

## **Court Awards \$1.5m To Cop Cleared Of Corruption Charges**

The Gleaner

Livern Barrett

A HIGH Court judge has ordered the Government to pay nearly \$1.5 million to a policeman who had a corruption case against him dismissed in 2010.

The award by Justice Kissock Laing was handed down last month in a lawsuit filed against the State by then Constable Rennon Walker for malicious prosecution.

Walker was arrested and charged in November 2008 with two counts of breaches of the Corruption Prevention Act. He was accused of corruptly soliciting \$23,000 and \$8,000 from two St Catherine residents to avoid prosecution.

The case included evidence that Walker, who has since been promoted to corporal, narrowly escaped a sting operation set up by the Jamaica Constabulary Force's Anti-Corruption Branch (ACB) when he went to the home of a St Catherine woman to collect the \$8,000.

Then Inspector of Police Leon Clunis, who was in charge of the ACB's Proactive Unit, gave evidence that the operation was arranged after the St Catherine woman informed him of the \$23,000 payment to two policemen attached to the Spanish Town Police Station and that arrangements were made for them to return and collect \$8,000.

In court documents obtained by The Gleaner, Clunis gave evidence that two policemen arrived at the woman's home about 6 o'clock in a service vehicle dressed in full uniform. According to him, the woman came to the vehicle and handed something to the driver, then returned to her home.

Clunis described a tense stand-off with the two cops as members of his team swooped in to make the arrest. He testified that one of the policemen continued pointing a firearm at members of his team in a menacing manner although he had identified himself as an inspector of police attached to the ACB.

However, according to the court documents, Walker provided a completely different account of the incident. He acknowledged going to the woman's home in Eltham Park a day after two people were held in the Spanish Town area with what appeared to be a cloned licence plate.

He explained that he and his colleague went there to speak to the woman, who had agreed to help them track down the man who sold them the vehicle. Walker's evidence was that he spoke briefly to the woman's mother and was about to leave when a Honda motor car crashed into his service vehicle.

### **OUT OF CAUTION**

Walker recounted pulling his service pistol "out of caution" and taking cover beside his police car before he heard a loud explosion behind him and turned to see a man with a firearm in his hand. He recalled running to a nearby house to take cover because he was afraid he was being ambushed by thugs.

Walker was charged following a ruling by the Office of the Director of Public Prosecutions, but in April 2010, the charges were dismissed on a no-case submission.

However, Justice Laing, in his ruling, said Walker had failed to prove, "on a balance of probabilities", that Clunis "was actuated by malice or acted without reasonable or probable cause" when he laid charges against him.

"I have found on a balance of probabilities that the account of the First Defendant [Clunis] is more credible and that the presence of the claimant [Walker] at Eltham on the evening of 3rd October 2008 was further to an arrangement he had made with [name withheld] to collect the balance of \$8,000 from her, pursuant to an unlawful solicitation," Laing wrote.

"I also find that the claimant did accept the marked Jamaican currency notes and ran from the First Defendant and his team after they had clearly identified themselves to him as police officers. I find that he ran not because he was fearful that he was being confronted by gunmen, but rather, out of a realisation of guilt," the judge continued.

Laing, however, pointed out that there was no evidence to show the basis on which Clunis arrived at the conclusion that Walker had solicited or obtained money from the second persons named in the indictment.

"Counsel [for Walker] submitted that in order to succeed on the claim, the claimant need only prove that there was no reasonable and probable basis on one of the two informations [in the indictment]. I accept these submissions as a correct statement of the law and accordingly find for the claimant," Laing ruled.

As a result, Walker was awarded general damages of \$900,000 with interest at three per cent per annum from April 2010 and special damages of \$400,750 with interest at three per cent per annum from November 2008 .

[livern.barrett@gleanerjm.com](mailto:livern.barrett@gleanerjm.com)

# Tufton Wants Review Of Ganja Law



[File](#)

In his contribution to the Sectoral Debate in Parliament this afternoon, Tufton said the change in the law was rushed and not carefully thought through.

Health Minister, Dr Christopher Tufton, says there needs to be a comprehensive review of the amendment to the Dangerous Drugs Act which relaxed the usage of ganja in the country.

In his contribution to the Sectoral Debate in Parliament this afternoon, Tufton said the change in the law was rushed and not carefully thought through.

He said changes are needed to the regime in light of the insufficient public health education on ganja and the effects of ganja on users.

The Health Minister said the previous Cabinet had accepted a proposal for a comprehensive public education campaign, but did not get the necessary funding from ministries.

