

ANNUAL REPORT  
JANUARY TO DECEMBER 2012



## OFFICE OF THE POLITICAL OMBUDSMAN

**Ground Floor  
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June 2013

Senator the Honourable Floyd Morris  
President of the Senate  
The Houses of Parliament  
George William Gordon House  
81 Duke Street  
Kingston

Dear President Morris,

It is an honour to once again fulfill this aspect of my mandate in compliance with Part V, sub section 20 of the Political Ombudsman (Interim) Act, 2002. I hereby submit the tenth annual report of the Office of the Political Ombudsman.

This publication records the activities of the office for the period January to December 2012.

Yours sincerely,

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Bishop the Hon. Herro V. Blair, O.J., O.D., J.P.  
Political Ombudsman of Jamaica



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June 2013

Honourable Michael Peart  
Speaker of the House of Representatives  
The Houses of Parliament  
George William Gordon House  
81 Duke Street  
Kingston

Dear Mr. Peart,

I consider it a privilege to present to you in accordance with Part V section 20 of the Political Ombudsman (Interim) Act 2002, the tenth annual report of the Office of the Political Ombudsman.

This publication records the activities of the office for the period January to December 2012.

Yours sincerely,

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Bishop the Hon. Herro Blair, O.J., O.D., J.P.  
Political Ombudsman

## MISSION STATEMENT

To help protect the political parties and all their adherents against violation of their rights, abuse of power, error, negligence, unfair decisions and mal-administration in the political arena that would negatively impact the overall administration of the country as it advances.

## VISION STATEMENT

This Office will be steadfast in ensuring that, political representatives, those aspiring to political office and constituents enjoy a fair and just electoral process, as well as wholesome representation that will positively influence the growth and development of a transparent and efficient system of governance in accordance with the **Agreement and Declaration on Political Code of Conduct and the Political Ombudsman Interim Act (2002)**.

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## OPENING MESSAGE

### **What Government Needs**

All Government asserts to have policies that encourage openness and promote transparency. As a people, we have seen where for the most part this has been mere rhetoric that often lacks the fundamentals necessary for actualization. Openness and transparency are the keys to the kind of government that we so desperately are striving to have.

But what really is “Openness”. This desired openness first and foremost is about access to information. It describes the practice of ensuring that the citizens served by the elected government have the means to know what their government is doing.

“Transparency,” on the other hand, is about access to the reasons for decisions. A transparent decision must be seen for what it is. It should not be twisted or hidden behind sincere explanations. Its motives, influences and reasoning must be shared. I have no doubt that the government and its administrators aspire to be open and transparent.

It must be understood however, that the failure to achieve openness and transparency is not a problem unique to Jamaica; most democratic governments fall short of their promise to be open and transparent. The United States President Barack Obama, for example, in his previous term in office owed much of his electoral success to his transparency initiatives – yet many of those programs were threatened by budget pressures.

Openness and transparency make for an eloquent campaign slogan, but can easily, in practice, become empty buzzwords. It has long been recognized that incompetence, mismanagement, and even corruption thrive in the dark but cannot bear the sanitizing light of day.

As such, every well thinking Government should seek to promote openness. Openness advances moral, conscionable, and ethical government. It also promotes honesty and enables the rule of law to apply. Openness supports and improves the quality of decision-making and enhances effective government. It exposes those who are indolent and those with poor judgment, and reveals errors so they can be repaired. Openness strengthens democracy by arming citizens with the information required to participate in government. This participation, in turn, improves the quality of decision-making by enabling a cross-section of knowledge, ideas, values and perspectives to enrich decisions.

When decision-making remains closed, the natural inference is that there is, at worst, a cover up, or at best, disinterest or ineffectiveness. This inference serves neither the government nor the citizens. The government as a result becomes tarnished, and those it serves are left frustrated and anxious. When decisions are made openly and transparently, their reason can be seen – and if the decisions are wise, or even defensible, the public is reassured and the outcomes are more apt to be trusted, as are those who make the decisions. Bury the process and public trust suffocates.

Without proper oversight however – including effective investigative powers and public reporting – openness, transparency, accountability and the opportunities for citizen participation are all compromised.



A more vital and complete vision of openness and transparency is inevitable. The days when governments could control the message and choose how to manage public information are quickly disappearing. This is the age of information.

Information, coupled with courage, is proving to be more potent than firepower. It is therefore both good policy and good politics to embrace it.

Embracing a broad vision of openness and transparency is evidently the way to go towards achieving the ultimate goal of improvement in the quality of government.

## INTRODUCTION

The year Two Thousand and Twelve marks ten years of operation for the Office of the Political Ombudsman (OPO) as a Commission of Parliament. In this our decadal year, the reporting format will be reflective of the general execution of the functions of the OPO over the period. This reflection will seek to highlight the accomplishments and challenges of the office. Twenty twelve not being an election year meant that the activities of the office were greatly reduced when compared to other years.

As a nation, we have come a long way and accomplished much. It is safe to state that there is much more that we could have achieved. We have not been unaffected by global challenges unique to developing nations in the twenty first century. The ever present issue of crime and violence and its cost has added to our financial management burden.

Through various channels, crime and violence threaten the welfare and well being of all citizens. Outside of the direct effect on victims, crime and violence inflict widespread costs, generating a climate of fear for all citizens and diminishing economic growth. Crime and violence in Jamaica still remains one of the foremost challenges to development.

There are numerous ways to consider the costs of crime and violence. Each approach brings to light a different aspect of the impact and no single approach is usually comprehensive. Some of the most important costs; such as the impact on the investment climate and economic growth are those that this office feels more emphasis must be placed on. Although much is said in analyses and public discussions, I would like more to be done to ensure that all citizens really understand the costs and effects and to realize how their individual roles impact the ultimate result. In summary, the bigger picture must be clear to all.

I implore all Jamaicans to see themselves as stakeholders, and in so doing partner with government and its initiatives in the battle against crime and violence.

Over the years, this office has and still continues to have as its main challenge, the disinclination of citizens to report and register complaints of victimization, corruption and other forms of crime and violence. The reasons for this unwillingness are very authentic and not unique to this office or to this country for that matter. It remains a sore point and will take considerable effort, and resources to eliminate the root causes. This considerable effort must be embraced by all.

This office remains resolute in its mandate and continues to encourage citizens to partner with us in striving to realize our nation's Vision 2030.

## AN OFFICE OPERATING UNDER THE CHARGE OF PARLIAMENT

On August 30, 1996 the Honorable P.J. Patterson, announced that after consultation with the two major political parties, the National Democratic Movement and other organizations, he had decided to appoint a broad based National Committee to consider and recommend practical steps to reduce Political tensions and violence. The Committee's report cited the views of the then leader of the National Democratic Movement, the Leader of the Opposition and the Prime Minister at the time. Five years later, on June 11, 2002, the National Committee on Crime and Violence, articulated as its primary recommendation:

***‘The Political leadership of the country must recommit to a set of values and a code of conduct consistent with the vision of a safe, peaceful and prosperous Jamaica’***

The Committee further recommended the appointment of a Political Ombudsman, and with the unanimous support of the two major political parties, the Office was established to conduct investigations in accordance with the provisions of the Act. (Please see copy of Act at [www.moj.gov.jm/laws/political-ombudsman-interim-act](http://www.moj.gov.jm/laws/political-ombudsman-interim-act))

As a commission of Parliament, the Office of the Political Ombudsman (OPO) is distinct from other agencies in two ways: it has no single, permanent administrator, and it has no independent or constitutional authority of its own; it operates under the authority of Parliament.

## THE NEED FOR SUCH AN OFFICE

Becoming an independent nation meant that the method of delivering political goods to citizens became decentralized. Having replaced the monarchs, the government became focused on answering the concerns and demands of its citizens.

Answering these concerns and demands is defined as politics and is of course, multi-dimensional. Failure in some or all these dimensions usually determines if a nation fails or succeeds. A government's performance and effective delivery of the most crucial political goods are therefore tantamount to success.

Political goods are usually intangible and hard to quantify. These goods are claims that citizens make on a government. They include expectations and conceivably obligations. These claims help to inform the political culture and give content to the social contract between politicians and citizens.

It must be understood that there exists a hierarchy of political goods. Among which, none is as critical as the supply of security, especially human security. The provision of security is vital in preventing crime and any related dangers and enabling citizens to be able to resolve their disputes without recourse to arms or other forms of physical coercion.

It is safe to conclude that the ineffective delivery of the supply of security is a contributory factor to the high levels of crime and violence in Jamaica. In an effort to address this issue, the government determined that along with the security already in place it needed to have a body with a specialized mandate as a Commission of Parliament, to aid in the provision of this good. Regarding this office, its mandate focuses on allegations of crime and violence that are the direct

result of the non-adherence to the established Political Code of Conduct. (Please see copy of Code of Conduct in Appendix)

## ARE WE AS A NATION READY FOR AN OMBUDSMAN AS AN INSTITUTION?

The ombudsman as an institution is a concept that over the past decades has rapidly taken roots.

There are currently over eighty countries across the world that have some form of an Ombudsman. It is often related to constitutional and political as well as economic differences. As the diversity widens, the integrity of the ombudsman as a concept becomes more interesting and compelling. But are the characteristics of an ombudsman universal? Could any country have an ombudsman, whatever it's constitutional and political setup, or are there pre-conditions?

One of the most essential characteristics of an ombudsman institution is independence. It must be an institution set up for members of the public- its fundamental reason for existence must be to protect ordinary people from the Government. Any other role is subordinate to this primary task. The Government is invested with special powers, and this makes people dependent on it. This dependency varies according to social position and circumstances. So citizens must be able to count on the government to perform its tasks correctly and with integrity. The fact that Governments cannot always be relied on to do so is universally acknowledged.

This fact draws attention to the central responsibility of every ombudsman- that of fostering good governance in the interests of the general public. Good governance means a government that unconditionally respects the rules of the national and international legal order, especially as it relates to human rights, and strives to fulfill its responsibilities properly in the service of the general public, free from corruption.

If the Ombudsman is expected to do a good job, the right of every citizen to contact him must be safeguarded beyond all doubt. Citizens must be assured that they can go to the Ombudsman without any fear of reprisals from the government or any informal group. It is also essential that

the Ombudsman's existence be publicized, and that he himself should have the means, and the will to make his presence known. The Ombudsman must be able to operate completely independent of the government bodies within his area of competence.

The Ombudsman's independence should also mean that he is at liberty to address the general public and to make his presence felt in society without his actions being subject to approval of any kind. As such, the Ombudsman must be free to perform an educational role, if he sees fit, informing the public of their rights in relation to the Government and the ways in which these rights can be enforced. The Ombudsman must also be free to make his findings public without permission from any source, even when these findings are disagreeable to the Government body under scrutiny.



DOES THE INTERIM ACT 2002, PROMULGATE THE OMBUDSMAN AS AN  
INSTITUTION?

Ideally the ombudsman as an institution should have as an essential characteristic- independence.

In examining the Interim Act, 2002, Part three- *Functions of Political Ombudsman*, sub-section four seems to go against what the fundamental basis of the Office should be- that of independence.

If the Office is mandated to investigate actions taken by political parties, their members and supporters in breach of established codes and arrangements, then any tribunal that may be in place should include persons who are neutral to either political party.

The presence of the OPO must have a psychological value, as it strives to build the confidence of citizens, that there exists a non- partisan body that will hold politicians accountable in regards to the established Codes. A major advantage of having an Ombudsman is that he examines complaints from outside the offending sphere, thus avoiding the conflicts of interest inherent in self-policing.

