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**WALTER  
RODNEY  
INQUEST**

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# Walter Rodney Inquest\*

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MB:	Moses Bhagwan	TR:	Sergeant Roach
P:	Magistrate Pratt	KdeS:	Karen de Souza
RM:	Rex McKay	MR:	Malcolm Rodrigues
WM:	Winston Moore	SM:	Stanley Moore
DS:	Doodnauth Singh	LR:	Laurence Rodney
E:	Eleazer	IM:	Ignatius McRae
X:	(Unnamed)	VG:	Vernon Gentle
DPP:	Gonsalves-Sabola	JS:	Jai Narine Singh, Jr.
A:	Andaiye	LM:	Dr. Leslie Mootoo

## February 4, 1988, Day Four, Morning Session

**MOSES BHAGWAN:** Before you commence with the witness, Mr. Doodnauth Singh will be along later. I just want to raise a matter relating to procedure. It is clear that in an inquest the rigid and strict rules for trial are not always held. Under Section 25, Chapter 4, Coroner's Act, there is a provision that extends range of inquest beyond range of trial at which specific issues, e.g., guilt, may be raised. [*Reads relevant section.*]

We are here representing interests of deceased and other parties.

DPP is also here in a similar capacity. They are not here prosecuting, but DPP has distinct advantage. At their disposal are all the statements. We have none. Mr. McKay has statements, we know.

We are applying that all statements, at least those of witnesses expected to be here, are available to all.

**MAGISTRATE PRATT:** I am not aware that Mr. McKay has statements.

**MB:** [*continuing*] We are here in identical capacity. It is not proper that one set of counsel has statements and we do not have them. Normally in a trial, except in an indictable matter, we would not be getting statements. But this is not a trial.

It is not inconsistent with interests of the court that we should have the

\*Walter Rodney, writer and historian, was assassinated on June 13, 1980, in Georgetown, Guyana. Rodney was the author of *The Groundings with my Brothers* and the seminal study, *How Europe Underdeveloped Africa*. Rodney had been a lecturer at the University of Tanzania and had later returned to teach at the University of Guyana. He was one of the founding members of the Working People's Alliance (WPA). The *Journal of Caribbean Studies* reproduces the conclusion of the trial, beginning February 4, 1988, Day Four. This is taken from court transcripts. Readers will no doubt form their own conclusions.

statements. We would be aware of the scope, range of evidence, relevance of some witnesses. For example, Your Honour expects to complete by Friday.

P: Really can't complete by Friday. Some witnesses in the U.S.A. Those that are here we may have to send radio messages and give them adequate notice.

MB: We should all be acquainted with entire position. How many witnesses. At the moment the DDP has distinct advantage over us. [*Turning to McKay*] You have statements, Mr. McKay.

REX MCKAY: I have statements from my clients. I don't know whether they are the same statements the court has.

MB: If he objectively has statements, he has an advantage over us. They are not prosecuting trial. They are only representing state interests here which are limited.

P: As you rightfully mentioned, this is not a trial. An inquest is really an inquiry between the coroner and the jury. The procedures under the Coroner's Act are a bit different from the Coroner's Rules. I agree you don't stick to the usual rules, but you should try as much as possible to stick to the hearsay rules.

In connection with the statements: in a criminal trial you are given statements, but this is an inquiry between coroner and jurors. It is only to facilitate the process [that] you find you have to lead witnesses. In many instances the coroner leads the witnesses. The coroner must be as impartial as possible. So to facilitate and eliminate all kinds of bias we brought someone from the DPP office. I don't think I will grant at this stage the statements being granted.

RM: If I may be presumptuous . . . I heard here that statements are given, but only under the Administration of Justice. In ordinary summary or preliminary inquiry, statements are not given. Don't see that there is any greater right than in a case where a person is accused of a crime. . . .

P: Application has been denied.

*Cross-Examination of Third Witness, Karen de Souza, by Winston Moore.*

WM: Miss de Souza, you are a member of the Working People's Alliance?

KdeS: Yes, I am.

WM: And WPA is a political party?

KdeS: That's right.

WM: Do you know when it was formed?

KdeS: On July 27, 1979.

WM: Would you describe yourself as an activist?

KdeS: Yes.

WM: Have [you] always been?

KdeS: From July 1979.

WM: You attended public meetings of this party?

KdeS: Yes.

WM: And you have also done other political work on behalf of this party?

KdeS: Yes.

WM: You knew the deceased, Dr. Walter Rodney?

KdeS: Yes.

WM: How well did you know him?

KdeS: From early 1979. I knew him very well.

WM: What was Dr. Rodney's position in the WPA?

KdeS: He was one of the leaders of the party.

WM: And he used to speak at some of the meetings you attended?

KdeS: He spoke at many of the meetings.

WM: Many of these meetings; these meetings were held where?

KdeS: In Georgetown and out of Georgetown, East Coast Demerara, Berbice, Corentyne, Wismar, Mackenzie, East Bank Demerara, West Coast Demerara.

WM: More or less throughout the coast and Mackenzie?

KdeS: Yes.

P: Where?

WM: Would you like all the places? Would you like her to call them out at dictation speed? Please do so.

WM: Could you give us an ethnic composition of the crowds?

KdeS: All races, African, Indian, Chinese. . . .

WM: Would you say a cross section of Guyanese attended many of those meetings?

KdeS: Yes.

WM: Do you recall any incidents occurring in July just before the formation of the WPA? July 1979?

KdeS: Yes. There was.

WM: Could you tell us very briefly what these incidents were [*witness looks puzzled*—something in Camp Street?

KdeS: On July 11 a number of WPA members were arrested. There were a number of street demonstrations. . . .

WM: Do you know why they were arrested?

KdeS: I was told because of a fire at the Ministry of National Development.

WM: Would that be because the Office of the General Secretary, People's National Congress and Ministry of National Mobilisation was burnt down?

KdeS: Yes.

WM: And certain persons were arrested and charged?

KdeS: Yes.

WM: Who were members of the WPA?

KdeS: Yes. Some of them.

WM: And Dr. Rodney was one of these persons?

KdeS: Yes.

WM: Let's go back to the public meetings. Did WPA direct its fire at a particular party?

KdeS: Yes.

WM: We are talking about verbal fire . . . metaphorically speaking. What party?

KdeS: The People's National Congress.

WM: And would you say that Dr. Rodney was one of the leaders of this onslaught on the PNC?

KdeS: Yes. He was.

WM: Was any particular member of the PNC singled out for special attack?

KdeS: Yes.

WM: By Dr. Rodney?

KdeS: Yes.

WM: Who was this person?

KdeS: The leader of the PNC.

WM: He has a name?

KdeS: Forbes Burnham.

WM: Do you recall any particular aspect of this attack?

KdeS: Yes.

WM: Did he call him names?

KdeS: Yes.

WM: One of the names?

KdeS: King Kong.

WM: And did he resort to ancient mythology to make any particular analogy?

KdeS: Yes.

WM: Any particular analogy?

KdeS: He made an analogy of the Midas Touch, the opposite of which was the Burnham Touch.

WM: So from the Midas Touch we had the Burnham Touch.

KdeS: Yes.

RM: I don't know if they are seeking to establish provocation. Nobody is on trial for murder. I don't see what Touch somebody had is relevant. . . . have come here to be blasphemous. The court has to be strong.

P: I am allowing them a latitude. . . .

DOODNAUTH SINGH: We are required under Section 25 of Coroner's Act to enquire when, where, how and after what manner deceased came by his death and also whether any person was criminally concerned. On the basis of that inquiry we are attempting to show [to McKay] Channel 6 showed the Iran/Contra inquiry . . . full latitude. . . . This is the plot which resulted in the death of Dr. Rodney . . . not just selling arms [in reference to Iran].