Tufton pointed out that of the \$321 million needed for the campaign only 20 per cent was received and expended.

He also noted that 90 per cent of adolescents seen under the National Council on Drug Abuse's drug treatment programme are referred due to problems associated with marijuana use.

# No Ganja Worries - Review Won't Change Ganja Laws, Tufton Says After Criticising 'Rush' To Pass Popular Law

Jovan Johnson

Dr Christopher Tufton, health minister, is clarifying that no legislative changes should be expected from a "comprehensive review" that he says is needed of changes to the Dangerous Drugs Act, which relaxed the usage of ganja in Jamaica.

Speaking in the House of Representatives yesterday, Tufton criticised the previous administration, saying that the amendments pursued last year were "rushed and not thought out carefully".

Noting that there was lot of "hype" around the changes, he pointed to an education campaign that a ganja subcommittee of the previous Cabinet had accepted, which he said did not get the necessary funding from ministries.

"Of the \$321 million needed for this comprehensive education campaign, only 20 per cent was received and expended," he said, while making his contribution to the Sectoral Debate.

According to Tufton, funding came from the health ministry and the Embassy of the United States in Kingston through that country's international narcotics legislation.

To bolster his intent for a review, Tufton told the House that 90 per cent of adolescents seen by the National Council on Drug Abuse in its drug treatment programme were referred "due to problems associated with marijuana use". In addition, island-wide surveillance in drug treatment centres reportedly showed that 50 per cent of clients were being treated for marijuana use.

"Based on the evidence presented here, there needs to be a comprehensive re-look and implementation of the amendments and the impact it is having on the health service," he argued. He also said that funding should be urgently put in place to ensure a robust prevention and control programme.

However, following his presentation, Tufton sought to clarify that no change to the amendments should be expected.

"I am not proposing changes to the amendment. I am proposing that we follow through on what was proposed under the previous administration, which has not been followed through after many months," he told The Gleaner.

Earlier this month, Dr Winston De La Haye, chief medical officer in the Ministry of Health, said the inadequacy of the country's mental-health treatment and rehabilitation infrastructure was another major worry in light of the changes to the ganja law.

"One in 10 adults who use cannabis will become addicted. However, one in two adolescents who use it will become addicted unless something is done," De La Haye shared at a Gleaner Editors' Forum. There, he also stressed the need for public education campaigns.

Last year, the Parliament passed the ganja law which, among other things, decriminalised the possession of ganja of two ounces or less.

The law also allowed for the establishment of a ganja industry to be regulated by the Cannabis Licensing Authority.

A percentage of the funds accumulated from application fees and permits charged by the Cannabis Licensing Authority is earmarked to fund public-awareness campaigns.

[jovan.johnson@gleanerjm.com](mailto:jovan.johnson@gleanerjm.com)

# Second man arrested in Jamaican murders that killed Iowan

[Charly Haley](mailto:chaley@dmreg.com), chaley@dmreg.com

<http://www.desmoinesregister.com/story/news/crime-and-courts/2016/06/29/second-man-arrested-jamaican-murders-killed-iowan/86523600/>



*(Photo: Submitted photo/Special to the Register)*

A second man has been arrested in the April murders of two U.S. missionaries in Jamaica, one of whom was from Iowa, Jamaican authorities said.

Dwight Henry, 25, of Wentworth, St. Mary, Jamaica, was arrested and criminally charged Wednesday in connection to [the deaths of missionaries](#) Randy Hentzel, 48, of Donnellson, Iowa, and Harold Nichols, 53, of New York, according to a Jamaica Constabulary Force news release.

Henry was named a person of interest on Friday after Jamaican authorities [arrested Andre Thomas, 25](#), in connection to the murders. Thomas was charged with murder and illegal possession of a firearm and ammunition.

Hentzel and Nichols were last seen leaving on motorcycles about 8 a.m. April 30, on their way to investigate a homebuilding site for an impoverished family.

DES MOINES REGISTER

Iowa missionary's daughter: He tried to make lives better

After they were reported missing, authorities conducted a massive search, finding Hentzel dead later that day. Nichols' body was found May 1.

Both men were shot, and Nichols was also stabbed, authorities said. Their bodies were found about 500 meters apart, and both had their hands were bound.

Nichols and his wife had been living in Jamaica for 14 years, and Hentzel and his wife had been in Jamaica for five years. Both were missionaries for Pennsylvania-based Teams for Medical Missions. Both did evangelism and Bible ministry and built homes.