### WHO SHOULD BENEFIT FROM THE SERVICES OF THE OFFICE?

It was stated earlier that the central responsibility of an Ombudsman is that of fostering good governance in the interests of the general public. The Interim Act 2002, describes a complainant as any person or body of persons, whether incorporated or not who claims to be affected by any action taken by a political party, its members or supporters, where the Ombudsman is of the opinion that such action is a breach of any agreement, code or arrangement.

A complainant may be:

- A minor

In such instance, the complaint may be made by a parent, guardian, a friend or a responsible adult acting on the minor's behalf.

- A person unable to act for his self by reason of infirmity or for any other cause or has died.

In this case, the complaint may be made by his personal representative, or a member of his family or any other suitable person.

- A person who is an inmate of a Government institution or is detained.

In such cases, the written complaint is forwarded- unopened if in a sealed envelope, to the Ombudsman by the person in charge of the institution. Correspondences between such person and the Ombudsman may be confidential according to regulations under section 25.

### THE CALL FOR A REVIEW; THE QUESTION OF RELEVANCE

In May and June of 2012 in letters received from the Standing Committee of the House of Representative on Human Resources and Social Development, requests were made of the Office to furnish information to aid in deliberations on a Private Member's Motion (No. 7/2012).

Without hesitation, the information requested was supplied. The saga that ensued was in all honesty tantamount to an inquisition.

After a period of more than six months, it was revealed that the Committee's mandate was to determine *“the appropriateness of the subject for submission to the Cabinet”*. The report that was required for submission within fourteen days was not to have been on the substance of the Private Member's motion, but on whether or not the content of the motion was appropriate for consideration by Cabinet. The Committee submitted this report to the House on November 6, 2012. The report stated that having examined the motion, the Committee believed that the matters therein were within the remit of the Cabinet. At the time of the compilation of this report, no advisory on any action by the Cabinet was known.

A synopsis of the saga that ensued and aptly captured by the print media, is included in the appendix.

### CASES INVESTIGATED BY THE JAMAICA CONSTABULARY

In the Annual Report for Two Thousand Eleven, mention was made of twenty seven cases that were considered serious and referred to the police for further investigations. These findings were subsequently made available and are included in this report. (Please see appendix)

Included also, is an island wide report with submissions from the twenty sergeants of the Jamaica Constabulary Force (JCF), who worked as liaison officers, during the election period. The report is specific to cases involving breaches of the Political Code of Conduct. (Please see appendix)

## RESOURCES

### PERSONNEL

To ensure that it can properly and effectively carry out the tasks of dealing with politically related complaints and raising awareness about the Ombudsman's work, the office employs a well qualified staff.

An in-office log book is kept to note daily happenings within the office, in an effort to keep staff informed of developments and to encourage them to reflect on how their work contributes to achieving the Ombudsman's objective.

The office operates with a total of five support personnel. They are:

**Mrs. Georgina Henry Smith;** who has provided secretarial services for the Political Ombudsman, since August 2002.

**Mrs. Jennie Blake;** who works as the Office Attendant, since December 2004.

**Miss Ann Berry;** who works in the capacity of Bearer/Receptionist, since February 2007.

**Mr. John Cameron;** who is employed as the personal Driver for the Political Ombudsman since April 2007.

**Mrs. Ann Marie Brown Olakunle;** who works in the capacity of Administrative Assistant to the Political Ombudsman, since March 2012.

## BUDGET

As a commission of Parliament, the OPO is mandated, according to section 19 of the (Interim) Act, 2002 to include in each annual report, all accounts and financial transactions audited by the Auditor- General. The exclusion of audited statements from the annual reports is not intentional but is based on the fact that all financial operations of the Office are handled by the accounting department of the Houses of Parliament.

It must be noted that over the years numerous requests have been made to the Accounting department to have such reports forwarded to the Office, but to date these requests have neither been acknowledged nor honoured.

## ACHIEVEMENTS

The achievements of this office are mostly intangible and as such, not simple to quantify. When benefits cannot be readily measured in dollars saved, savings to the Government are based on intangible benefits. The value is determined by the degree of impact the office had on the activities it affected. Intangible value, usually the greater value- encompasses a number of dimensions. Such dimensions include:

- Improvements in decision making
- Enhancements in communication and collaboration
- Averted costs to Government associated with prosecution and imprisonment.
- Improvement in effective work cultures

### **Enhancements in communication and collaboration:**

Communication is the activity of conveying information through the exchange of thoughts, messages, or information. It is any act by which one person gives to or receives from person information about that person's needs, desires, perceptions, knowledge, or affective states.

Communication requires that the communicating parties share an area of communicative commonality. The communication process is complete once the receiver has understood the message of the sender.

I chose to elaborate on this point, as I have found over the years that the absence or ineffectiveness of communication is a root cause of over ninety percent of conflicts. A major role of this office is being an unbiased mediator, striving always to facilitate effective and complete

communication. We seek always to get parties to understand the elements of the communication process and to understand also that it is a process and as such the option does not exist to eliminate any of the steps: if indeed we seek effectiveness.

A clear and concise understanding of communication usually means that all the other points mentioned above will be realized.



## CHALLENGES

This office has and still continues to have as its main challenge, the disinclination of citizens to report and register complaints of victimization, corruption and other forms of crime and violence.

Although this office advocates the resolution of conflicts through dialogue and consensus we also strongly believe in tracing the causes of conflicts to its roots. These root causes are often times a result of poor economic and social conditions that act as foundation in the creation of marginalized communities. It is the citizens of these communities who are usually the victims and who because of their ‘dependency ’and usually misplaced loyalty on the “party in power” will not speak out against victimization, corruption and other forms of crime and violence.

## OBSERVATIONS AND RECOMMENDATIONS

The Office of the Political Ombudsman is answerable directly to the constituted Commission which has oversight for the office. This Commission has a total membership of six persons. They are; the Speaker of the Houses of Parliament, the President of the Senate, the person designated by the Prime Minister as Leader of Government business in the House of Representative, the person designated by the Leader of the Opposition as Leader of Government business in the House of Representatives, the person designated by the Leader of the Opposition as Leader of Opposition business in the Senate, and the Minister responsible for the Public Service.

The stated roles of this Commission according to the (Interim) Act, 2002; section eight and ten of part 2, sub-section (1) speaks only to issues relating to:

- a) Remuneration of the Political Ombudsman
- b) Appointment of staff.

I am certain these are not the only roles and responsibilities that have been entrusted to this body, and if not; then it is quite unfortunate that the Commission has not seen it fit and proper to carry through its mandate over the years. I make reference to an article written by Mr. Balford Henry in the Jamaica Observer dated Sunday, May 05, 2013; titled '*Parliamentary Commissions need review*' (<http://www.jamaicaobserver.com> '). I am in agreement with Mr. Henry, and would add to that the need for the constituted Commission to re-visit its mandate.

The present nature of crime and violence is nothing to be compared to what existed in the twentieth century. This dynamic nature, coupled with advances in technology has given rise to

crime and violence being more organized, sophisticated, diversified and globalized. Like any other entity, if this Office is to be effective in fulfilling its mandate, it means that the existing approaches and strategies have to be reviewed. This Office has over the years sought to carry out its functions on the fundamentals of moral suasion; however it has become abundantly clear that moral suasion needs to be coupled with more aggressive approaches. It is as a result of this that I suggest a legalistic framework in the thrust towards a more aggressive approach.

Over the years, one of the main challenges faced by the office has been the disinclination of citizens to report and register complaints of victimization, corruption and other forms of crime and violence. The present method of reporting must be reviewed. The office must be equipped with resources to allow its agents/employees to visit citizens in their communities and take these reports. There must be technological resources in place for citizens to utilize; the creation of a website- to allow citizens to lodge complaints as well as to promote the services of the Office. Social media access must be in place in an effort to reach all classes of citizens.

Since 2002, the finances of the OPO have been handled by the accounting department of the Houses of Parliament. Each year the office prepares a budget, which is forwarded to the accounting department of the Houses of Parliament. The office is not informed on whether or not the proposed budget is accepted and no balance statements are received by the office at the end of a financial year. Although the office has made numerous requests to have this issue resolved, the situation remains the same. This is clearly an unacceptable display of good governance and transparency which ultimately poses a serious challenge to the integrity of the Office. As such I strongly recommend that this office be given the resources to handle its own finances.

## CONCLUSION

In an ideally free society Government reflects the character of its people. If it is that people wants change at the top, then they must endeavor to live differently. The major social problems that we are faced with as a nation are not the cause of our corruption. They are a reflection of corruption.

Government must be viewed as a trust, and politicians as trustees; both the trust and the trustees must be cognizant of the fact that they are created for the benefit of the people. The care of human life and their happiness, and not their destruction, must be the first and only objective of good Government.

There is no safe depository of the ultimate powers of the society- but its citizens; but if they are not enlightened sufficiently to exercise their control with discretion, the remedy cannot be to take it from them but to inform their discretion. Whenever people are well informed, they can be trusted with governing themselves. If they are enlightened, then oppressions of mind and body will be non- existent. A holistic approach must be adapted in strengthening the mind through education. Persons must be informed enough to chose a representative on merits that will effect growth and development and not just on the basis of being a die-hearted party supporter.

In my experience over the years, I have found that a wide cross- section of the society views the Government as something different from themselves. On the other hand I have to admit that I have seen where the attitude and behavior of Government often confirm this. Let us never forget

that government is ourselves and not an alien power over us. Every Jamaican must understand and accept that the ultimate rulers of our democracy are the voters of this country.

If indeed we are committed to a national development plan as encapsulated in the National Vision Statement, then we must recognize that Government in and of itself cannot solve the problems we are faced with in our prisons, hospitals, nursing homes ,hospices, crisis centers, juvenile and children homes and shelters- we need our faith- based and community partners. Every citizen must commit to this partnership.

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Governmental ethics

[http://www.scu.edu/ethics/practicing/focusareas/government\\_ethics](http://www.scu.edu/ethics/practicing/focusareas/government_ethics)

Political Ombudsman (Interim) Act, 2002

[www.moj.gov.jm/laws/political-ombudsman-interim-act](http://www.moj.gov.jm/laws/political-ombudsman-interim-act)

## APPENDICES

1. Agreement and Declaration on Political Conduct.
2. Synopsis of 'saga' as presented by the print media.
3. Status report from the Jamaica Constabulary Force, Bureau of Special Investigation.
4. Conclusive report on 'Highlighted Cases' mentioned in Annual Report 2011.