We are attempting to show that Dr. Rodney met his death because he sought the overthrow of the regime. Rodney had become a thorn in the side of the political structure of the state and the state assassinated him.

We are dealing with a person who was part and parcel of a political party, attacking the leadership. . . . There was a conspiracy to liquidate, a conspiracy headed by the political powers with the involvement of the GDB, that is why my friend is here.

We will establish the conspiracy, but we can't do that at the beginning. . . .

P: This witness has given evidence. I would like you to cross-examine her on what she said. If you are going to bring in these matters. . . . We are not here to assassinate a character. . . .

DS: Assassinate? A person was assassinated! A distinguished man was assassinated. . . . Motive is most important. Are you saying we are restricted in our cross-examination by what witness said?

P: Rules of cross-examination are very clear in law.

DS: I am respectfully submitting that no cross-examination is bound by what witness said in chief. The duty of the cross-examiner is to use matters to establish his case. We are using the opportunity of witnesses to seek to establish our case, to establish the identity, extent of political involvement . . . of those who said he must be exterminated. Is that irrelevant? Is it irrelevant to lead evidence of those who said Rodney must be liquidated?

P: I'm saying you can't lead any evidence. This is not a trial.

DS: I don't understand that. This is wider than a trial.



**RM:** . . . no roving commission to [ ] mischievous evidence as to conspiracy. . . . This is not a trial of an accused person. Having adjured this view that this is a conspiracy by leading mischievous evidence . . . shows narrowness and shallowness of mind.

**ELEAZER:** I am amazed at this. You can't slander a dead man. We are speaking of Burnham. We know by newspapers. We know what was done. But why it was done, what motive, only this witness can help. The jury can refuse to give a verdict saying that they do not have enough evidence. . . .

**RM:** If one keeps remembering the Latin maxim [unclear]

**E:** That refers to Rodney and Burnham.

**P:** You have notes of the evidence?

**X:** We have very good notes.

**E:** We're not out to attempt to attack anyone. We're giving an account of what happened. Those things occurred. A string of events led up to this event. We can't confine ourselves to the night of the 13th. No ostrich-like approach will help. If objection is to the memory of a person, if it is sacrosanct, we can move on.

**P:** When you address the coroner, many of these points can be made. . . .

**E:** Am I to understand that the only questions allowed in cross-examination is only what was said in chief?

**P:** I don't want to go into that.

**E:** If this is so then there is no point in the inquiry.

**WINSTON MOORE:** [continuing] Do you recall a meeting held by your party WPA near to Sheriff Street? When was that?

**KAREN DE SOUZA:** August 22, 1979.

**WM:** You attended that meeting?

**KdeS:** Yes, I did.

**WM:** And anything occurred?

**KdeS:** It was broken up by police without numbers.

**WM:** Were they in uniform?

**KdeS:** Yes.

**WM:** Now, the deceased, Dr. Rodney, was present at that meeting?

**KdeS:** He was.

**WM:** Did anything happen to him?

**KdeS:** Nothing happened to him because he had to run along with others.

**WM:** He was being pursued?

**KdeS:** Yes. He was being pursued by policemen—uniformed, who were armed.

**WM:** So he had to resort to his athletic skills?

**KdeS:** Yes.

**WM:** You remember the congress of the ruling party?

**KdeS:** Yes. There was a PNC congress going on at Sophia at the same time.

**WM:** You remember, as is the practice, there was a very large public meeting held by the PNC?

**KdeS:** Yes.

**WM:** Where?

**KdeS:** At the Square of the Revolution.

**WM:** What is called that, or Cuffy Square?

**KdeS:** Can't recall. What is now called Square of the Revolution.

**WM:** This was a large meeting. The PNC . . . diplomats . . . do you recall who gave the feature address?

**KdeS:** Yes.

**WM:** Who gave this end-of-congress feature address?

**KdeS:** Forbes Burnham.

**WM:** Did he single out any particular party for attack in this address?

**KdeS:** Yes.

**WM:** What particular party?

**KdeS:** The Working People's Alliance.

**WM:** Did he call it that?

**KdeS:** No. He didn't.

**WM:** Worst Possible Alternative or something. Did he refer to the deceased in this address?

**KdeS:** Yes.

**WM:** In particular, Walter?

**KdeS:** Yes.

**WM:** He referred to his athletic skills?

**KdeS:** Yes.

**WM:** Did he deal with the fire that had occurred at the Office of the General Secretary of the People's National Congress and Ministry of National Development?

**KdeS:** Yes.

**WM:** And did he clearly blame any group for causing the fire?

**KdeS:** Yes.

**WM:** What was this group?

**PRATT:** You are still persisting with this?

**WM:** We are dealing with fire, arson—life imprisonment is provided for it by the law. It was dealt with publicly. It might be sensitive, but it happened and we have to deal with it here.

[Resuming] Whom did he blame?

eS: The Working People's Alliance.

M: And at that time there were a number of persons before the court facing arson charges, including Dr. Rodney?

leS: Yes.

M: And in his address, did this leader of the PNC tell the WPA to do anything in particular?

leS: Yes. He told them to make their wills.

M: You remember exactly what he said?

leS: Yes. Let there be no weeping at the bar. No quarter must be asked. None will be given. And they must make their wills.

M: Was there any reference to "tempered steel"?

leS: Yes.

M: "We will fight their steel with more highly tempered steel"—were those words used?

leS: Yes.

M: Do you know that the deceased had left this country to travel to a foreign country?

leS: Yes.

M: Where did he go?

leS: To Zimbabwe.

M: He was invited to attend the Independence Celebrations of the new, or old depending on . . . , State of Zimbabwe?

deS: Yes.

M: And left, came back to face his trial?

deS: Yes.

M: Do you know if he left through the usual channels?

deS: He did not leave through the airport.

M: He did not leave through the normal immigration channels?

deS: No. He didn't.

M: Our then Prime Minister also attended those celebrations?

deS: Yes.

M: Those attacks that the deceased were spearheading, were they catching on? People were calling other persons by first names and so on?

deS: Yes.

M: I think it would be true to say that Walter was publicly appealing to people to get rid of the PNC? He was doing it publicly?

deS: Yes.

M: And publicly people were saying that they wanted the removal of the PNC government by Christmas, as a Christmas present?

KdeS: Yes.

REX McKAY: How long did you know Donald Rodney before the accident?

KAREN de SOUZA: I'd seen him a few times before.

DOODNAUTH SINGH: Before? Before what? I am objecting to question because it is a *falsio suggesti*. My friend is saying . . . before the accident . . . [McKay says something re-phrasing]. Then put it that way! There is a distinction between "before Donald said there has been a terrible accident" and before there was an accident!

RM: How many times?

KdeS: Five or six times.

RM: Driving a car or without a car?

KdeS: Without a car.

RM: Those five or six times you saw Donald Rodney were at 45 Croal Street?

KdeS: No.

RM: Where did you see him?

KdeS: At Walter's house.

RM: On all five or six occasions?

KdeS: No. I also saw him at the WPA centre.

RM: Where? At 45 Croal Street?

KdeS: No, at Queen and Holmes Street.

RM: Would you describe him as an activist of the party?

KdeS: No.

RM: A member?

KdeS: In 1979?

RM: Up to the time Donald came to your house—14th June 1981, it was?—[sic] was he a member of the WPA?

KdeS: I don't know.

RM: Do you hold office in the WPA?

KdeS: No.

RM: Ever held office?

KdeS: Yes.

RM: In 1980, did you hold office?

KdeS: No.

RM: Did you ever hold office?

KdeS: Yes, 1982, 1983. Those are two years I know I held office.

RM: The WPA centre at Queen and Holmes Streets, meetings are held there?

