her claim is in respect of the health of her children caused by a stench from a fowl coop. The Compensation Committee finds her statement to be in conflict with hospital records examined, and also in conflict with her daughter's statement. Due to the issue of credibility, the Committee is unable to make a favourable recommendation in respect of her claim.

Miss Barbara Williams of 8 ¼ Wellington St Denham Town claimed for damage allegedly done to her house and furniture on June 9, 2010. There was insufficient material for an assessment to be made. She was scheduled for hearing before the Compensation Committee on April 19, 2017, but was absent. No recommendation is being made.

Mr. Caron Williams is a chef aged 28 years living at 62 ½ Mark Lane. He complains of being detained for a day on June 15, 2010. The Compensation Committee has no mandate to make a recommendation for wrongful detention.

Mr. Francisco Williams of 8 ½ Wellington St was detained on May 26, 2010. He is seeking compensation for his detention and for loss of goods. The question of his detention is not within our jurisdiction and there is no evidence of any damage being done by the security forces to his property in his absence. Hence, the Compensation Committee makes no recommendation for compensation.

Mr. Headley Williams resides at Building 21 Flat C Seaga Boulevard. His girlfriend Tanisha Wolfe received a grant of \$75,000.00 in connection with damage that was done to certain items in their house. However, there is a claim in relation to a car owned by Mr. Williams. The Compensation Committee is unable to make a recommendation as there has been no response to certain queries that the Committee has made.

Mr. Richard Williams in a statement dated December 16, 2010, said that he is a chef living at 97 Beeston St. He was detained on May 28, 2010, and released on the following day. He said that when he went back to his house he noticed that it had been damaged. The material submitted to the Compensation Committee is insufficient for a determination as to whether there should be compensation by the State.

Miss Sharene Williams of Levy Path gave a statement to the Public Defender. In assessing the contents of the statement, the **Compensation Committee is of the view that the sum of \$15,000.00 granted to her by the Ministry of Labour and Social Security adequately compensated for her true loss.**

Mr. Barrington Wilson has not been located. His statement to the Public Defender describes him as a clothing designer who used to live at 64 Page Path, but at the time of giving the statement in June 2010, was living at 78-80 Barbican

Road. Checks have been made at the latter address and calls made to the telephone number on record but Mr. Wilson has not been located.

The Compensation Committee wished to interview Mr. Wilson in respect of his claim which is for a sum in excess of a million dollars. It is noted that he received a grant of \$250,000.00 from the Ministry of Labour and Social Security. In the circumstances, no further payment is recommended.

Mr. Omar Wright, a construction worker of 15 Milk Lane, Denham Town, complained of having been detained on August 7, 2010. This is not within the mandate of the Compensation Committee. He said in his statement recorded in December 2010 that a soldier had boxed away his phone and damaged it. There are no details as to the nature of the damage.

HON. MR. JUSTICE SEYMOUR PANTON (RT'D), OJ, CD

REVEREND RENNARD WHITE, JP

REVEREND HERRO BLAIR