Appendix #1

## Agreement and Declaration on Political Conduct



## Joint Agreement and Declaration on Political Conduct

*The People's National Party, The Jamaica Labour Party and all other legitimate political parties in Jamaica:*

- 1. Affirm their belief in the sanctity of human life and abhor taking human life or the violation of the person of anyone because of that person's political allegiance.*
- 2. Declare their opposition to and rejection of the use of violence or intimidation by any of their members or supporters as a means of expressing political support or furthering political objectives.*
- 3. Denounce the procurement, possession or distribution of weapons or ammunition of any sort by their members or supporters for use in political activity.*
- 4. Affirm their commitment to non-violent relations between the members and supporters of all political parties.*
- 5. Repudiate any action by their members or supporters calculated to provoke, threaten or intimidate the members or supporters of any other party.*
- 6. Recognize and respect the rights of each party, its members and supporters to express and demonstrate their political views and to conduct lawful, non-violent activities in support of their objectives.*
- 7. Agree that they will only offer support to candidates who manifest the highest moral standards and who have not been convicted of any serious crime.*

*In furtherance of the foregoing, the People's National Party, the Jamaica Labour Party and all other legitimate political parties in Jamaica hereby agree that:*

- 1. A Code of Political Conduct as set out in Appendix 1 of this agreement will be established and will come into effect immediately upon the signing of this Agreement by the Leaders, Chairmen and General Secretaries of the parties.*
- 2. All breaches of the Code of Political Conduct will be investigated by the Political Ombudsman.*

3. *The Officers, Executives and Constituency Representatives of all parties will use their authority and will make every possible effort to ensure restraint on the part of their members and supporters, to encourage respect of each other's rights and freedoms to effect compliance with the provisions of the Code of Political Conduct and to support the principles of this Agreement.*
4. *All political parties undertake appropriate action on any recommendation made by the Political Ombudsman.*
5. *Every candidate, along with an influential member of the community, who is part of the party organization, will sign the Code of Political Conduct and will be (mutatis mutandis) subject to the same sanctions as if he or she were the candidate.*

*In addition to and without prejudice to the foregoing, the People's National Party, the Jamaica Labour Party and all other legitimate political parties will continue to work together on additional measures (including the vexed question of distribution of scarce benefits) which may be taken to reinforce this Agreement, to improve relations between the members and supporters of all parties, to eliminate politically motivated violence and to encourage peaceful political co-existence, political campaigns and elections.*

## ***Code of Political Conduct***

*This Code shall apply to all officials of political parties. The term "officials of political parties" means:*

- a) *Persons holding any type of office within political parties, including persons approved by political parties for appointment to any such office or who intend to apply for such appointment;*
- b) *Members of the House of Representatives and of the Senate;*
- c) *Mayors and Councillors;*
- d) *Persons who intend to seek election to any office referred to in paragraphs a), b) and c).*

*The political parties shall take such actions as are necessary to ensure full compliance with this Code by all officials of political parties.*

## **1. Non-Violence and Non-Intimidation**

- a) *No person should engage in, adopt or otherwise encourage, any form of violence or intimidation in their political activities.*
- b) *There should be no procurement or distribution of weapons or ammunition of any sort for use in political activities.*
- c) *No threats of violence or intimidation whatsoever, whether expressed or implied, should be made against anyone or any group of persons because of their political affiliation.*
- d) *No person should be forced, against his or her will, to declare his or her political affiliation or to acknowledge any affiliation whatsoever.*
- e) *Every individual should be free to go about his or her lawful business without restriction, harassment or intimidation and should actively discourage the erecting of roadblocks in this regard.*
- f) *Candidates or others acting on behalf of candidates:*
  - i) *Must not use funds derived from any source, public or private, to improperly influence electoral choices; and*
  - ii) *Shall exercise all reasonable care in ensuring that all financial donations are derived from legitimate sources.*

## **2. Safety of Private and Public Property**

*No damage should willfully be done to any property, whether private or public, in the course of, or, as a result of, any political event or activity.*

## **3. Avoidance of Confrontation**

- a) *Nothing should be done or encouraged which can reasonably be expected to lead to volatile confrontation between opposing political factions.*
- b) *Every effort must be made to avoid any act which is likely to be provocative or which will increase tension between opposing political factions.*

## 4. Public Utterances

*Party officials (including platform speakers) should not make statements which:*

- a) Are inflammatory or likely to incite others to confrontation or violence;*
- b) Constitute slander or libel;*
- c) Are malicious in reference to opposing candidates, their families and Party officials.*

## 5. Freedom of Access

- a) Nothing should be done to unlawfully prevent or restrict anyone from canvassing or campaigning in any place.*
- b) Nothing should be done to unlawfully restrict or jeopardize the movement along any public road, of anyone or any group of persons engaged in legitimate political activity.*

## 6. Avoidance of defacing of Buildings or Installations

- a) There should be no defacing of any structure, roadway or installation (whether privately or publicly owned) for the purpose of displaying any political message or slogan except in such manner as is permitted by law.*
- b) No action in relation to the distribution of any pamphlet, handbill, poster or any similar material shall be taken in such manner as would constitute a breach of the Anti-litter Act.*

## 7. Political Tribalism

*The Parties eschew the practice of political tribalism rooted in coercion, intimidation or violence of any kind and the parties commit themselves to removing any structures and resisting the development of any behavioural, cultural, social or organizational practices, which reinforce political tribalism.*

## 8. Code of Ethics

*In case of a breach or suspected breach, the parties agree that each side will, firstly, consult with the other and if necessary, invoke the intervention of the Political Ombudsman before recourse to any other forum.*

*Nothing in the above should be deemed to mean that any party or any individual has relinquished ultimate recourse, to the courts.*

## ***Agreement and Declaration on Political Conduct***

*We confirm our intention to uphold and defend the Constitution of Jamaica and to discharge our responsibilities to the people of Jamaica in a conscientious and impartial manner.*

*Recognizing that Jamaica faces significant challenges, among which are violent crime and other illegal activities, we will not knowingly associate ourselves with any person or persons in their pursuit of illegal activities and/or any kind of violence and will share with the Jamaica Constabulary Force or other relevant authority, any information that will help to lead to the prosecution of such persons.*

*We re-affirm and commit our obligation at all times to all our constituents and to act in the best interest of the Jamaican people.*

\_\_\_\_\_  
*President, People's National Party*

\_\_\_\_\_  
*Leader, Jamaica Labour Party*

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*Chairman, People's National Party*

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*Chairman, Jamaica Labour Party*

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*General Secretary,  
People's National Party*

\_\_\_\_\_  
*General Secretary,  
Jamaica Labour Party*

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*The signature of the leader of a political party to this Code shall bind all officials of that party to the following:*

- a) It is the duty of officials to uphold the law and to support the security forces in the lawful execution of their duties.*
  - b) In their conduct and activities, officials should respect the rights of others, especially functionaries of contending political parties.*
  - c) Officials who by virtue of their positions have control or influence over the appropriation of public funds or other public resources should not discriminate against any individual, group or community on the basis of political allegiance or support.*
  - d) Elected representatives should at all times seek to represent the interests of all their constituents in particular and those of the nation as a whole.*
  - e) Officials should unequivocally reject the use of violence and of intimidation in the conduct of their activities.*
  - f) Officials should repudiate any act of corruption in the discharge of their functions.*
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Appendix #2

Synopsis of saga as presented by the print media



## Political ombudsman still relevant - Grange

Published: Friday | April 27, 2012

**Edmond Campbell, Senior Staff Reporter**

**ARGUING THAT the country is yet to free itself from the firm grip of political tribalism, a senior opposition member of parliament (MP) is strongly supporting a continuation of the Office of the Political Ombudsman, saying Jamaica's political system still needs a mediator.**

Olivia 'Babsy' Grange, MP for Central St Catherine, yesterday told a parliamentary committee that the Office of the Political Ombudsman has played a critical role in quelling political tensions and bringing politically polarised communities to the table to discuss peace.

"What I find as a member of parliament who represents a constituency or part of a township that can become very tribalised and very politically polarised, I know that having a go-between has helped in bringing individuals or communities together. That tool is an important tool and we should always recognise the role this office plays and not just during an election," Grange told members of the Parliament's Human Resources and Social Development Committee.

The committee has been asked to review and submit a report to Parliament on a private member's motion moved by South West St Catherine MP Everaldo Warmington. The motion calls for the House of Representatives to review and revise the terms and objectives of the Office of the Political Ombudsman to determine its relevance and whether an annual \$18.6-million recurrent expenditure to run the office is justified.

### **Sum justified**

Battling for the preservation of the office, Grange indicated that the role played by the Office of the Political Ombudsman justified the sum allocated to it each year.

"I think the person who has held that position has been very forthright and competent in the role," she added.

However, Grange agreed with committee Chairman Rudyard Spencer and member Dayton Campbell that a review of the objectives of the office was necessary.

The committee has been given two weeks to conclude its deliberations and report to Parliament. However, with only four members showing up for the meeting yesterday, Spencer suggested that the committee ask for an extension so that more members could contribute to the deliberations.

The committee also requested the annual reports of the office from its inception in 2002.

## No rush to decide fate of political ombudsman

Alicia Dunkley

Wednesday, May 09, 2012

PARLIAMENT last week heeded a call for more time for a decision to be taken whether there is need for an Office of a Political Ombudsman going forward from the Human Resources and Social Development Committee of the House.

The issue was referred to the Committee on April 17 after Opposition member of Parliament for South West St Catherine Everaldo Warmington in February urged Parliament to consider whether or not there still exists a need for a political ombudsman, arguing that the original mandate of that office has already been met and questioning whether the \$18.5 million required to keep the office running annually was value for money. That committee was required to report to Parliament within 14 days of the matter being referred.

But last week during a meeting, in which only five of the 11-member committee showed up, a decision was taken to appeal to the Parliament for more time.

Committee Chair and Opposition Member of Parliament Ruddy Spencer, in seeking the time extension, explained to the Parliament that the subject matter warranted more discussion and time.

The request was granted without demur. The Office of the Political Ombudsman is held by Bishop Herro Blair, who — ahead of last December's general election — had raised similar questions about the relevance of his office. "By the time the next election comes around, I don't think there will be need for us to continue with an ombudsman. It would appear as if our politicians are mature to the point where they can deal with the situations. We are getting there, we are not there yet, but I believe within five to seven years this should be the case," Blair told the Jamaica Observer in an interview then.

The role of the political ombudsman is to conduct investigations into complaints relating to political issues and to perform other functions in accordance with the provisions of the Act governing the operations of his office.

**Political Ombudsman's future still uncertain**

BY ALICIA DUNKLEY Observer senior reporter dunkleya@jamaicaobserver.com  
Sunday, April 29, 2012

THE Human Resources and Social Development Committee of Parliament, which is to decide the fate of the Office of a Political Ombudsman, is to ask for more time to deliberate on the matter.

This, after only five of the 11-member body showed up for a meeting scheduled for Thursday afternoon to discuss the matter. A report outlining the outcome of those deliberations was expected to be handed to Parliament when it sits on Tuesday. There were apologies from MPs Richard Parchment, Jolyan Silvera, Keith Walford, Hugh Buchanan, and Marisa Dalrymple-Philibert.

The matter was referred to the Committee on April 17 after Opposition member of Parliament (MP) for South West St Catherine, Everald Warmington, in February urged Parliament to consider whether there still exists a need for a political ombudsman. He argued that the original mandate of that office had already been met and questioned whether the \$18.5 million required to keep the office running annually was value for money.

The committee was required to report to Parliament within 14 days of the matter being referred.

However, after meeting for just over half an hour, members of the committee — chaired by Opposition MP Rudyard 'Ruddy' Spencer — said they felt an extension was necessary.

Government MP Denise Daley was of the opinion that a stronger voice was needed than the five members who showed for the meeting.

"A matter of this national importance, I am a bit disappointed, even though I realise the weather might have prevented some of the members from coming; but for us to have a fulsome discussion on this matter, I believe we should have more members present, because I believe it's going to be more like a dissenting voice going back to Parliament on Tuesday," she noted.

Opposition MP Shahine Robinson was also in support of that position.

"It is a matter that affects all of us as representatives of the people, and I think we should have a broader representation here," she said.

Government MP Dr Dayton Campbell, who also believed that there was need for "wider input", said that the committee also needed to determine whether "it's the office that's not functioning or the current person that's not functioning".