KdeS: Yes.

RM: When you saw Donald Rodney there, was there a meeting being held?

KdeS: No.

I: What were you doing there?

eS: I was often there.

I: This was just a visit by Donald Rodney?

eS: Yes. It seemed so.

I: Not a meeting?

eS: No.

I: You said you saw Donald at deceased Walter Rodney's house?

leS: Yes.

I: How many times? Four or five?

leS: Yes.

I: Between what years? Same year? 1980?

leS: 1980 and 1979.

I: At that time did you know where Donald lived?

leS: No.

I: You know he did not live at Walter's house?

deS: Yes.

I: You were on good speaking terms with Donald Rodney?

deS: I don't understand "good speaking terms."

I: Did you chat with Donald Rodney from time to time?

deS: No.

I: You never spoke with him before that day?

deS: I never had a conversation.

I: You never spoke with him?

deS: Yes.

I: When?

deS: On every occasion.

I: The five-six times?

deS: Yes.

I: On the night in question, tell us roughly, from the time you saw Donald, up to when you left to go to Hadfield Street and John Street, how long did you spend with him?

deS: About two minutes.

RM: That's a long time. After you returned from Hadfield and John Street, you said you were nursing him, taking care of his wounds. How long did you spend with him?

deS: Ten or fifteen minutes.

RM: After he left, you did not know at what time he left the house?

deS: No.

RM: From the time . . . did you know what happened?

KdeS: No.

RM: So, I assume that Donald Rodney did not tell you how this terrible accident occurred?

KdeS: No.

RM: But you spent twelve minutes with him?

KdeS: Yes.

RM: Although you spent twelve minutes with him, you did not ask him what happened?

KdeS: No.

RM: Did you enquire?

KdeS: No.

RM: I mean of Donald.

KdeS: I understand. I did not ask him.

RM: Is it correct to say that even after you saw the flesh and boneless remains of your leader, you did not ask Donald how did that happen?

KdeS: No.

RM: Or did you know what happened?

KdeS: I assumed.

RM: You assumed! Thank you. You know what an accident is?

KdeS: Yes.

RM: Am I right to suggest that [it is] something that occurs by undesigned arrangements?

KdeS: Yes.

RM: And when Donald spoke to you on that evening and said that something terrible had happened, you did so understand him.

KdeS: Yes. That something unplanned, unexpected had happened.

RM: Were you assisted while you were attending to Donald?

KdeS: I was alone.

RM: During the ten minutes did you speak to him at all?

KdeS: No.

RM: How? In other words you didn't try to find out how he got his injuries?

KdeS: I knew.

RM: How?

KdeS: Because he said he had come from that car.

RM: Before you left for John and Hadfield Street. You assumed he got injured while in the car. But you did not know the mode or manner.

KdeS: No.

RM: Only by assuming?

KdeS: Yes.

IM: You never sought to enquire how he got the injuries?

deS: No.

IM: Did you know Donald Rodney owned a car?

deS: Yes.

IM: Did you recognise his car at John and Hadfield Street?

deS: No.

IM: I assume you did not know the number?

deS: I didn't know the number.

IM: But you could have seen the number?

deS: I don't know whether I could have seen the number.

IM: You saw Dr. Rodney. He was inside. The number was outside. Could you have seen the number?

deS: It would have been possible to see the number.

SGT. TRENTON ROACH: [Electronics expert asked to return with his papers showing qualifications, and his notes made at the time of the examination. Takes witness box again and begins to swear.]

PRATT: [Speaking to orderly] They're to be tendered [speaking of documents then in the hand of DPP officer Ms. Gonsalves-Sabola]. You just bring them and hand them to her? She hasn't had time to look at them. You don't have any other witnesses? Bring one. [Sgt. Roach steps down.]

*Fourth Witness, Andaiye, Led by DPP's Ms. Gonsalves-Sabola.*

DPP: Can I have your full name?

A: Andaiye is my full name.

DPP: Where do you live?

A: At Cove and John, East Coast Demerara.

DPP: In June 1980, where did you live?

A: At 45 Croal Street, GT.

DPP: Who else lived there?

A: Karen de Souza and Abyssinian.

DPP: Do you remember the evening of June 13, 1980?

A: Yes.

DPP: Where were you?

A: I was in my apartment at 45 Croal Street.

DPP: Was anyone there with you?

A: Yes. Karen de Souza.

DPP: Did anything happen around 8 P.M.?

A: I heard the sound of an explosion.

DPP: Can you say in what direction the sound came from?

A: No.

DPP: Did you do anything when you heard the explosion?

A: I looked up and listened for a while.

DPP: Anything else happened?

A: Yes. Within five minutes the doorbell started to ring. I didn't respond because I thought it was one of my friends being insistent. Then a voice started to shout, "Upstairs, upstairs."

DPP: When you heard the voice, what did you do?

A: I jumped up and ran towards the steps. But Karen was ahead of me so I stopped and waited.

DPP: What did Karen do?

A: She went down to the door. And came back up with another person.

DPP: At that time did you know who was that person?

A: Yes, when he reached close enough. It is a two-story house. It was Donald Rodney.

DPP: How did he look?

A: He looked injured. He was bleeding.

DPP: Did you speak to him?

A: He said—

DPP: What?

A: Something like, "There's been a terrible accident. Go for Walter."

DPP: Who did you understand him to mean by Walter?

A: Walter Rodney.

DPP: Was Walter Rodney related to him?

A: His brother.

DPP: So what did you do?

A: I ran out of the house with Karen de Souza.

DPP: Where were you going?

A: Before we left the house, I don't remember in response to what, he said we should go to John and Hadfield Streets.

DPP: Did you ask Donald Rodney any questions?

A: No.

DPP: Did Karen de Souza do so in your presence?

A: Not that I can remember.

DPP: After you ran out of the house, where did you go?

A: West along Croal Street, south along [ ] Place and she ran ahead of me when we reached about Brickdam. When I got to John and Hadfield



Street, there was a crowd and there was also a crowd from the Death Squad.

DPP: What do you mean by the Death Squad?

A: Men whom I have seen in Eve Leary CID headquarters who wear plain-clothes who were involved in the breaking up of meetings and other activities and who are properly called the Death Squad.

DPP: What did you see?

A: At first, I could see, apart from the crowd and the Squad, a white car. I couldn't get close to the car because the men from the Squad were pushing the crowd backwards, away from the car.

DPP: What happened next?

A: One of them pushed a section of the crowd that I was in and I fell along with other people. We fell on what I realised later was a car roof.

DPP: Where was this car roof?

A: On the road.

DPP: Can you say what colour it was?

A: I suppose white.

DPP: After you fell what happened next?

A: One of the men hit me.

DPP: Yes.

A: Then I got up and said to people in the crowd to let me through because I thought it was a friend of mine.

DPP: Did they let you through?

A: Yes. And I went around to the left-hand side of the car, near the front.

DPP: The car was facing what direction?

A: North, facing Hadfield Street.

DPP: Did this car have a roof?

A: I don't know.

DPP: Did you notice the colour of the car?

A: I had noticed before that it was a white car.

DPP: Did you recognise the car as belonging to anyone you knew?

A: I recognised it as belonging to Donald Rodney.

DPP: You recognised it by what means?

A: At that time I would have known the car number.

DPP: Do you now remember the number?

A: No.

DPP: You said you went to the front.

A: I went to the left side, near the front.

DPP: What did you do?

A: I looked in.

DPP: Did you see anything?

A: Yes.

DPP: What?

A: I saw what looked like a torso, all the way from the head to the waist, which looked soft and boneless.

DPP: In exactly what position was this torso? On its belly? In which part of the car?

A: In the front of the car, between the space by the dashboard going backwards. [Clarification on coroner's re-reading: between the dashboard and where the seat should be.]

