



**MINISTRY OF JUSTICE
PRESENTATION TO PARLIAMENT
HON. MINISTER OF JUSTICE DELROY CHUCK
TUESDAY JANUARY 23, 2018**

Mr Speaker, this Honourable House is reminded of the recommendation of the West Kingston Commission of Enquiry in its Report published on September 19, 2016, that citizens who suffered loss and damage to property and business, during the May 2010 events in West Kingston (the West Kingston incursion) should be compensated.

Mr. Speaker on November 21, 2016, Cabinet approved the establishment of a Compensation Committee with the responsibility of reviewing the claims of persons affected by the West Kingston incident.

At the time the Compensation Committee was set up, over **150 claims** were reported to the Public Defender. It was clear from the outset that this was not an exhaustive list of the persons who suffered during the incident, rather they related to persons of whom evidence was adduced at the Enquiry.

The House is asked to note the fact that the members of the public were duly informed of the process of making a claim by the Ministry of Justice through the issuing of fliers in the affected communities and publications in the media.

Mr. Speaker the deadline for submission of all claims to the Committee was set for December 2, 2016 however, at the request of the Public Defender it was extended to

December 5 2016. Despite the extensive publications, some persons disregarded the deadlines and the process for filing applications.

Mr. Speaker on September 7, 2017 the Public Defender informed that some **400** additional claims existed which have not been investigated by her office. This information was provided when the Compensation Committee was in the process of preparing its report. It is important Mr. Speaker that the House be reminded of the Committee's deadline for submission of all claims - December 5, 2016.

Mr. Speaker the recommendations for compensation for death and personal injury were made in keeping with what a court in Jamaica would have awarded.

The overall recommendation is **\$199,141,435.69** to cover all claims (fatal, personal injury and property damage).

A total of **447** recommendations were made for monetary compensations. As at January 12, 2018, the Ministry of Justice has paid a total sum of **\$178,381,835.69** to some 270 claimants directly and a further 29 to the Administrator General's. As such the balance of **\$21,618,164.31** is to be paid to the remaining **148** claimants.

These **148 claimants** must come forward and provide their banking information promptly, as any amount not disbursed at the end of March 2018 will revert to the Consolidated Fund.

The Ministry intends to act in strict compliance with the recommendations of the Committee as such the Ministry will not be going beyond the recommendations set out in the Report.

Mr. Speaker the Government has done all it can in keeping with the recommendations and with due process to offer compensation to persons who would have been affected by the unfortunate May 2010 events in West Kingston. The Compensation Committee consisted of persons of the highest integrity chaired by Retired President of the Court of Appeal, Honourable Mr. Justice Seymour Panton, Reverend Rennard White, and Reverend Herro Blair Jr. They sat to hear and consider applications for **nine** (9) months. Persons applied on their

own, through their Attorneys and through the Office of the Public Defender.

The matter of compensation is now closed.

Let me reemphasize that the Compensation Committee met for nine months and many persons who are now seeking compensation made no attempt to apply or bring their case to the Committee. The issue of any further compensation cannot now be reopened.

JUDGMENT DEBTS

Mr. Speaker Cabinet responded promptly, not only to make the payments recommended by the Compensation Committee, but during my tenure, has responded promptly to the payment of judgement debts. Mr. Speaker, I am happy to report that as of January 23, 2018, the Ministry of Justice has paid **99%** of the principal sums awarded and

referred to the Ministry of Justice up to November 2017. Only four large amounts remain, for which interim payments are being made.

Mr. Speaker, during the fiscal year, the Ministry of Finance provided the MOJ with a total of **\$849M**, of which **\$705M** has already been paid. A balance of approximately **\$144M** remains on account to pay judgement debts that have been awarded or settled, and sent over to the Ministry Of Justice. The delay in completing these payments is due to lack of banking details, trustee information and original formal orders on the files.

Mr. Speaker, I want to thank the Ministry of Finance for providing the funds and the hard working Accounts Department of the Ministry of Justice whose members worked assiduously over the past four weeks to make

hundreds of payments to the Tivoli Compensation Committee as well as for outstanding judgement debts.

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