Opposition MP Olivia 'Babsy' Grange was at odds with the notion that the office was no longer needed.

"I wouldn't say the political ombudsman has outlived his usefulness; we need to look at the Act and see how it can be expanded and made relevant to the existing conditions. I think that there is always a need for that mediator between the political parties. Although the political parties have to be able to dialogue and speak directly to each other, there are times that the mediator is needed," Grange argued.

She further noted that the committee needed more than two weeks to consider and discuss the matter.

"I have no doubt that the political ombudsman and the role played over the years is critical and important. I also feel that the expenditure is justified. I think that political tribalism in this country — although we have come a long way — has a far way to go.

"I would like for us to avoid focusing on the personality and concentrate on the position and role," she said further.

Responding, Spencer said the committee had the option of asking Parliament for additional time and would go that route as the subject matter was sufficiently important to warrant a broad-based discussion.

Making the case in February, Warmington said his call was made against the background of the country's budgetary constraints.

"Whereas the Office of the Political Ombudsman, a Commission of Parliament, and whereas from all appearances the original mandate of the political ombudsman has been met, and whereas in light of the budgetary constraints the issue of value for money is raised in that it now costs Jamaican taxpayers \$18.6 million annually to maintain the political ombudsman and his office, be it resolved that Parliament review and revise the terms of objectives of the Office of the Political Ombudsman," Warmington said in his motion then.

That revision, he said, should be with a view to determining the relevance of the office to the existing political structure, and to whether it has been rendered redundant.

The Office of the Political Ombudsman is held by Bishop Herro Blair, who — ahead of last December's General Election — had raised similar questions about the relevance of his office to the current political scenario.

Among other things, the role of the political ombudsman is to conduct investigations into complaints relating primarily to political tribalism and violence in accordance with the provisions of the Act governing the operations of his office.

## Parliamentary Committee to Examine Relevance of Political Ombudsman

Thursday, 19 April 2012 09:30

Written by JIS

A Parliamentary Committee is to be established to examine the relevance of the Office of the Political Ombudsman.

Leader of Government Business in the House of Representatives, Hon. Phillip Paulwell, informed the Lower House of the decision at Tuesday's (April 17) sitting.

"This is a committee that will be meeting very shortly to examine the matter (the Political Ombudsman Interim Act) and report back to Parliament," Mr. Paulwell said.

The decision is in response to a motion moved by Member of Parliament for South West St. Catherine, Everald Warmington, calling for the Office of Political Ombudsman to be declared redundant.

In his remarks, Mr. Warmington noted that the office was appropriate at the time it was introduced, however, it has outlived its usefulness. "At this time, we don't believe it is necessary nor has a function within the whole realm," Mr. Warmington said.

"There is an agreement at this stage that (the matter), having been debated, can be referred to a committee for further consideration and report to be brought back here, and I concur with such agreement," he added.

According to the motion brought by the Member of Parliament, it now cost the Jamaican taxpayers \$18.6 million annually to maintain the Political Ombudsman and his office.

The Office of the Political Ombudsman was established in 2002 and has the responsibility of investigating issues in the political arena. It is currently being held by Bishop Herro Blair.

By Latonya Linton, JIS Reporter

## **MPs clash over ombudsman's future**

BY BALFORD HENRY Observer senior reporter balfordh@jamaicaobserver.com

Saturday, June 16, 2012

POLITICAL Ombudsman Bishop Herro Blair's office came under fire Thursday from some members of Parliament's Human Resources and Social Development Committee (RSDC), who felt that the office should be closed.

The members felt that Blair's office had become redundant with the significant reduction in political tribalism and should, at least, be repositioned as a voluntary post within the Electoral Commission of Jamaica (ECJ).

Blair had responded to a request from the committee by providing data on the employment of personnel at his office, as well as a report on the complaints it has received, its procedures and activities, including investigations into politically linked violence since the 2002 General Election.

But, Government members of Parliament (MPs) Dr Dayton Campbell, Richard Parchment and Joylan Silvera and Opposition MP Shahine Robinson felt there was no further need for an ombudsman they felt was only needed at election time.

"We shouldn't be paying \$10 million to someone who has nothing to do in between elections," Dr Campbell said, suggesting that the office be subsumed into the ECJ in keeping with the Government's austerity measures.

But, Opposition MP Olivia 'Babsy' Grange, who has stoutly defended the retention of the office since the motion was tabled in the House of Representatives to boot him, continued her defence Thursday stating that while there was nothing wrong with reviewing the office and the structure, MPs should be "more objective and careful" in their remarks as "many lives have been saved" as a result of its interventions.

"Members should not come with an agenda. We should allow ourselves to be open to presentations from others. We don't have to be so dogmatic and strident in opposing the office. Let us make an objective decision," she insisted.

But, the Government MPs objected to the suggestion that they had come to the meeting with an agenda against the ombudsman.

"I object to the view that I have come here with a hidden agenda. It is an unfortunate statement," Dr Campbell said.

Parchment said he was speaking his conscience, based on what had been presented to the committee. Silvera, meanwhile, felt that it was full time for the tenure of the ombudsman to come to a close.

“I think this is the final chapter of the political ombudsman. He has had his value then and there, but we have matured as a nation since,” he added.

Robinson, meanwhile, sided with the three Government MPs, agreeing that there was a need to review the role of the ombudsman’s office and some “serious” adjustments” made to its operations. “This is the time to look at its role and its function and take a definitive position on the way forward. We are not focusing on the personality, just the role and functions of the office,” Robinson said.

Government MP Denise Daley sided with Grange, noting that the Ombudsman had not appointed himself to the position and, therefore, the members needed to be careful in terms of how they handle the issues.

But, Committee Chairman, Opposition MP Rudyard ‘Ruddy’ Spencer, was able to keep a lid on things, recalling that there was a time when the office was essential to free and fair elections, but leaving the question open as to its currency.

“There was a time when we really needed an ombudsman. Whether or not it is absolutely necessary now is the question. We have got to hear from the wider public and, after we hear from them, we can deliberate,” he said.

Spencer also pointed out that advertisements had already been published in the press more than a week ago, seeking submissions from the public on the subject. However, no submission had been received up to Thursday.

“I can’t understand how nobody has responded,” Spencer reacted, pointing out that more advertisements would be published tomorrow and the committee would try to wrap up discussions in two weeks time.

The committee is considering a motion moved in the House of Representatives by Opposition MP Everald Warmington seeking to have Parliament review and revise the terms of and objectives of the Office of the Political Ombudsman to determine its relevance to the existing political structure, and if its \$18.6-million annual budget is justified.

The Office of the Political Ombudsman was established in 2002 with responsibility for investigating political issues during elections.

## Public ignores Parliament's request

Published: Friday | June 15, 2012 The Gleaner

**AN INVITATION, published in the print media, for interested persons to make submissions to a select committee of Parliament on the relevance of the Office of the Political Ombudsman was ignored as no one responded to the call.**

Yesterday, the members of the Human Resources and Social Development Committee suggested that Parliament send invitations to specific groups in the society.

The chairman of the committee, Rudyard Spencer, listed the Private Sector Organisation of Jamaica, civil-society organisations and political parties as some of the groups that would be invited to make presentations on the 'Relevance of the Office of the Political Ombudsman'.

He also suggested the staging of town-hall meetings to get wider feedback on the issue.

The committee will also invite Political Ombudsman Bishop Herro Blair to field questions from members on a report he submitted to the group.



## Committee granted time to ponder Ombudsman's future

2012-05-01 15:21:06

**Daraine Luton, Senior Staff Reporter**

**The House of Representative today granted a request from the Human Resource and Social Development Committee for more time to conclude its assessment on the future of the Office of the Political Ombudsman.**

Committee chairman Rudyard Spencer said the committee needs more time to do its work.

South West St Catherine member Everalld Warmington, by way of a private members motion, had urged Parliament to consider whether there still exists a need for a political ombudsman.

The motion was referred to the committee, which was required to report to Parliament within 14 days of the matter being referred.

## EDITORIAL - Don't be too quick to chuck ombudsman

Published: Tuesday | June 19, 2012

**We are surprised that neither civil-society groups nor politicians responded to published invitations by a parliamentary committee for submissions on the future of the Office of the Political Ombudsman.**

That, hopefully, will not be the end of the matter, which is why we agree with the suggestion by some members of the Human Resources and Social Development Committee that invitations be sent to specific groups.

Its chairman, Ruddy Spencer, must follow through, for we feel that any conclusion to dispense with the office, if that is the recommendation, should be on the basis of serious thought after robust analysis and full debate.

Currently held by Bishop Herro Blair, the political ombudsman's job has evolved since it was established in the 1980s and initially held by the late Mr Justice James Kerr. But it has maintained a central role: the ombudsman policing the conduct of individual politicians and parties, especially during election campaigns.

### MORAL SWAY

The real power of the office is the moral authority the holder brings to the post and, therefore, the societal impact that he or she has upon pronouncing on an issue.

Most of the rest of what the office can achieve is subsumed in the law-enforcement/legal process. Criminal conduct is, ultimately, investigated by the police, and prosecution, if warranted, is done by the Office of the Director of Public Prosecutions.

It is perhaps useful to remind ourselves of the context within which the political ombudsman's office was established. It was an outgrowth of the sharp ideological divide and political violence, including a near civil war leading up to the 1980 poll that characterised Jamaica's politics of the time. Even when the violence subsided, a chasm of distrust remained.

An honest broker was, therefore, useful. The political ombudsman would hear complaints and allegations of misconduct of politicians on the hustings and/or whether the broad conduct of the parties and/or their candidates was in keeping with a code of conduct to which they subscribed. Additionally, the ombudsman could, on his own, intervene to head off potential problems.

Justice Kerr and Bishop Blair have managed the job with credit. But there are some who, on the evidence of recent years, believe that the office has run its course. Hence, the private member's motion that is the basis of the committee's deliberations.

**SOME PROGRESS, BUT ...**

First, while this newspaper acknowledges the progress and appreciates that some of what is done by the political ombudsman could well be incorporated into the responsibilities of the Electoral Commission of Jamaica, any claim that our political culture is fully repaired and pristine is premature. A few violent incidents in the last campaign make the point.

With many of the structures that support a violent political culture still in place, a lapse in vigilance could lead to a return to the bad habits of a time when, as Mr Spencer framed it, the ombudsman was the "only one who could make peace".

Or, perhaps it is that we need to reinterpret the role of the ombudsman. His office, for instance, might conduct an investigation on behalf of the ECJ regarding adherence to proposed party- and election-financing regulations and/or fit-and-proper criteria for donors, or for political participation.

The issues should be fully ventilated. There should be no precipitate action of dumping the political ombudsman.

*The opinions on this page, except for the above, do not necessarily reflect the views of The Gleaner.*

# MP writes final chapter for ombudsman office

Published: Friday | June 15, 2012

**Edmond Campbell, Senior Staff Reporter**

**SOME MEMBERS of the Human Resources and Social Development Committee of Parliament appeared to have read the last rites for the Office of the Political Ombudsman.**

Government MP Joylan Silvera told his colleagues during yesterday's sitting of the committee that the tenure of the political ombudsman had "come to an end".

"It is the final chapter," Silvera said of the office.

"If it comes to a vote or debate, I would absolutely sit on the side to say it's the final chapter of the political ombudsman," the West St Mary MP said.

But arguing for the retention of the office, Central St Catherine MP Olivia Grange warned committee members to be careful in their comments.