DPP: How did you manage to see into the car? Was there—

A: I don't remember. I think there was no overhead light, but when I went to the front of the car, there were lights being held.

DPP: Did you see the front seat of the car?

A: I don't remember.

DPP: The part of the body you saw, was it anyone you knew?

A: I bent down and when I bent down I could see the side of the face.

DPP: Who was it?

A: Walter Rodney.

DPP: Did you see Karen de Souza on the scene?

A: No. I didn't.

DPP: What did you do next?

A: I left, I think running.

DPP: Where did you go?

A: I went home.

DPP: Was Donald Rodney still there?

A: Yes.

DPP: When you reached back home, was Karen de Souza at home?

A: No.

DPP: Did you speak to Donald Rodney?

A: Yes.

DPP: What did you say to him?

A: I said, "Donald, who was in the car with you?" And he said, "Walter." I said, "Anybody else?" He said, "No." I said, "Well then he's dead, Donald. Walter is dead." Donald kept on asking, "Dead? Dead?" several times.

DPP: Did you have any other conversation with him?

A: No.



PP: What did you do next?

: I don't know.

PP: Can you remember whether Donald left the house that night?

: I was told so.

PP: No further questions.

#### Day Four, Afternoon Session

##### *Cross-Examination of Andaiye by Moses Bhagwan*

B: What is your present position in the WPA?

: Women's secretary.

B: From when did you become associated with the WPA?

: From January 1978 as a member.

B: From since you have become a member of the WPA up to now, you have been functioning in that organisation in several capacities?

: Yes.

B: Would you say that you would be one of the members of the leadership of the WPA over the years?

: Yes, I am.

B: Coming to the night of the 13th of June, you made the remark that you told Donald Rodney that Walter had died and his response was "Dead? Dead?" several times in the form of a question; you were in a position to observe the condition of Donald very carefully that night?

: Yes.

B: Would you say that he was very communicative?

: No. Not at all.

B: How would you describe his condition?

: When I came back he was in the identical position where I left him. Standing . . . in a state of shock.

B: Where?

: Near the top of the steps.

B: Did he appear to be in pain? Did you say he was bleeding?

: Yes, he was.

B: You said he was in a state of shock. How did you know this?

: Two things: how he was standing. Just staring. The other thing was his continuing over and over again saying, "Dead."

B: How many times he repeated it?

: Six, eight, ten times. Until I stopped. . . .

MB: Did he receive medical attention?

A: I was told so.

MB: When did you see him again after that evening?

A: I think on the day of the church funeral.

MB: You say the church funeral. You mean a special service apart from the funeral?

A: There were two funerals. When the first funeral was set, when the day came, his body was not released. So there was one funeral at which his body was not present.

MB: In whose custody was the body?

A: The state, as far as I know.

MB: How many days after?

A: The church service was about a week after he was killed. The actual funeral was about ten days after he was killed.

MB: Now you said you saw him at the church funeral. In what condition was Donald Rodney?

A: I said I saw him on that day.

MB: Had he recovered or had he still injuries?

A: He wasn't fully recovered but he was better than he had been that night.

MB: What about physical effects?

A: He had scars.

MB: Would it be true to say that the WPA along with its co-leader Dr. Walter Rodney had set out to remove the PNC?

A: WPA had said publicly, "The PNC Must Go."

MB: As one of the leaders, you participated in this campaign?

A: Yes.

MB: You have participated in a number of activities which involved the use of this slogan "The PNC must go"?

A: Yes.

MB: Was it a persistent campaign?

A: It was persistent from 1979 through 1980 and beyond.

MB: Was the campaign concentrated in any part of the country?

A: It was all over, but more in Demerara and Berbice than in Essequibo.

MB: What about Georgetown?

A: We had a lot of activities in Georgetown.

MB: Would you say that the response of the PNC government was the unfolding of a pattern of violence against the leadership of the WPA?

A: Yes.

MB: What was the source of this violence?

: On some occasions the House of Israel, on occasions the Death Squad [*plainclothes men from CID Eve Leary*].

IB: Did any of this violence reach the point of killing supporters, activists, members of WPA?

: Yes.

IB: How many killings do you know of?

: I know of two before Walter Rodney.

IB: Who are these?

: Ohene Koama in November 1979; Edward Dublin in February 1980.

McKAY: What is the relevance?

MB: I am seeking to show there have been acts of killing against WPA.

RM: She was there?

PRATT: You are incriminating the witness . . . talking of killing. . . .

MB: If witness is prepared to give evidence . . . I used the word "killing" a neutral word.

RM: Was she there?

MB: He is objecting on basis of hearsay? Is that your objection?

P: Gave you a lot of latitude this morning. But you are talking of violence and inviting others. . . . You know what is happening, a whole set of newspaper articles and we are trying to keep that out . . . hearsay. As I said this morning, in an inquest you don't stick rigidly to the rules, but you don't bring in a lot of hearsay, a whole set of hearsay.

MB: This is a process of investigation. When a crime is committed, the police investigate. If there is sufficient evidence, they institute charges. Your function is to relax rigidities to allow you to follow, to discover how Walter Rodney was killed, was the act of killing an act of murder, is someone criminally involved. You have to look at every fact to determine whether charges are to be instituted at all. So if counsel's defence is pointing to conspiracy, then every bit of evidence must be allowed to enter into the proceeding. The evidence of witness is evidence towards establishing a pattern of confrontation of political forces which involve murder and assassination. The police would look at the antecedents of a person under suspicion and antecedents of [ ] to find motive, association, activities. . . . You are not here as trial judge. Once evidence fits into pattern of case it must be allowed. Your function is not to make judgments at this point. If we say that evidence of Andaiye is going to assist, the court must allow that to go through. What is the point of shutting it

out? The jurors must have every fact at their disposal. We are not in a hurry. The court is not in a hurry.

Gregory Smith is a known GDF soldier. His name has been called.

P: Who called his name?

MB: We have to wait here until Gregory Smith's name is called? It is our instruction that Gregory Smith is involved. May I ask if Gregory Smith has been summoned? You just said his name has not been called.

P: Kindly refrain from forming your opinions because I won't allow it.

MB: What is the ruling?

P: With these killings and so. Rule out all of this.

MB: Does that mean that counsel will not be able to put its position that Walter Rodney was assassinated?

P: I'll give you a period to address and you can say it then if you want.

MB: What is the ruling of court?

P: Counsel should desist from leading hearsay evidence and forming opinions based on hearsay. You are also implicating witness by getting her to say she knows about murders and killings. . . .

MB: For the record, I never asked witness about murder.

P: About assassination.

MB: Assassination is our whole case. No further questions.

REX McKAY: How many leaders were there in WPA in June 1980?

ANDAIYE: I think we describe all seven members of our political committee as the collective leadership.

RM: That included Dr. Rodney?

A: Yes.

RM: Was there joint leadership at the time: Dr. Roopnaraine and Dr. Rodney?

A: Not formally.

RM: What do you mean by "not formally"? Was there an informal recognition?

A: What I meant was that inside the party we never elected co-leaders of two people, but I am aware that people in the society used to speak of co-leaders meaning Dr. Rodney and Dr. Roopnaraine.

RM: The other six members, are they alive?

A: Yes.

RM: That includes yourself, Dr. Rupert Roopnaraine and four or five others?

A: Yes.

RM: They were in existence in the party in June, what is it, I've been saying 1981, but they tell me it is 1980, in 1980.

A: I think so.

RM: So only one member among the leadership is no longer with the party.  
RM: Your party is just as positive in its views as it was in 1980?  
A: I don't understand the question.

RM: In 1980, you don't hold a different political view?

A: If I understand the question, yes. Do we have the same criticisms and analysis of the government of Guyana? Yes.