Hentzel's 29-year-old daughter Amy Larson, who lives in Lincoln, Neb., [said the people of Ankeny knew her dad through his work](#) as a real estate agent and home mortgage loan officer. "A lot of people told me he helped them buy their first house," Larson said. "It was just the theme throughout his life. Anyone he came in contact with, he tried to make their life better." *The Associated Press and Register reporter MacKenzie Elmer contributed to this report.*



# Two charged with alleged fraud at Manchester Parish Council



BY ALICIA SUTHERLAND Observer Staff  
reporter sutherlanda@jamaicaobserver.com

The Manchester Parish Council's Roads and Works Department, from which computers were taken by the police during last Friday's raid.

MANDEVILLE, Manchester — Deputy superintendent of the Manchester Parish Council and a carpenter were yesterday charged with fraud.

According to the Major Organised Crime and Anti-Corruption Agency (MOCA), Deputy Superintendent of Road and Works for the Manchester Parish Council, 31-year-old Sanja Elliott; and 27-year-old carpenter Dwayne Sibblies, both of Manchester, were yesterday charged for fraud following their arrest last Friday.

Both were reportedly charged with conspiracy to defraud, obtaining money by false pretence and forgery.

They are scheduled to appear before the St Andrew Parish Court today.

Both men were arrested during Friday's operation in central Jamaica by the Office of the Contractor General, Financial Investigation Division and the Major Organised Crime and Agency following investigations.

MOCA's director of investigations, Senior Superintendent Cleon March stated that the investigation was still at an early stage although the two have been charged. The probe, he added, has been widened to determine the full extent of the fraud.

Senior Superintendent Cleon March said earlier this week that “additional work” was being done at the Manchester Parish Council following last week’s raid.

The investigation is being led by the Office of the Contractor General and supported by the Financial Investigations Division and MOCA, reportedly in an effort to investigate the awarding of contracts for the last seven years.

Council offices and the homes of some senior members were searched and two accused were detained in a raid last Friday.

While there was no police presence at the Manchester Parish Council on Monday activities were not at full capacity.

Acting secretary/manager David Harris said the state entity’s main office and the Road and Works Department, which is housed in another building, were impacted as several computers were among items seized during the raid.

“I have given instruction that we are not to disburse any cheques or receive any cash because I don’t want us to not have the proper accounting mechanisms or accountability mechanisms to receive cash payments or disburse cheques,” said Harris.

He said staff members have also been updated on what was happening.

“I met with the staff since morning (Monday). We have encouraged them, we have outlined that whatever the authorities have requested we have fully complied and we have given them our full co-operation. We are doing the best we can in terms of serving the public... I will shortly be calling the permanent secretary (Ministry of Local Government) and getting his direction on the matter. Then, I will be in a better position to advise as to what we will do from here,” he said. Harris, who was the director of finance prior to taking on the role as acting secretary/manager, said in his 14 years at the council it is the first he has experienced a situation such as what has been taking place.

“We have had several audits. We have not had any problem. The auditor general has actually praised us on our financial statements... Up to last month they were here. They are working with us to get the financial statements audited and they also do compliance audits and so far we have not had any adverse report,” he said.

Harris said that the contractor general has also been to the council previously and although they requested documents and sought clarification there were no problems.

In a statement on the weekend, Mayor of Mandeville Brenda Ramsay said she had no issue with any regulatory body carrying out probes.

And reacting to the news about the investigation, head of the Manchester Chamber of Commerce Garfield Green said that his organisation was “concerned” about the recent developments and was hoping for a speedy resolution.

Mandeville businessman Calvin Lyn, meanwhile, said it is a “delicate” situation which he would prefer not to make any detailed comment on at this time.

## **Manchester Parish Council Officer, Carpenter Charged In 'Grand Fraud' Probe**

The Gleaner

Sanja Elliott, 31, and Dwayne Sibblies, 27, have been charged with conspiracy to defraud, obtaining money by false pretense and forgery.

The deputy superintendent of Roads and Works at the Manchester Parish Council, 31-year-old Sanja Elliott and 27-year-old Mandeville carpenter, Dwayne Sibblies, have been charged with several offences in a major corruption probe.

Elliott and Sibblies have been charged with conspiracy to defraud, obtaining money by false pretense and forgery.

They will be taken before the Corporate Area Court tomorrow.

The men were arrested during Friday's fraud and anti-corruption operation in central Jamaica.