"I personally, as a member of parliament, have benefited and many lives have been saved as a result of this institution," she said, arguing that the office should be given wider terms of reference.

"It should not be treated as something that should be disbanded," Grange maintained.

Grange even got into hot water by accusing some committee members of having an "agenda" in wanting to scrap the office.

Dr Dayton Campbell, North West St Ann MP, hit back saying Grange's comments were unfortunate.

Chairman of the committee, Rudyard Spencer, asked that the comment be struck from the record.

However, Grange, in a *sotto voce* comment, said she would not withdraw the criticism that some members had an agenda.

## Questioning relevance

The committee is considering a private member's motion moved by South West St Catherine MP Everaldo Warmington who questioned the relevance of the Office of the Political Ombudsman.

Campbell said he was yet to be convinced of the relevance of the office at this time which was costing the taxpayers over \$18 million per annum.

"One hundred and fifty-eight complaints for 2011? So, essentially, you have paid \$18.6 million per year for a five-year period for an office that will review 158 complaints," he said.

"I suggest that this office be subsumed under the ECJ (Electoral Commission of Jamaica) and allow persons to make these complaints to the police or the ECJ."

Committee member Richard Parchment proposed that a non-governmental organisation, such as Citizens Action for Free and Fair Elections (CAFFE), could take on the role of the political ombudsman voluntarily.

"I think that we should lead a discussion in an area where we could find a voluntary organisation who could perform the role of the ombudsman so that we could save more than \$10 million per year," he argued.

Meanwhile, Spencer said there was a time when the country needed a political ombudsman. He argued that "whether or not we need him now is questionable".

"I don't want us to forget that we really passed through a rough time when he was the only person who could make peace, whether or not it is absolutely necessary to have him now is another question."

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# Office of the Political Ombudsman could face axe...

Published: Saturday | July 21, 2012

**Edmond Campbell, Senior Staff Reporter**

DESPITE AN eleventh-hour submission from the National Democratic Movement (NDM) agitating for the retention of the Bishop Herro Blair-led Office of the Political Ombudsman (OPO), a parliamentary committee deliberating on its relevance appeared to have sounded the death knell on the preservation of the office.

In a submission to the committee, NDM Chairman Peter Townsend said that while the cost to administer the office seemed high, the political mediation body should not be abolished. However, it conceded that a review of the office was necessary.

"The NDM believes that although some degree of political maturity has been demonstrated by both the People's National Party and the Jamaica Labour Party leadership and supporters, not enough has been accomplished to disband the Office of the Political Ombudsman," Townsend said.

Betty Ann Blaine, head of the New Nation Coalition, wants the duties and responsibilities of the office to be turned over to the Electoral Office of Jamaica (ECJ).

In her submission to the committee, Blaine said the office was an expense that the country could not afford at this time. She also argued that it had no investigative and prosecutorial powers and mirrored the work of the Electoral Court and the ECJ.

no input from Blair

The Human Resources and Social Development Committee spent about 30 minutes on Thursday wrestling with a decision whether to invite Bishop Herro Blair to its next meeting or to conclude its deliberations without hearing from him.

The political ombudsman had submitted a full report to the committee on the work his office carries out and recurrent costs associated with the operation of the commission of Parliament.

Committee members who attended the meeting agreed that the OPO should be subsumed by the Electoral Office of Jamaica.

Richard Parchment, the Member of Parliament for South East St Elizabeth, told his committee colleagues that Blair's attendance would not change his resolve that the office should be scrapped.

"If the Ombudsman comes here and preaches like Paul, it is still not going to change my mind. My mind is made up and I am here representing the views of my constituents which I have sought," Parchment contended.

Citing expenditure amounting to more than \$90 million to run the OPO, over a five-year period, committee member Dayton Campbell said the country could not maintain this cost.

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## JLP's Franklin willing to share views on Ombudsman's future

Balford Henry

Friday, August 10, 2012

JAMAICA Labour Party (JLP) General Secretary Aundre Franklin says that he has no problem submitting to Parliament's Human Resource and Social Development Committee his views on the future of the Office of the Political Ombudsman.

However, Franklin refused to air his views prior to an anticipated invitation from the committee's chairman, Opposition Member of Parliament (MP) Rudyard Spencer, which was undertaken at the last meeting on July 31 after the committee received an e-mail from People's National Party (PNP) General Secretary Peter Bunting.

The committee is reviewing a motion moved in the House of Representatives by Opposition MP Everaldo Warmington regarding the relevance of the Office of the Political Ombudsman.

"I would hope that they would write to me, so I can have a say, too," Franklin told the Jamaica Observer.

In his e-mail, Bunting said that in his observation and judgment, "the interventions of the Office of the Political Ombudsman have been of only modest value during this period". He was referring to the period since 2007, during which he has been interfacing with the Ombudsman's office as a candidate, as well as general secretary of the PNP.

"I do not believe that it is efficient to maintain an Office of the Political Ombudsman for the next few years, since elections are not due within that timeframe," added Bunting, the current minister of national security. He also suggested that a possible approach would be to have the Electoral Commission of Jamaica (ECJ) provide the administrative support for an Office of the Ombudsman, and only appoint an ombudsman when elections are in the offing.

He noted that, as general secretary of the PNP, he was the "primary interface" with the political ombudsman for the by-elections and two national elections (parliamentary and local government) since January, 2008. However, he pointed out that while the points made in his e-mail were based on his experiences as general secretary of the PNP, they were not the policy position of the party.

Blair later told the committee that he was not surprised by the views expressed by Bunting in the e-mail. "I can safely say that I knew he expressed that (opinion), especially his last comments in the document... it's not anything new," the ombudsman said.





Appendix #3

Status report from the Jamaica Constabulary Force,  
Bureau of Special Investigation

**Incidents reported to J.C.F. Liaison Officers island wide****St. Thomas**

Friday, 16.12.2011: Flags and banners erected in the 11 and 12 Miles areas of Bull Bay by both political parties.

**Remarks:** The flags and banners were taken down after representatives from both sides were spoken to.

Friday, 16.12.2011: One (1) case Malicious Destruction committed against one Michael Bryan, age 42 years old, a known P.N.P. supporter. ***Cons. Clarke of the Port Morant Police Station investigating.***

**Remarks:** Unfortunately, Det. Sgt. Monteith after being contacted has failed to give an update on this matter stating that he was transferred from the St. Thomas Division shortly after the General Elections in 2011.

**\***

Wednesday, 21.12.2011: One Mowaye Burke age 22 years old, a known PNP supporter was assaulted by J.L.P. supporters while erecting P.N.P. flags at Lyssons, St. Thomas. ***Cons. J. Whyte of the Morant Bay C.I.B. investigating.***

**Remarks:** Unfortunately, Det. Sgt. Monteith after being contacted has failed to give an update on this matter stating that he was transferred from the St. Thomas Division shortly after the General Elections in 2011.

Thursday, 22.12.2011: A female supporter of the JLP known as Maxie almost had one of her arms severed after she was allegedly hit by a truck while sitting on a bus window during a J.L.P. motorcade. ***The Yallahs police is investigating. Det. Sgt. Monteith monitoring investigation.***

**Remarks:** Unfortunately, Det. Sgt. Monteith after being contacted has failed to give an update on this matter stating that he was transferred from the St. Thomas Division shortly after the General Elections in 2011.

Saturday, 24.12.2011:	Mrs. Patece Charles–Freeman, J.L.P. Candidate for Eastern St. Thomas reported a case of threat against her by one Solomon Johnson o/c 'Sala' a known P.N.P. supporter. <b>Det. Sgt. E. Riley of the Morant Bay C.I.B. investigating.</b>
Remarks:	Threat was reported; spoke to Ms. Freeman about coming to the Station and giving a statement, but she never came. An entry was made in the diary in respect of action taken.
* Thursday, 29.12.2011:	One Garfield Mane of Prospect, St. Thomas was hit on the head with an object by one Eddie a known supporter of the P.N.P. He was rushed to the Princess Margaret Hospital in serious condition. <b>Det. Sgt. Gordon of the Morant Bay C.I.B. is investigating.</b>
Remarks:	Unfortunately, Det. Sgt. Monteith after being contacted has failed to give an update on this matter stating that he was transferred from the St. Thomas Division shortly after the General Elections in 2011.
* Thursday, 29.12.2011:	Micah Sturk age 30 years old of Bath, St. Thomas and a J.L.P. supporter was chopped on the left arm by one Jason a known P.N.P. supporter also of a Bath address. The complainant was treated at the Princess Margaret Hospital. <b>The Bath police investigating. Investigation is being monitored by Det. Sgt. Monteith.</b>
Remarks:	Unfortunately, Det. Sgt. Monteith after being contacted has failed to give an update on this matter stating that he was transferred from the St. Thomas Division shortly after the General Elections in 2011.
<b><u>St. Elizabeth</u></b>	
Monday, 5.12.2011:	Orange flags were seen on poles and other areas in Black River, orange colour flags were also seen in Pedro Cross and green flags were seen in the Junction area. <b>Det. Sgt. Dwayne Samuels is monitoring investigation.</b>
Remarks:	The flags were taken down.

Monday, 19.12.2011:	One Mr. Whitter's brother of M.P. Frank Whitter of the J.L.P. was allegedly hit on the head with a bottle by person unknown. However, he doesn't want the police to intervene. <b><i>Det. Sgt. Dwayne Samuels monitoring investigation.</i></b>
Remarks:	<b>Mr. Whitter was advised to make a report at the Nain Police Station. He refused stating that he did not want to proceed criminally.</b>
Saturday, 17.12.2011:	Supporters of the J.L.P. went to the home of Raymond Pryces aunt and proceeded to play antigay lyrics from the J.L.P. campaign unit. This resulted in heated exchanges between J.L.P. supporters and Pryces aunt. <b><i>Det. Sgt. Samuels monitoring investigation.</i></b>
Remarks:	<b>Police intervened and the situation was quelled.</b>
Tuesday, 27.12.2011:	Close Protocol Officer assigned to Mr. Frank Whitter, J.L.P. Candidate for south East St. Elizabeth said that a J.L.P. Banner located near his home was burnt during the night of Tuesday, 27.12.2011 by persons unknown. <b><i>Det. Sgt. D. Samuels monitoring investigation.</i></b>
Remarks:	<b>No culprits were identified.</b>
* Thursday, 29.12.2011:	One Philbert Myers o/c Burkie age 29 years was allegedly assaulted by body guards of J.L.P. Candidate Dr. Christopher Tufton. Two (2) statements were collected in the matter by members of the Inspectorate of Constabulary. However, on the instructions of Supt. Stewart E. C., No. 9509 Det. Sgt. Dwayne Samuels Liaison Officer for St. Elizabeth has now taken over the investigation. <b><i>Det. Sgt. Samuels monitoring the investigation.</i></b>
Remarks:	<b>File was prepared and handed to the Divisional Detective Inspector to send to the Bureau of Special Investigations (B.S.I).</b>

Thursday, 29.12.2011: P.N.P. supporters prevented from taking an elderly woman to vote by J.L.P. supporters at Barbary Hall. She was later allowed to do so but the matter was reported to Nationwide Radio. ***Det. Sgt. Samuels investigating.***

**Remarks:** Numerous police patrols went to Barbary Hall and things went smoothly thereafter.

\* Thursday, 29.12.2011: J.L.P. candidate Frank Whitter reported that he was prevented by soldiers from entering the counting station at D. B. Coke High School. He further stated that when he entered over thirty (30) boxes were already counted. Two (2) statements have been collected in the matter. ***Det. Sgt. Samuels investigating.***

**Remarks:** Two (2) statements were recorded. The Presiding Officer spoken to and Mr. Whitter was advised to go to Electoral Commission but said he accepted the defeat and will not proceed any further.