RM: On June 13, 1980, you heard Donald Rodney's voice calling upstairs?  
A: Yes.

RM: When he came into the house he spoke to you?

A: Yes.

RM: He was bleeding?

A: Yes.

RM: Where from?

A: I remember his arm.

RM: He could have spoken and did speak?

A: Yes.

RM: He said, "There's been a terrible accident." Did you think it was a motor vehicle accident?

A: Yes.

RM: You asked no questions?

A: One of us asked where.

RM: He was communicative then?

A: Those two times.

RM: He also said, "Walter is hurt, go for him?" He was well within his senses? He was probably in shock, but quite collected?

A: Mr. McKay, I wouldn't use the words "quite collected."

RM: But what he told you was true?

A: Yes.

RM: When you came back from Hadfield Street, how long do you recall seeing him for?

A: A minute or two.

RM: At that time did you ask him how the accident occurred?

A: No.

RM: Did you care to know?

A: Not in that way. I knew something.

RM: What?

A: I had fallen and realised that I had fallen on top of a car roof and began to put things together.

RM: But Donald could have told you. He was asking rhetorical questions: "Dead? Dead?"

A: He was communicating as if he were in shock and I was in shock.

RM: He was expressing some surprise?

A: What I heard was shock.

RM: What caused you to think he was in shock? The repetition of the word?

A: Yes. And the manner of it.

RM: Was he gesticulating?

A: No.

RM: Donald Rodney—have you ever seen him at the house before?

A: Yes.

RM: Before June 13?

A: Yes.

RM: Regularly?

A: No.

RM: Was he a member of the WPA?

A: No.

RM: Was he a supporter?

A: Not that I know of.

RM: Ever saw him at the party centre, Queen and Holmes Street?

A: No. I don't remember ever seeing him there.

RM: So up to the time . . . After that night, what did you do?

A: I left first.

RM: You left before Donald Rodney, after you returned from John Street?

A: Yes.

RM: Up to the time you left, you did not know what happened? How Dr. Rodney died?

A: No.

RM: You agree that the only person who could tell you would have been Donald Rodney?

A: Yes. That I know of.

RM: Did you speak with Donald Rodney after that night?

A: Yes.

RM: When?

A: About a week later.

RM: You were searching for him to find out what really happened? You realised it was his car, you were searching for him?



: No.

M: Was it because you formed your own impression about what happened, about what must have happened?

: Originally, I had an opinion and eventually, because Donald Rodney had made a statement before I saw him again.

M: When you saw him a week after, was he in hospital?

: I don't think so.

M: Do you recall where you saw him?

: No.

: Mr. McKay, the Sergeant is here.

M: I don't need him. I looked at his [ ]. He gave me a lot of wrong answers yesterday. I didn't walk with my book to give him the right answers.

OODNAUTH SINGH: [With respect to the book—a diary—with the notes of the electronic check] [to Coroner] Could you mark the pages? We'll tender the photocopy.

GT. ROACH: I don't want to leave the book. It has other notes.

S: Photocopies are alright.

RATT: Put it in as an exhibit?

S: Perhaps you can put in your certificates as well.

R: Certificates tendered:

City & Guilds of London Institute—Certificate in Elementary Telecommunications Practice; Part I Certificate for radios, television; Canadian Marconi Certificate of Engineering Science.

S: In your workbook you have stated here: "In the statement, I did not mention other electronic parts that were checked such as resistors and capacitors, assortment of tools." Would you agree that you did not mention your findings on resistors and capacitors?

R: No, I did not mention them.

S: Resistors and capacitors can be used for the construction of a walkie-talkie set?

R: Yes.

S: Do you know that radio signals can be used for triggering explosive devices?

R: I do not know that.

S: Thank you.

RATT: The next witness we were hoping to take this afternoon was Laurence Rodney.

DS: I think we are arranging for Donald Rodney to come. I don't know if subpoenas are to be served.

McKay: You could give the magistrate Donald Rodney's address.

DS: I could give you Gregory Smith's address!

[Court breaks into applause and cheers at that. Orderly calls for silence.]

Note: During the day Pamela Beharry, who made the positive identification of Gregory Smith as military electronics expert was in court; has not been summoned to give evidence.

February 5, 1988, Day Five, Morning Session.

Fifth Witness, Fr. Malcolm Rodrigues, Led by Ms. Gonsalves-Sabola, DPP

DPP: Mr. Rodrigues, where do you live?

MR: I live at 29 Brickdam Stabroek.

DPP: Do you know the deceased, Dr. Walter Rodney?

MR: Yes. I was a personal friend of Dr. Walter Rodney.

DPP: How long before June 1980 did you know Walter Rodney?

MR: I returned to Guyana in 1974 and very soon after I met Walter Rodney at the University of Guyana, so I would say from 1974.

DPP: Did you know where he lived?

MR: Yes. He lived at Aubrey Barker Street, South Ruimveldt. The exact lot I can't remember.

DPP: Do you remember the morning of Saturday, June 14, 1980?

MR: In the early morning of Saturday, June 14, around 6 o'clock I was listening to the radio station and during the newscast I heard that the police were still trying to identify a body whose face was blown beyond recognition as a result of an explosion.

STANLEY MOORE: Next thing we will have newspapers being tendered.

SOMEONE: He was at the post mortem.

SM: I think he should say he heard something on the radio. It would certainly save time all round.

MR: [Continuing] As a result I had a chat with Mrs. Rodney and suggested that perhaps I should go and identify the body. I subsequently went to the hospital mortuary.

DPP: Did you identify the body?

MR: In the dim light of the mortuary, expecting to see a body beyond recognition, to my surprise I recognised Walter Rodney immediately. I was able to recognise Walter's face which were [sic] perfectly intact. I identified the body to Dr. Mootoo.

A: You don't have to bribe this witness.

PP: Did Dr. Mootoo perform the post mortem in your presence?

R: No, I left having identified the body.

INSTON MOORE: When the identification took place?

R: Between 10 and 10:30 A.M.

M: Do I understand you to say as soon as you heard . . . ?

R: No. I was at Mrs. Rodney's house.

M: What led you there?

R: On June 13 I was asked to break the news to Mrs. Rodney and collect the children and take them home. I collected Mrs. Rodney who was attending a function at St. Roses and took her and the children home and stayed there.

M: And you ministered to her? You have one discipline and we have another.

IR: I didn't hear the question.

M: And you ministered to her?

IR: I don't understand what he means by minister. . . . If he means assisting in a time of human need—

M: The priest is saying that he does not understand a phrase which appears several times in the volume of his law. If he doesn't understand the question, I won't repeat it.

WM: What mortuary?

MR: The Georgetown Hospital mortuary.

*Sixth Witness, Laurence Edward Rodney (Swears by Koran)*

DPP: Mr. Rodney, where do you live?

LR: I reside at 566 West Ruimveldt.

DPP: Where do you work?

LR: I work with the Guyana Soviet Friendship Society, a voluntary organisation.

DPP: In June 1980 where did you live?

LR: In June 1980 I resided at Triumph/BV, but my home always remained 566 West Ruimveldt.

DPP: Were you employed then?

LR: At that time I was employed by the Ministry of Agriculture, Mon Repos Central Agricultural Station.

DPP: In what capacity?

LR: I was employed there, to be exact, in two capacities. At the time I was employed as a laboratory assistant.

DPP: What qualifications?

LR: I worked as a laboratory assistant after serving a probationary period of three to six months, my qualifications were my educational qualifications. The job entailed testing for [ ] and other plant diseases. There is no other qualification for this.

DPP: Have you ever had any military training?

LR: Military training in this sense you are asking? Yes.

DPP: Where?

LR: Abroad. In England and the Middle East.