The pre-dawn activities were undertaken by the Office of the Contractor General, the Financial Investigation Division and the Major Organised Crime and Anti-Corruption Agency (MOCA).

MOCA says Elliott, other senior employees of the Manchester Parish Council and their associates were involved in a grand conspiracy and fraud.

"The allegations are that they used their positions to misappropriate funds from the Parish Council for their own use. To date, the investigation has revealed that the group corruptly benefited in the sum of multi-millions of dollars," said a MOCA spokesperson in a release.

Meanwhile, MOCA's director of investigations Senior Superintendent Cleon March said the probe has been widened.

"In light of this we will continue with our partners to pursue the evidence where ever it leads," he said.

At the same time, deputy director general of MOCA, Assistant Commissioner Selvin Hay says the actions of the agency and its partners are in no way influenced by politics.

He says there are the result of ongoing painstaking investigations.

"Throughout the operations MOCA and its partners have been diligent in approach, decisive in action and professional in conduct. We hold true to our mantra that no one is above the law," said Haye.

## REPORT CORRUPTION:

Call MOCA at 906-5848 or 275-5903 or 1-800-CORRUPT

Email: [moca@jcf.gov.jm](mailto:moca@jcf.gov.jm)

Visit: [MOCA.gov.jm](http://MOCA.gov.jm) or [Facebook.com/MOCAJamaica](https://www.facebook.com/MOCAJamaica)

Follow MOCA on Twitter @MOCAJamaica

# Di Dakta gets Sept 5 court date

The Observer



Devin Di Dakta

Dancehall deejay Devin Di Dakta had his bail extended when he appeared in the Kingston and St Andrew Parish Court on Tuesday.

He was answering to charges of sexual assault. He, however,

pleaded not guilty to the charges and is slated to return to court on September 5.

Reports are that on January 18, Devin Di Dakta inappropriately touched a dancer at Taboo Nightclub in St Andrew, owned by businessman Corey Todd. The complainant filed a report with the police on January 23.

Meanwhile, Todd is set to stand trial on August 22 stemming from a separate incident involving Devin Di Dakta. It is alleged that in January the entertainer was taken to the parking lot of the Taboo Nightclub and beaten by several members of Todd's security team because of a song done by the artiste which was perceived to be disrespecting the businessman.

Todd was reportedly pointed out during an identification parade. He pleaded not guilty to the assault charges when he appeared in court earlier this month.

He is facing charges of malicious destruction of property and assault occasioning bodily harm.

— Simone Morgan-Lindo

## **Barber claims cocaine was given to him by stranger**

The Observer



A St Catherine barber who is accused of attempting to export approximately 1.3 pounds of cocaine to the United States via courier service was on Tuesday remanded for trial in the Kingston and St Andrew Parish Court on July 29.

Jevaughn Ainsley, 22, of Mirmar Way in Bridgeport, will be tried on charges of possession of cocaine, dealing in cocaine, attempting to export cocaine and conspiracy to export cocaine.

Allegations are that on March 23, Ainsley went to DHL's office on Half-Way-Tree Road in Kingston to have a package sent to the United States. To facilitate the process he reportedly tendered a national identification card and gave his address as number 43 Mirmar Way.

However, it was later found out that the package contained 1.28 pounds of cocaine.

Police reportedly went in search of Ainsley but did not find him at the listed address, which

turned out to be incorrect. He was, however, found on the road and was arrested and subsequently charged.

When cautioned he is alleged to have told the police that, “A Odane gi me the package to ship for him, a some snacks was in the package. I did a favour for him. I don’t have a number for him, I could not tell you where he live, is the first time I am seeing him and him pay me \$7,000.” Ainsley, who was previously denied bail, was remanded by Senior Parish Judge Judith Pusey after the trial date was scheduled.

Attorney Andrew Campbell is representing the accused.

## **Fixated On Judge**

Published: Wednesday | June 29, 2016 | 12:00 AM

THE EDITOR, Sir:

The Sunday Gleaner, of June 26, 2016, carried a column by attorney-at law Bert Samuels, who is appearing in the Trafigura case. Without going into the legal technicalities of his letter, it struck me that if he does not think a ruling of the judge is correct in law as to whether or not his clients should be allowed to give evidence in open court, he should go to the Privy Council, until he gets the justice he seeks.

Or there is another reason for the fixation on the judge and not his ruling. Is another plan afoot which we shall hear of from these learned men in due course? The judge, it appears, is standing in their way.

ISHALEE JOHNSON

ishaleekjohnson@yahoo.com

**The End**