### **St. Catherine South**

\* Monday, 12.12.2011: Tamarita Sophia McClockin, bartender of 39 Tredegar Park, Spanish Town was crossing a road along Passagefort Drive, wearing a J.L.P. t-shirt, hit down by car licenced 9771 EA. Persons on board had orange flags and were dressed in orange clothing. ***Cons. James of the Caymanas police investigating.***

**Remarks:** This matter is being treated as an accident.

Monday, 12.12.2011: A tape which was put in place at a nomination centre in Old Harbour to guide persons being nominated was forcibly removed by Mr. Everald Warmington and a group of J.L.P. supporters. ***Det. Sgt. Carl Morris monitoring investigation.***

**Remarks:** Matter was not reported to him, so he has no information on it.

\*  
Thursday, 15.12.2011: Sheldon Simpson age 30 years who was driving Toyota Corolla motorcar reg. 6770 FV plastered with J.L.P. posters was shot in the head. He later died in the Spanish Town Hospital. ***Det. Sgt. Carl Morris investigating.***

**Remarks:** **Major Investigation Task Force is investigating.**

Monday, 19.12.2011: Flags for the P.N.P. seen on poles and other structures in the Portsmouth area. ***Det. Sgt. Carl Morris investigating.***

**Remarks:** **The flags were removed.**

Wednesday, 28.12.2011: About 12:05 pm, a group of J.L.P. supporters went and removed flags belonging to the P.N.P. along Waterford Parkway. They later proceeded to burn them. ***Det. Sgt. Carl Morris investigating.***

**Remarks:** **All parties were spoken to and they came to an agreement.**

\*  
Thursday, 29.12.2011: Robert Smith o/c Junior and another man went into Southborough and fired shots in a bid to intimidate votes. He was subsequently held. ***Det. Cpl. Hammond of Portmore C.I.B. investigating.***

**Remarks:** **Mr. Smith was arrested and charged for Shooting with Intent. The matter is still before the Gun Court.**

### **St. Andrew Central**

Monday, 5.12.2011: Orange and green flags have been seen in the Standpipe area of St. Andrew and Nannyville green flags also seen on Nanny Boulevard and Anderson Road. These flags were placed on utility poles and other structures. ***Det. Sgt. Levy investigating.***

**Remarks:** **With the intervention of the D.I.U a community meeting was held which resulted in the flags being taken down.**

\*  
Monday, 19.12.2011: Lorna Elizabeth Robinson, 33 years old was attacked by a man along Old Hope Road who called her a “dutty labourite”. He then assaulted the complainant who later made a report to Cons. O. McLean of the Stadium Police Station. She subsequently gave a statement indicating that she’s not interesting in going forward with the matter. ***Det. Sgt. Levy monitoring investigation.***

**Remarks:** Complainant stated that she’s no longer interested in going forward with the matter.

Thursday, 29.12.2011: One Sonia Simpson was fired by her boss Mrs. Jennifer Samuda. This occurrence was subsequently reported to Det. **Sgt. Levy Police Liaison Officer, St. Andrew Central** by Sonia Simpson’s sister who is a police officer.

**Remarks:** This was not political related, it was a personal issue.

### **Manchester**

\*  
Monday, 5.12.2011: One Donovan Watson Kerr during an altercation shot and killed Aston Howell o/c Niney age 28 years old labourer of Mike Town District, Mandeville. This took place at a J.L.P. function at the Tropics View Hotel also in Mandeville. ***Det. Insp. Pommels, assisted by Det. Cpl. Miles are investigating.***

**Remarks:** File completed. To be sent to Director of Public Prosecutions (D.P.P), could have been sent off already.



\* Thursday, 29.12.2011: Joyce Reynolds, Assistant Returning Officer for North West Manchester Constituency complaining is that J.L.P. supporters converged on electrical officials at Golden Run District, Manchester PD 86, 87 and 88 situated at Joel Prince and Jasper Davis residence respectively. ***Cottage police is investigating.***

**Remarks:** an operational team was sent there and the matter was settled.

### **St. Catherine North**

Monday, 5.12.2011: Allegations are that P.N.P. Member of Parliament one Mr. Fagan and a crowd converged at the Portmore HEART Academy and demanded that work be stopped. The intervention of the police was sought and the work has since resumed. The area is reported to be tense. ***Det. Sgt. Morris is investigating.***

**Remarks:** Work continued.

Friday, 9.12.2011: Missiles were thrown at two (2) buses causing damage in the vicinity of the P.N.P. Constituency Office, located in the vicinity of Church Road. There were no injuries. ***The Linstead police is investigating.***

**Remarks:** Det. Sgt. Morris said he heard about it but it was not confirmed.

Monday, 5.12.2011: Orange coloured flags were seen in Lakes Pen, Rivoli, Mark Street, King Street and the town centre. Green coloured flags were seen along Cumberland Road, Ellerslie and Gordon Pen areas. ***Det. Sgt. Lemard Stewart is investigating.***

**Remarks:** Representatives from both parties were spoken to and they were taken down.

\*  
Sunday, 4.12.2011: One Troy Malcolm age 30 year late of 13 Old market Street, Spanish Town, St. Catherine was shot and killed at the intersection of Manchester and Old market Street, Spanish Town by three (3) men on foot. Deceased was seen removing J.L.P. flags. **Det. Sgt. Simpson of St. Catherine North investigating.**

**Remarks: This was a political war. Someone was arrested and charged for the murder.**

\*  
Wednesday, 14.12.2011: About 9:20 pm Wednesday, 14.12.2011, one Dewar Thomas age 45 years old, higgler of 15 Manchester Street, Spanish Town was at his van where he sells dry goods at the intersection of Manchester and French Street when five (5) men on foot armed with rifles and handguns approached him. He ran but was chased fatally shot. **Det. Sgt. Harvey of St. Catherine North M.I.T. investigating.**

**Remarks: This was a reprisal for Troy Malcolm's killing.**

\*  
Friday, 23.12.2011: About 7:45 pm, a J.L.P. motorcade was proceeding towards Portmore when on reaching in the vicinity of Jones Avenue, stones were allegedly thrown on vehicles. Gunshots were also fired at the buses. As a result Kenisha Wint age 20 years and Taneisha Thompson age 29 years were injured. The window of J.U.T.C. bus reg. PB 4529 was damaged. **Det. Sgt. Leonard Stewart monitoring investigation.**

**Remarks: Kenisha Wint and Taneisha Thompson were injured by the shattered glass of the JUTC bus and were treated at the hospital and released. They were told to submit statements but have not done so. Their whereabouts are unknown.**

**St. Mary**

- \*  
Monday, 12.12.2011: On Nomination Day about 1:20 pm, along Stennett Street, Port Maria, St. Mary in the vicinity of N.W.C. Mr. Leslie Durser age 59 years old, Businessman of Harmony Hall Highgate was stabbed and injured by an alleged J.L.P. supporter by the name of Kemar Clunnis o/c 'Tan Tan'. **Det. Sgt. Bell monitoring investigation.**
- Remarks:** **Efforts to locate the accused proved futile. Complainant decided not to go any further with the matter.**
- Monday, 12.12.2011: about 4:50 pm Mitsubishi Pajero reg. 1481 FK property of P.N.P. Candidate Dr. Morais Guy for Central St. Mary was damaged with missile along the Trinity main road. **Port Maria police investigating.**
- Remarks:** **Mr. Guy was advised to make a report to the police. A remark was made by a Corporal to which he was offended. Efforts were made to reassure Mr. Guy but he left the Station without making a report.**
- \*  
Tuesday, 13.12.2011: One Mr. Wright was operating his white Toyota Corolla motorcar from Bailey's Vale to Port Maria, when he was attacked and chopped by one 'Frankie Paul' who accused him of being a labourite. **Det. Sgt. A. Bell monitoring the investigation.**
- Remarks:** **"Frankie Paul" was arrested and charged. The matter is before the Court and is postponed until the 9<sup>th</sup> of May 2013.**
- \*  
Thursday, 22.12.2011: J.L.P. Candidate for Western St. Mary, Mr. Robert Montique held a political meeting at Trinity, Port Maria without permission. The meeting was held between 8:30 pm and 10:30 pm, 22.12.2011. **Matter was brought to the attention of the Commanding Officer, Supt. Allen.**
- Remarks:** **A report was brought to S.P. Allen's attention but Det. Sgt. Bell said he does not know the outcome of it.**

**Westmoreland**

\* Monday, 12.12.2011: A J.L.P. motorcade was proceeding through a group of P.N.P. supporters about 11:30 am when a P.N.P. punched the windscreen of one of the J.L.P. vehicle damaging the windscreen. A statement was recorded from the female who was driving. ***Det. Sgt. Ethon Miller is monitoring the investigation.***

**Remarks:** No arrest was made.

\* Tuesday, 27.12.2011: One Daniel Campbell age 20 years was shot and killed by three (3) armed men whilst attending a J.L.P. meeting in the parking lot at Sav-la-mar Market. During the incident Mr. Christopher Samuels o/c Spider age 36 years old, Karen Ricketts age 30 years old and Salome Ricketts age 29 years old were shot and injured. ***Det. Sgt. Ethan Miller investigating.***

**Remarks:** Persons were charged for the incident, but the key witness went and gave a different story at court. The matter was dismissed.

**St. Andrew North**

Saturday, 3.12.2011: Orange flags were seen hoisted on poles in the White Hall area of St. Andrew North, Barbican Square, Barbican Road, Morgans Lane and Harrebin Lane. ***Det. Sgt. Long investigating.***

**Remarks:** The Ombudsman spoke to representatives about the matter and the flags were removed after the 3<sup>rd</sup> day.

Thursday, 8.12.2011: Orange flags have seen on utility poles and other structures in the Golden Spring Square of Temple Hall. ***Det. Sgt. Long investigating.***

**Remarks:** The flags were removed.

**Portland**

Between Sunday 11.12.2011

and Monday, 12.12.2011: J.L.P. banners bearing the photographs of Prime Minister Andrew Holness and West Portland M.P. Daryl Vaz was damaged, speculations are that it was done by P.N.P. supporters. The banner had damage to the section bearing Vaz's photograph. ***Det. Sgt. Joan Gray Simmonds investigating.***

**Remarks:** It was speculated that each party had done it. There was not much to investigate. The banner was removed after election.

\*  
Sunday, 18.12.2011: One Omar Hernandez age 32 years, Labourer was putting up J.L.P. flags on privately owned premises in Charles Town, Buff Bay, Portland. He was engaged in an altercation with one Gamain Riley age 32 years old. Hernandez later hit Riley on the head and ran. Riley chased him and stabbed him in the neck with a knife. He died on the spot. Det. Cpl. Edwards. ***Det. Cpl. Edwards of the Buff Bay Station is investigating.***

**Remarks:** Mr. Riley was charged with murder. The matter is currently before the Port Antonio R.M. Court. He is to return to court on 2013.04.26.

Wednesday, 21.12.2011: About 7:15 pm on Wednesday 21.12.2011, a J.L.P. motorcade led by P.M. Andrew Holness was passing through Buff Bay area of Portland on way to Anotto Bay. It is alleged that members of the motorcade realized that a great portion of the road was oiled and are alleging that P.N.P. supporters are responsible. ***Det. Cpl. Edwards of the Buff Bay Police Station investigating.***

**Remarks:** Statements were collected and sent to Area 2. Investigation revealed that a truck that was coming up the hill was leaking the oil.