DPP: And what organisation were you attached to?

LR: The Royal Air Force, being the United Kingdom Defence Army, RAF. The whole nomenclature is the Royal Air Force—three words.

PRATT: You mentioned the United States?

LR: No. Not the US, the UK, the United Kingdom.

DPP: What kind of training?

LR: The training is divided into categories: you have the basic training. Then you have what is called your "trade." After that you have to pass your trade tests. Then you are sent to a station. Normally the UK.

PRATT: Where were you stationed?

LR: I was stationed at Chadwick [?] which is in Yorkshire.

WM: I hope my friend will show the relevance of all this.

LR: They train you for the security of airfields, driving, firefighting, marshalling of aircraft, making sure hangar is protected. My job was to protect the airfield from air and ground involving radar in and out of the hangar.

DPP: Did you know the deceased, Dr. Walter Rodney?

LR: Very well.

DPP: Was he related to you?

LR: He was my brother.

DPP: In June 1980 can you say where Walter Rodney lived?

LR: As far as I was aware, in June 1980 Walter resided in South Ruimveldt, one building away from the Complex on Aubrey Barker Street.

DPP: Did you ever visit him there?

LR: Several times, yes.

DPP: Can you remember when last?

LR: Yes. I think this is relevant because I saw in the newspapers—

LR: [continuing] and I don't mind telling you I saw Walter on Tuesday, 10th June, Tuesday afternoon.

DPP: Where did you see him?

LR: I saw him at his home.



PP: Is Donald Rodney also your brother?

R: Yes. Donald is the last of my brothers.

PP: Can you say where he lived?

R: Donald resided as far as I know at 566 West Ruimveldt.

PP: When last did you see him before the 13th?

R: Donald came in for his midday meal, I think the day before the Friday, which would have been Thursday. I saw him Thursday, 12th June 1980.

PP: Did he appear well?

R: Yes. Donald was an athletic type and he seemed okay to me.

PP: When next after the 12th did you see him?

R: After the 12th I saw Donald next at the Medical Arts Centre Hospital on Tuesday, June 16th.

PP: How did he look?

R: Well, looked shocked. He sat on the bed because I told him not to get up. His face and arms were covered with what seemed to me to be phosphorus, nitroglycerine burns. I tried not to upset him.

PP: You asked him how he came by those burns?

R: I had seen the evening before when I was released from the Brickdam lock ups, the statement—

VINSTON MOORE: *[Intervenes]*

DPP: Did you ask him how he came by those burns?

R: No. I showed him a photograph of someone in a photograph in a religious newspaper and I asked him, "Donald, is this the individual who planted this device on you?" He said, "Yes."

WM: Highly relevant!

DPP: Please answer only what I ask you. Did you ask him how he came by his burns?

LR: No. I didn't ask him.

DPP: Do you remember June 14, 1980, about 7:30 A.M.?

LR: Yes. I remember that morning.

DPP: Where were you?

LR: At 7:30, if my memory serves, I was at the precincts of Brickdam police station in company with Superintendent Kendall and another plainclothes officer and given certain information and a request made of me that I

accompany them to the Lyken or Newburg Funeral Parlour. That was half-past seven.

DPP: You went to Lyken?

LR: We got into the car of Superintendent Kendall and proceeded to Lyken. Yes.

DPP: Did they show you a body?

LR: When we reached there we stopped at the office first. Yes. Then I was shown a body of a man lying on a slab and asked to identify it.

DPP: Did you identify the body?

LR: When I looked at the body I was not certain who it was. I had been led to believe that the police were looking for Donald. I had no idea Walter was involved. I told the police I wasn't certain whether it was Donald or Walter.

DPP: Can you say whether Donald had a car?

LR: Yes. Donald had a car.

DPP: You know the number?

LR: I can't recall the number. I know it was a Japanese make, Mazda, but I can't recall the number.

DPP: Can you recall the colour?

LR: It was a white Mazda.

DPP: Before June 13, 1980, when did you last see that car?

LR: Sometime after Monday which would have been the 9th. The beginning of that week. Donald drove home for lunch.

DPP: Did you see the car again after the 13th?

LR: No. I never saw the car physically. I saw photographs.

*Cross-Examination of Laurence Edward Rodney by Winston Moore.*

WM: You were a member of the armed forces of the UK?

LR: Yes.

WM: Her Majesty's armed forces. You were trained in the use of arms? Rifles?

LR: All small arms.

WM: I will list them. Grenades?

LR: Yes.

WM: SLR rifle?

LR: Yes. And the Lee Enfield.

WM: Submachine guns?

LR: Yes.

A: General purpose machine guns?  
 : At the time the NATO general purpose machine gun had not been—  
 A: Light anti-aircraft? To shoot down an aircraft?  
 : Yes.  
 M: Were you trained in the use of anti-tank weapons?  
 : There was a basic course in Minerva—yes.  
 M: Anti-tank weapons?  
 : Yes.  
 M: Mines?  
 : No. No training in mines.  
 M: How long were you in the UK armed forces?  
 : For a period of five years.  
 M: And you were regularly discharged from them?  
 R: Yes.  
 M: Now, you remember the night of 13th, 14th June 1980?  
 R: Yes.  
 M: Where were you?  
 R: Well, in answer to your question I will have to—  
 M: Let's narrow it down.  
 R: On June 14 I was in Brickdam Lock ups.  
 M: How did you get there?  
 R: On June 13 I arrived home, sat down reading. I heard voices outside:  
 [N.B. Bomb exploded at 7:45 P.M.]  
 M: When?  
 R: About 8, 8:05, 8:07, one wasn't quite sure but we know it was about 8.  
 The house and yard was full of an armed posse of policemen.  
 M: About how many policemen?  
 R: There were about four in the house and another five outside.  
 M: About nine policemen?  
 R: Yes.  
 M: Did they do anything?  
 R: The officer-in-charge apparently, I did not know them—they were in plainclothes, stated that they were searching for arms and ammunition.  
 My mother asked about a warrant. I—  
 M: They searched?  
 R: They went through a cursory examination of some papers I had. Then a Sergeant, I assume he was a Sergeant, he was in plainclothes, approached me, and asked if I was Edward. I told him yes. He then said to me, "You have to come with us to the station." His exact words. No more, no less.

WM: You were taken away?  
 LR: Yes. To Brickdam police precincts that night, Friday, 8:30 to Monday, 1400 hours, 2 P.M. and released then.  
 WM: Was the house searched before?  
 LR: In 1979.  
 WM: A shakedown search?  
 LR: If I interpret your words correctly, it was more thorough. They went through more places, more rooms, and it lasted a longer period of time.  
 WM: You said you saw Donald at Medical Arts Centre on Tuesday, June 16.  
 LR: Yes.  
 WM: You showed him something?  
 LR: I showed him, it may have been a special issue of the *Catholic Standard*.  
 WM: With a photograph of a GDF sergeant, one Gregory Smith?  
 LR: Yes.  
 WM: That will be all.  
 REX McKAY: Mr. Rodney, I was very impressed with your recognition of nitroglycerine burns. How were you able to do so?  
 LR: Because in the airforce you see people burnt in an aircraft and when people are so burnt there are usually the same type of lesions on the skin.  
 RM: Nitroglycerine is a type of explosive?  
 LR: It is used [ ] or by any type of high-explosive shrapnel.  
 RM: In aircraft accidents there is no nitroglycerine about.  
 LR: I would dispute that. High explosives are carried aboard military aircraft.  
 RM: We'll come to that. You agree that you said you recognised those burns as similar to that caused by aircraft accidents?  
 LR: Yes. Okay.  
 RM: Are you speaking of normal domestic carriers or an aircraft?  
 LR: I am speaking of Hunter—  
 RM: Listen to me. An ordinary aircraft or one which carries explosives?  
 LR: The latter.  
 RM: And you have training in explosives and grenades?  
 LR: Hand grenades.  
 RM: It is a form of explosives.  
 LR: It is.  
 RM: You would say that Walter and Donald were closer than you were [close] with Walter?  
 LR: An honest answer would be that Donald and Walter spent more time together.

RM: I expect all your answers to be honest answers.

LR: I try to make them so.

February 5, 1988, Day Five

*Corrections/Clarifications Submitted by Sixth Witness,  
Laurence Edward Rodney*

1. On what consisted of witness's job tasks. Text should read, "the job entailed testing for *nematodes* (and other plant diseases)."

On military training. Text should read *R: The Royal Airforce, this being the United Kingdom Air Defence Arm. Further, I was stationed at Caterick . . .*

On military training, continued. *My job was to protect the airfield from air and ground, including (use of) radar in and out of the hangar where the aircraft are parked.*

On whereabouts and the last time in which witness saw Walter Rodney.  
DDP: Can you remember when last?

LR: *Yes. I think this is relevant because I saw in the paper(s) [typed copy of statement made on Saturday, June 14, 1988, Brickdam, C.I.D. Georgetown, Guyana] shown me [prior to testimony] by the Police [Corporal attached to the Inquest hearing] just a while ago . . .*

2. On witness's visit to the Medical Arts Hospital.

DPP: Did you ask him how he came by those burns?

LR: No. I showed him a photograph of someone in a religious newspaper and I asked him, "Donald, is this the individual who planted this device on you?"

3. On what transpired witness's whereabouts on June 14, 1980.

DPP: Do you remember June 14, 1980, about 7:30 A.M.? [the morning of Saturday, June 14, 1980]

4. On Cross-Examination by Winston Moore—"Weapons Training Query."

LR: *At the time the NATO general purpose machine gun had not been issued [to RAF units overseas]. Light anti-aircraft . . .*

Further, LR: *There was a basic course in the [use of] Energa.*

5. On Cross-Examination by Rex McKay.

RM: Are you speaking of normal domestic carriers . . .

LR: I am speaking [referring to . . .] of *Hunters, Javelins, Hawkets*.

On date of occasion on which witness last saw Walter Rodney.

LR: *I would not have said that—the 12th, because I am absolutely sure I said Tuesday.*

On political sympathies of witness.

RM: You have certain political sympathies? LR: *Yes, I have.*

RM: With the WPA? R: *You mean the Working People's Alliance?*

February 8, 1988, Day Six

ORDERLY: Donald Rodney, Donald Rodney, Donald Rodney

DOODNAUTH SINGH: May it please you, Sir. I have heard your orderly call the name of Donald Rodney. I had entered an appearance for Donald Rodney. He has not been served with a subpoena for the reason that he is at present residing in the UK. A subpoena was not left at his mother's place, his last address. I do not know where it was left. I can give you the address of Donald Rodney in the UK. We were not aware. . . . In the case of Edward Rodney the subpoena was left at his mother's address.

CORONER PRATT: My information was different. It was left at the last place of abode, same place as the other.

DS: Where?

P: 566 West Ruimveldt. The correct service is at the last place of abode.

DS: I did not have that information. Had I known that I would have told the court.

P: I even asked if the [ ] It would appear [ ] It was served. It was served.

DS: I did not know. Had I known that it was left there—I will give his address in the UK to the orderly.

P: That will take a long process. How are you going to get him here?

DS: The position is this. Either the witnesses are witnesses of the court, or we can suggest names to the court. It is clear that Donald Rodney is a vital witness. Should we bring him or will the court bring him? Despite his appeal, the conviction and sentence which hangs over his head, my instructions are that he is willing to come.

P: We have made efforts already.

DS: With the greatest respect. It is only when it is not known where the witness is that the correct service is at the last place of abode. I have said that I know. Everybody knows Donald Rodney left the country. The police know. He left by way of the airport.



The Forensic Pathologist, Dr. Johnson; the expert Dr. Scoon, I expect that in the course of the inquest that they will be brought. The expense of bringing Donald Rodney should not outweigh the overall interests of justice.

We must proceed with the witnesses we have.

We won't proceed with the witnesses we have. It would be a repetition.

S: The name McRae was called.

The witnesses we have sent radio messages for are all living around John Street; they are just like Mr. Johnson. They wouldn't assist in the enquiry.

Mr. McKay! We have served a summons at the last-named abode of Donald Rodney. His name was called three times. No one appeared. The senior stated that he knows [his] address in the UK.

LEX MCKAY: Your Worship has no jurisdiction outside Guyana. It is an exercise in futility to post summons. . . . There is the enforceability of the serving process. Court has certain coercive powers over witness to command if witness does not attend, if witness is in its jurisdiction. Court should not pretend it has powers of jurisdiction over witnesses in Cayenne or in England.

P: Other witness we hope to call is McRae.

RM: He is no longer a member of the police force. Your Honour has certain coercive powers to make him attend, if he has been properly served.

P: [ ]

RM: Your Honour. That is not good enough. [Kwiyana from well of court: Hear! Hear!]

RM: If he was a member of the force, then some attempt could be made to get him without a summons. I was under the impression a summons had been served.

DS: Don't wish to engage in dispute over jurisdiction. That is not the issue. The issue is whether an attempt should be made to get him here. He is a willing witness.

P: An attempt has already been made.

DS: A summons was not left there. We'll put this person in the box who served the summons.

P: And we hope to get Dr. Mootoo.

RM: Dr. Mootoo is a very busy practitioner. He is no longer government bacteriologist/pathologist. We should get some assurance that he will come. Should we not serve a summons to ensure his attendance?

P: I expect Mr. McRae to be here. . . .

RM: That's all you want him for?

P: He also uplifted statement. Make it Wednesday. Position is that we will try to get both Dr. Mootoo and Mr. McRae and we will do it by way of summons.

[Court adjourned until Wednesday, February 10, at 9 A.M.]

February 10, 1988, Day Seven

Ninth Witness, Ignatius McRae

IM: I'm a former police officer residing at Victoria ECD. During the year 1980 I was on active duty stationed at CID headquarters, Eve Leary. I was then assistant superintendent of police. On Saturday, June 1988 [sic], about 10 A.M. I went to the Georgetown Hospital mortuary and there in my presence and Dr. Leslie Mootoo, senior government bacteriologist and pathologist, Fr. Malcolm Rodrigues identified the dead body of Dr. Walter Rodney. In my presence Dr. Mootoo then performed a post mortem examination with dissections on the said body. The body was later handed over to the relatives. About one week later I obtained this post mortem report from Dr. Leslie Mootoo in respect to the post mortem examination performed on the body of Dr. Walter Rodney. The post mortem report was signed by Dr. C. Leslie Mootoo whose handwriting and signature I am familiar with. This is the post mortem report.

CORONER PRATT: Exhibit L1 to L4. Mr. Moore [referring to Winston Moore, recorder], Dr. Mootoo is not here today. As you know, documentary evidence can be admitted as evidence without the signatory being here, but if you want to cross-examine Dr. Mootoo you can indicate.

WINSTON MOORE: We would want him at a later stage.

P: If you want him, he will be available tomorrow.

Mr. McKay?

REX MCKAY: I don't think I will ask any questions.

P: You know, Mr. Moore, under the Evidence Act, it can be admitted.

WM: I know that in a trial it can be admitted, but we will need to cross-examine him.

P: This is a matter of over seven years and he must have to get up his [ ]

Cross-Examination of Ignatius McRae by Winston Moore.

WM: You went to the hospital about 10 A.M.?

IM: Yes.

WM: You knew him before?

A: Yes, sir.

M: You were able to recognise the body? You saw there the body of Walter Rodney?