**Hanover**

Thursday, 8.12.2011: An alleged political dispute between Kenute Stenneth, age 32 years old and Elson Clarke age 48 years labourer of Kingsvale assaulted each other resulting in them receiving injuries. ***Det. Sgt. R. Fletcher investigating.***

**Remarks:** **They went to Court, pled guilty and paid the fine.**

Wednesday, 7.12.2011: Steady arrangements of green flags on both sides of the roadway travelling from vicinity of the Round Hill Hotel into Hopewell, Tryall and then Sandy Bay communities. Several of these are affixed to trees along the fencing of the Tryall Golf Club at Tryall in Hanover. ***Det. Sgt. R. Fletcher is investigating.***

**Remarks:** **The flags were removed.**

Thursday, 8.12.2011: Green and orange colour flags and ribbons were affixed and left by supporters of the J.L.P. and P.N.P. along the public thorough fare in the parish of Hanover. ***Det. Sgt. R. Fletcher is investigating.***

**Remarks:** **The flags were removed.**

Friday, 9.12.2011: Illegal politically motivated wounding of Kenute Stenneth age 32 years old, taxi operator of Riverside District and Elson Clarke 48 years old, labourer of Kingsvale District. ***Det. Sgt. R. Fletcher is investigating.***

**Remarks:** **Same as number 1.**

**\***

Thursday, 22.12.2011: A known P.N.P. supporter by the name of Mr. McFarlane was seen taking photographs in the Sandy Bay Police Station with a camera. The firearm along with his licensed firearm which he took to the polling station was seized by Cpl. Hill of the Sandy Bay Police Station but was later returned to him. ***Det. Sgt. R. Fletcher investigating.***

**Remarks:** **The firearm was returned, no action taken.**

**Kingston Western**

Wednesday, 7.12.2011: Orange coloured flags have been hoisted on utility poles and other structures, in areas such as Rema, Lincoln Road, Lincoln Avenue and Golden Road. On the other hand, green flags have been seen hoisted on structures mentioned above in the Regent and Bond Streets areas and all roads and lanes leading of North Street in Kingston. **Det. Sgt. Paul Campbell is investigating.**

**Remarks:** They were instructed to take down the flags and they complied.

Tuesday, 20.12.2011: Political banners depicting the colours of the P.N.P. were seen erected on utility poles along Charlie Smith Drive in the vicinity of 4<sup>th</sup> Street, Trench Town, Kingston 12. **Det. Sgt. Paul Campbell is investigating.**

**Remarks:** The flags were removed.

**Kingston Eastern**

Sunday, 4.12.2011: Orange flags seen along the entire Windward Road in East Kingston. Green flags were seen in the 8 and 11 Miles areas of Bull Bay. **Det. Sgt. E. Roye investigating.**

**Remarks:** The flags remained until after the elections.

Wednesday, 7.12.2011: Three (3) huge green banners were seen stretched across the road at 8 Miles, Bull Bay, St. Andrew. Theses banners are attached to utility poles. In 7 Miles area there is an abundance of orange flags. **Det. Sgt. E. Roye investigating.**

**Remarks:** Most of the flags were taken down after the elections.

<b>*</b> Wednesday, 7.12.2011: One Keith Thomas age 30 years Mechanical Engineer of 22 Lineral Street, Kingston 2, Rollington Town was inside his yard about 1:35pm, putting up P.N.P. flags. A man who was dressed in green approached him and two (2) others. They proceeded to beat him with pieces of board and a gun. However, he managed to escape in his uncle's car. As a result tension is in the area between J.L.P. and P.N.P. supporters. <b><i>Det. Sgt. E. Roye investigating.</i></b>	
<b>Remarks:</b>	<b>A report was made to the Rollington Town Police Station. Not sure if an arrest was made as a result of the incident. No violent act came out of it.</b>
Thursday, 8.12.2011: Hezelkiah Green labourer age 67 years of Fernandez Avenue, Kingston 2 and a known P.N.P. supporter was at his home when one 'Glen' of 7A Jackson Road went into his yard. He told him that he was going to give him a full suit of green and if he did not wear it he Glen is going to do something to him. <b><i>Det. Sgt. E. Roye investigating.</i></b>	
<b>Remarks:</b>	<b>The matter was reported to the police. Nothing further came of it.</b>
Friday, 16.12.2011: One Francis Reid J.L.P. Caretaker/Councillor for the Allman Town Division and Campaign Manager for Rosalee Hamilton bought tins of white paints and subsequently gave them to supporters to paint the sidewalk which was done. However, named "Shane" along with other supporters later proceeded to paint orange coloured patterns in the areas which had already been painted in white by J.L.P. supporters. <b><i>Det. Sgt. E. Roye investigating.</i></b>	
<b>Remarks:</b>	<b>Pattern still remains, because it beautifies the place. It is not graffiti.</b>
<b>*</b> Sunday, 18.12.2011: About 1:30 pm during a J.L.P. motorcade led by Prime Minister Andrew Holness, stones were allegedly thrown at the motorcade whilst they were travelling south down Upper Elleston Road towards Windward Road. This was in the vicinity of Kingston College gate. The stone did not cause any injury or damage. <b><i>Det. Sgt. E. Roye investigating.</i></b>	



**Remarks:** **The matter was investigated and a comprehensive report submitted to the Commanding Officer.**

\*  
Monday, 19.12.2011: Between 11pm and 12 mid night during a party hosted by Joan Gordon Webley for her Bull Bay supporters opposite Little Copa shots were fired. However, no damage or injuries resulted. Reports are that after the shots were fired, Miss Webley called police Control to say she was shot at. However, during s police investigation it was ascertained that two (2) if Miss Webley's supporters were fighting over spoils when one drew a gun and fired shots in the air. Two 9mm spent shells were found at the scene. **Det. Sgt. E. Roye investigating.**

**Remarks:** **This incident died a natural death.**

\*  
Wednesday, 21.12.2011: Oraine Anthony 19 years old was shot and injured in his foot whilst riding a bicycle along 4<sup>th</sup> Avenue in Vineyard Town. Reports are that Mr. Muir was dressed in a green J.L.P. T-shirt when he was shot by one of several men who came out of yards along the road and accused him of dissing them by passing through their area dressed in the coloured shirt he was wearing. **Det. Sgt. E. Roye investigating.**

**Remarks:** **This was reported to the police. During the investigation no one reported hearing any shot. His story is not supported and he could not identify any one.**

### **St. Andrew South**

\*  
Sunday, 11.12.2011: A J.U.T.C. bus transporting J.L.P. supporters returning to Spanish Town from a J.L.P. concert in Down Town, Kingston was fired on in the vicinity of Delacree Park Housing Scheme. One man was shot on the left arm and chest. He was rushed to the Kingston Public Hospital where he underwent surgery. **Det. Sgt. Watson of the Hunts Bay C.I.B. investigating.**

**Remarks:** **The shooter or shooters in this incident have not been identified. Investigation continues.**

**St. Ann**

Friday, 16.12.2011: Both the P.N.P. and the J.L.P. erected several flags on utility poles and other structures along Bravo Street and Main Street in St. Ann's Bay. This is causing tension in the area as supporters of either side are tearing down flags belonging to either party. ***Det. Sgt. Myrie is investigating.***

**Remarks:** **Representatives from both parties were spoken to and the flags came down the same day.**

**Kingston Central**

\*

Wednesday, 7.12.2011: Mr. Dwight nelson, J.L.P. Caretaker for South East St. Andrew allegedly assaulted one Rohan Rotham o/c Spunkie, P.N.P. supporter by pulling a firearm at him at #52 Anderson Road. ***Det. Sgt. Michael Blackwood of the Central C.I.B. is investigating.***

**Remarks:** **investigation is still in progress awaiting two (2) more statements. As soon as investigation is complete a comprehensive report will be forwarded to the D.P.P.**

**Trelawny**

Monday, 12.12.2011: Following the nomination of Mrs. Marissa Datrymple Phillbert in South Trelawney on Monday, 12.12.2011, several J.L.P. flags were erected in the area on utility poles and other structures. ***Det. Sgt. Rainford White investigating.***

**Remarks:** **The flags were taken down.**

Tuesday, 20.12.2011: At Allside District, South Trelawny, during a tour of the constituency involving Bruce Golding and Member of Parliament Datrymple Phillbert, persons threw stones at the convoy, no one was injured. It was subsequently discovered that the culprits were some young children on top of a hill. ***Det. Sgt. White, Police Liaison Officer investigating.***

**Remarks:** This was just a misunderstanding.

Tuesday, 20.12.2011: In Lowe River, 39 years old Labourer, was standing at his gate in Lowe River near a spot meeting held by the J.L.P. when a group of P.N.P. supporters who were passing in vehicles used a piece of wood to hit him in his right arm. The injury is not considered serious. ***Det. Sgt. White, investigating.***

**Remarks:** A report was made at the Station but it died a natural death because they were members of the same community.

Sunday – Tuesday

18.12.2011 – 20.12.2011: Between the 18<sup>th</sup> – 20<sup>th</sup> December 2011, a bill board erected along the North Coast Highway near the vicinity of Salt Marsh by P.N.P. Candidate for North Trelawny Patrick Atkinson was defaced by persons unknown. Culprits used white paint to deface the above mentioned bill board. ***Det. Sgt. White, investigating.***

**Remarks:** The billboard was taken down.

### **Clarendon**

No report was received.

### **St. James**

No report was received.

### J.C.F. Liaison Officers to the Office of the Political Ombudsman

Cons.#	Reg.#	Rank	Name	Divisions
1		Supt.	Ezra C. Stewart	B.S.I.
2	1786	D/Sgt.	Rowan Fletcher	Hanover
3	7385	D/Sgt.	Warren Ward	St. James
4	1908	D/Sgt.	Ethan Miller	Westmoreland
5	809	D/Sgt.	Rainford White	Trelawny
6	6464	D/W/Sgt.	J. Grey -Simmonds	Portland
7	4368	D/Sgt.	Albert Bell	St. Mary
8	5650	D/Sgt.	Samuel Myrie	St. Ann
9	8109	D/Sgt.	Balvey A. Thomas	Clarendon
10	2718	D/W/Sgt.	Olivene Evans	Manchester
11	9509	D/Sgt.	Dwayne Samuels	St. Elizabeth
12	5388	D/Sgt.	Radcliffe Levy	St. Andrew Central
13		Insp.	Yvonne Roafe	St. Andrew South

14	4860	D/Sgt.	Evarold Roye	Kingston Eastern
15	1437	D/Sgt.	Paul Campbell	Kingston Western
16	1497	D/Sgt.	Michael Blackwood	Kingston Central
17	6491	D/Sgt.	David Long	St. Andrew North
18	9278	D/Sgt.	Leonard Stewart	St. Catherine North
19	72	D/Sgt.	Carl Morris	St. Catherine South
20	681	D/Sgt.	Robert Monteith	St. Thomas



Appendix #4

Conclusive report on 'Highlighted Cases' mentioned  
in Annual report 2011.

**2011 ELECTION RELATED CASES  
CONSIDERED SERIOUS PER PARISH****St.Thomas:**

**Wednesday, 21/12/2011:** One Mowayne Burke age 22 years old, a known PNP supporter was assaulted by JLP supporters while erecting PNP flags at Lyssons, St. Thomas. Investigating Officer: Constable J. Whyte (Morant Bay CIB)

**Thursday, 29/12/2011:** Micah Sturk age 30 years old of Bath, St. Thomas and a JLP supporter was chopped on the left arm by one Jason a known PNP supporter also of a Bath address. The complainant was treated at the Princess Margaret Hospital. Investigating Officer: Detective Sergeant Monteith (Morant Bay CIB)

**Thursday, 29/12/2011:** One Garfield Mane of Prospect, St. Thomas was hit on the head with an object by one Eddie a known supporter of the PNP. He was rushed to the Princess Margaret Hospital in a serious condition. Investigating Officer: Detective Sergeant Gordon (Morant Bay CIB)

**FINDINGS BY JCF**

**Remarks:** Unfortunately, Det. Sgt. Monteith after being contacted has failed to give an update on this matter stating that he was transferred from the St. Thomas Division shortly after the General Elections in 2011.

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**St. Elizabeth:**

**Thursday, 29/12/2011:** One Philbert Myers o/c Burkie age 29 years was allegedly assaulted by body guards of JLP candidate Dr. Christopher Tufton. Two statements were collected in the matter by members of the Inspectorate of Constabulary. However, on the instruction of Superintendent Stewart E, C., No. 9509, Detective Sergeant Dwayne Samuels- Liaison Officer for St. Elizabeth has taken over the investigation. Investigating Officer: Detective Sergeant Dwayne Samuels (St. Elizabeth CIB)

**Remarks:** File was prepared and handed to the Divisional Detective Inspector to send to the Bureau of Special Investigations (B.S.I).

**Thursday, 29/12/2011:** JLP candidate Mr. Frank Witter reported that he was prevented by soldiers from entering the counting station at D.B. Coke High School. He further stated that when he entered over thirty (30) boxes were already counted. Two statements have been collected in the matter. Investigating Officer: Detective Sergeant Samuels (St. Elizabeth CIB)

**Remarks:** Two (2) statements were recorded. The Presiding Officer spoken to and Mr. Whitter was advised to go to Electoral Commission but said he accepted the defeat and will not proceed any further.

**St. Catherine South:**

**Monday, 12/12/2011:** Tamarita Sophia McClockin, bartender of 39 Tredegar Park, Spanish Town was crossing a road along Passagefort drive, wearing a JLP t-shirt when she was hit down by a car licensed 9771 EA. Persons on board had orange colored flags and were dressed in orange colored clothing. Investigating Officer: Constable James – Caymanas Police

**Remarks:** This matter is being treated as an accident.

**Thursday, 15/12/2011:** Sheldon Simpson age 30 years old who was driving a Toyota Corolla motor car registration 6770 FV plastered with JLP posters was shot in the head. He later died in the Spanish Town Hospital. Investigating Officer: Detective Sergeant Carl Morris.

**Remarks:** Major Investigation Task Force is investigating.

**Manchester:**

**Monday, 5/12/2011:** One Donovan Watson Kerr during an altercation shot and killed Aston Howell o/c Niney age 28 years old a laborer of Mike Town district, Mandeville. The incident took place at a JLP function at the Tropics View Hotel in Mandeville. Investigating Officers: Detective Inspector Pommels and Detective Corporal Mills

**Remarks:** File completed. To be sent to Director of Public Prosecutions (D.P.P), could have been sent off already.

**Thursday, 29/12/2011:** Joyce Reynolds, Assistant Returning Officer for North West Manchester constituency complained that JLP supporters converged on electoral officials at Golden Run District, Manchester and at Polling Divisions 86, 87 and 88 situated at Joel Prince and Jasper Davis residences respectively. Cottage police investigated

**Remarks:** An operational team was sent there and the matter was settled

### St. Catherine North

**Sunday, 4/12/2011:** One Troy Malcolm, age 30 years old of Market Street, Spanish Town, St. Catherine was shot and killed at the intersection of Manchester and Old Market Street by three (3) men on foot. The deceased was seen removing JLP flags. Investigating Officers: Detective Sergeant Simpson (St. Catherine North)

**Remarks:** This was a political war. Someone was arrested and charged for the murder.

**Wednesday, 14/12/2011:** At about 9:20 p.m. one Dewar Thomas age 45 years old, haggler of 15 Manchester Street, Spanish Town was at his van where he sells dry goods at the intersection of Manchester and French Street when five (5) men on foot armed with rifles and handguns approached him. He ran but was chased and fatally shot. Investigating Officers: Detective Sergeant Simpson (St. Catherine North - MIT)

**Remarks:** This was a reprisal for Troy Malcolm's killing.

**Friday, 23/12/2011:** At about 7:45 p.m. a JLP motorcade was proceeding towards Portmore when on reaching the vicinity of Jones Avenue, stones were allegedly thrown on the vehicle. Gunshots were also fired on the buses. As a result Kenisha Wint and Taneisha Thompson age 29 years old were injured. The window of the JUTC bus registration PB 4529 was damaged. Investigating Officer: Detective Sergeant Leonard Stewart (St. Catherine)

**Remarks:** Kenisha Wint and Taneisha Thompson were injured by the shattered glass of the JUTC bus and were treated at the hospital and released. They were told to submit statements but have not done so. Their whereabouts are unknown.

### St. Mary

**Monday, 12/12/2011:** On Nomination Day at about 1:20 p.m., along Stennett Street, Port Maria in the vicinity of the National Water Commission (NWC) office Mr. Leslie Durser age 59 years old, businessman of Harmony Hall, Highgate was stabbed and injured by an alleged JLP supporter by the name of Kemar Clunis o/c 'Tan Tan'. Investigating Officer: Detective Sergeant Bell

**Remarks:** Efforts to locate the accused proved futile. Complainant decided not to go any further with the matter.

**Tuesday, 13/12/2011:** One Mr. Wright was operating his white Toyota Corolla motorcar from Bailey's Vale to Port Maria, when he was attacked and chopped by one 'Frankie Paul' who accused him of being a laborite. Investigating Officer: Detective Sergeant A. Bell

**Remarks:** "Frankie Paul" was arrested and charged. The matter is before the Court and is postponed until the 9<sup>th</sup> of May 2013.

**Thursday 22/12/2011:** JLP candidate for Western St. Mary, Mr. Robert Montaque held a political meeting at Trinity, Port Maria without permission. The meeting was held between 8:30 p.m. and 10:30 p.m. Matter was brought to the community Officer, Superintendent Allen.

**Remarks:** A report was brought to S.P. Allen's attention but Det. Sgt. Bell said he does not know the outcome of it.

### Westmoreland

**Monday, 12/12/2011:** A JLP motorcade was proceeding through a group of PNP supporters about 11:30a.m. , when a PNP supporter punched the windscreen of one of the JLP vehicles, damaging the windscreen. A statement was taken from the female who was driving.  
Investigating Officer: Detective Sergeant Ethan Miller

**Remarks:** No arrest was made.

**Tuesday, 27/12/2011:** One Daniel Campbell age 20 years old was shot and killed by three armed men whilst attending a JLP meeting in the parking lot of the Sav-lamar market. During the incident Mr. Christopher Samuels o/c 'Spider' age 36 years old, Ms. Karen Ricketts age 30 years old and Ms. Salome Ricketts age 29 years old were also shot and injured. Investigating Officer: Detective Sergeant Ethan Miller

**Remarks:** Persons were charged for the incident, but the key witness went and gave a different story at court. The matter was dismissed.

### Portland

**Sunday, 18/12/2011:** One Omar Hernandez age 32 years old, laborer was putting up JLP flags on privately owned premises in Charles Town Buff Bay, Portland. He was engaged in an altercation with one Germain Riley age 32 years. Hernandez hit Riley on the head and ran. Riley chased him and stabbed him in the neck. He died on the spot. Investigating Officer: Detective Corporal Edwards (Buff Bay)

**Remarks:** Mr. Riley was charged with murder. The matter is currently before the Port Antonio R.M. Court. He is to return to court on 2013.04.26.

### Hanover

**Thursday, 22/12.2011:** A known PNP supporter- Mr. McFarlane was seen taking photographs in the Sandy Bay Police station with a camera. The camera along with his licensed firearm which he took to the polling station were taken from him, and later returned. Investigating Officer: Detective Sergeant R. Fletcher

**Remarks:** The firearm was returned, no action taken.

### Kingston Eastern

**Wednesday, 7/12/2011:** One Keith Thomas age 30 years Mechanical Engineer of 22 Lineral Street, Kgn. 2 Rollington Town was inside his yard at about 1:35 p.m., putting up PNP flags. A man who was dressed in green approached him and two others. They proceeded to beat him with pieces of board and a gun. However he managed to escape in his Uncle's car. As a result there is tension in the area between PNP and JLP supporters. Investigating Officer: Detective Sergeant E. Roye

**Remarks:** A report was made to the Rollington Town Police Station. Not sure if an arrest was made as a result of the incident. No violent act came out of it.

**Sunday, 18/12/2011:** At about 1:30 p.m. during a JLP motorcade led by Prime Minister Andrew Holness, stones were allegedly thrown at the motorcade whilst they were travelling south down Upper Elleston Road towards Windward Road. This was in the vicinity of Kingston College gate. The stone did not cause any damage. Investigating Officer: Detective Sergeant E. Roye

**Remarks:** The matter was investigated and a comprehensive report submitted to the Commanding Officer.



**Monday, 19/12/2011:** Between 11 p.m. and 12 midnight during a party hosted by Joan Gordon- Webley for her Bull Bay supporters opposite Little Copa, shots were fired. However no damages or injuries resulted. Reports are that after the shots were fired, Miss Webley called police control to say she was shot at. However, during a police investigation it was ascertained that two of Miss Webley's supporters were fighting over spoils, when one drew a gun and fired shots in the air. Two 9mm spent shells were found at the scene. Investigating Officer: Detective Sergeant E. Roye

**Remarks:** This incident died a natural death.

**Wednesday, 21/12/2011:** Oraine Anthony 19 years old was shot and injured in his foot while riding a bicycle along 4<sup>th</sup>. Avenue in Vineyard Town. Reports are that he was dressed in a green JLP t- shirt when he was shot by one of several men who came out of a yard along the road and accused him of 'dissing' them by passing through their area dressed in the shirt he was wearing. Investigating Officer: Detective Sergeant E. Roye

**Remarks:** This was reported to the police. During the investigation no one reported hearing any shot. His story is not supported and he could not identify any one.

**St. Andrew South**

**Sunday, 11/12/2011:** A JUTC bus transporting JLP supporters returning to Spanish Town from a JLP concert in Down Town Kingston was fired on in the vicinity of Delacree Park Housing Scheme. One man was shot on the left arm and chest. He was rushed to the Kingston Public Hospital where he underwent surgery.  
Investigating Officer: Detective Sergeant Watson (Hunt's Bay CIB)

**Remarks:** The shooter or shooters in this incident have not been identified. Investigation continues.

**Wednesday, 7/12/2011:** Mr. Dwight Nelson, JLP caretaker for South East St. Andrew allegedly assaulted one Rohan Rotham o/c 'Spunkie' a PNP supporter by pulling a firearm at him at # 52 Anderson Road.  
Investigating Officer: Detective Sergeant Michael Blackwood (Central CIB)

**Remarks:** Investigation is still in progress awaiting two (2) more statements. As soon as investigation is complete a comprehensive report will be forwarded to the D.P.P.