A: Yes.

M: You know some further examinations were done by two British doctors?

M: Yes. One was a forensic expert and one was a pathologist.

VM: You were present when those other experts carried out their examinations?

M: Yes, sir.

VM: Did you see their reports?

M: Yes.

VM: Did you carry out any other investigations in relation to the circumstances in which Rodney may have met his death?

IM: Yes.

WM: In the course of your investigations did you visit a home in Russell Street?

IM: I did not, sir.

WM: Do you know whether the police in the course of their investigations had visited a home in Russell Street?

IM: Yes, sir.

WM: Do you know the name of the officer who was in charge of that investigation in Russell Street?

IM: ASP Vernon Gentle.

WM: And Mr. Gentle would have been your junior at that time?

IM: No, we were the same rank.

WM: Did the name Gregory Smith feature in the police investigation?

IM: Yes, sir.

WM: From the information you had received were you able to ascertain that there was a human being by the name of Gregory Smith?

IM: Yes.

WM: And that he lived at 40 Russell Street?

IM: Can't remember the correct address, but somewhere in Russell Street.

WM: That he was at sometime a member of the Guyana defence force?

IM: Yes, sir.

WM: So that if a senior officer of the Guyana defence force was to deny that such a person was a member of the GDF, then that—

REX McKAY: Total speculation!

PRATT: He can't answer that.

WM: I am putting to the [ ] establish a fact. . . .

RM: I take my friend up on what he says . . . subject to what Your Honour rules. You don't establish a fact by hearsay evidence. That a person lived in Russell Street—hearsay; that he was in the GDF—hearsay; nothing but hearsay—not enough to establish [ ] [refers to Galsborough? case in Australia].

WM: Mr. McRae, were you directly in charge of the investigation of the circumstances in connection with which Walter Rodney met his death?

IM: Up to a point.

WM: Did you see the army personal file of a person by the name of Gregory Smith?

IM: I saw a book.

WM: An army file?

IM: I saw a book, a diary.

WM: Would you expect a person going into a military organisation would have a personal file?

IM: I can't say. I don't know.

STANLEY MOORE: I would ask the press in reporting this case to indicate which Moore they are talking about. It would almost amount to slander if I were credited with some of the things which were said. . . .

WINSTON MOORE: I would be grateful for that clarification myself. . . .

WM: I am asking you whether . . . I will move on. So you did not see any army record of Gregory Smith other than an entry in a diary?

IM: Yes, sir.

WM: My God!

PRATT: That is all?

WM: No, no. Do you know that photographs purporting to be of Gregory Smith were put up in police stations in this country?

IM: Yes, sir.

WM: Do you know why those photos were put up?

IM: Because he was wanted for questioning.

WM: Would it be true to say that you usually put up photographs of a person wanted by the police where that person is suspected of having committed a criminal offence?

IM: Yes.

WM: Did you interview someone by the name of Gwendoline Jones?



M: No, sir.

WM: Could you bear with us for a minute, sir? [*Consultation among Rodney lawyers*]

WM: Did you see any radios, electronic equipment from the Russell Street house?

M: Yes.

WM: Could you remember the items that you saw?

M: No. I can't.

WM: You can't remember? Try.

M: There was something like a radio, a telephone—

WM: A tape recorder?

M: I can't remember.

WM: But there were several items?

M: Yes.

WM: Seeing that there was a telephone, did you follow up the record as to when this phone was installed?

M: Yes.

WM: Can you remember what name the telephone was in?

M: No.

WM: Or when the telephone was installed?

M: No.

WM: You would have been reading the daily papers, the *Chronicle*, every day? I wonder whether you saw this?

PRATT: You are not permitted to tender that.

WM: I am not tendering it.

P: I am not allowing that.

STANLEY MOORE: We have to stamp out any attempt to—

WM: We can't go any further in view of this.

DOODNAUTH SINGH: I think I had entered appearance for two interests. I will now cross-examine watching the interests of Donald Rodney. Mr. McRae, at the time of this incident, what was the position you held?

IM: ASP [*assistant superintendent of police*]

DS: And you were then stationed where?

IM: At CID headquarters, Eve Leary.

DS: The investigation into the death of Dr. Walter Rodney was done by CID at Eve Leary?

IM: Yes.

DS: The overall responsibility for that investigation at that time was in the hands of Mr. Cecil "Skip" Roberts?

IM: Yes.

DS: And you were a senior member of that investigating team?

IM: Yes.

DS: In the course of the investigation Donald Rodney, who was present at the scene of the explosion, gave a statement to the police?

IM: To me. Yes, sir.

DS: In that statement, Donald Rodney said that Dr. Rodney had been murdered, killed by one Gregory Smith?

IM: I cannot now remember the contents of the statement.

DS: Do you remember that subsequent to your investigation that Donald Rodney was charged with the possession of explosives?

IM: Yes, sir.

DS: And on that charge he was tried in this court?

IM: Yes, sir.

DS: And you gave evidence at that trial?

IM: Yes, sir.

DS: And at that trial you tendered in evidence the statement which Donald Rodney had given to you?

IM: Yes, sir.

DS: And that statement became an exhibit of the court?

IM: Yes.

DS: And remained in the custody of the court thereafter?

IM: I don't—

DS: When you investigate a murder, and a person, witness or suspect gives a statement, you are required by police procedure to investigate the accuracy of the statement?

IM: Yes, sir.

DS: In the statement Donald Rodney gave you he said the device which exploded had been given to him by one Gregory Smith?

IM: Yes, sir.

DS: And that in addition to handing over the device, Gregory Smith gave him certain instructions which he passed on to—

REX McKAY: Donald Rodney has to give the evidence to make it legally admissible . . . this is a deviant practice . . . doesn't make it evidence. . . .

DS: It is evidence as to what information . . . as a result of that information police are required to investigate. I'm not dealing with . . . I'm going to show that he on his own admission is required to investigate.

M: It is a deviant practice of trying to elicit hearsay evidence and go on to say "I am not trying to" . . . but the fact that it was said . . . admissible not as the truth but that it was said. [Referring to Privy Council *Supermaniam*?] The Privy Council said that you can't admit that kind of evidence unless the fact that it was made was relevant. I know this is an inquiry and a certain latitude, but there is a jury and it is not fair. . . . If Your Worship will allow me one minute, the same minute they had—[checks authority—meanwhile DS continues CX].

S: I am pursuing this line of cross-examination. Whether it is relevant, he could not be serious about that (PRATT: He is), . . . then you could not be serious. If not we stop this enquiry right now. You could not be serious that whether a man planted a device which killed someone is relevant?

Mr. McRae, as a result of instructions, he gave this device to the deceased?

M: I can't remember.

DS: Now, on the basis of what Donald Rodney had said, it was necessary to investigate the whereabouts of Gregory Smith?

IM: Yes.

DS: Firstly, to determine (a) whether the man existed?

IM: Yes.

DS: Secondly, whether he resided at the address which Rodney had given you?

IM: Yes.

DS: Thirdly, to determine what employment he was involved in?

IM: Yes.

DS: Having established his existence on the basis of Rodney's statement, it would have been necessary to take him into police custody?

IM: Yes.

DS: And to put to him the allegations which Donald Rodney had made in his statement?

IM: Yes.

DS: Until such time as that person was taken into police custody he ought to have been prohibited from leaving Guyana?

IM: Yes.

DS: Mr. McKay said "black list." You would have had to put him on a black list?

IM: Yes.

REX McKAY: I have the authority. DeYong and Tan, Malaysia, *Commonwealth Law Reports* 1986 LRC p. 3 89 [cites case] . . . supermaniam.

DS: I didn't say anything about supermaniam. You did.

RM: Well, if he is not relying on supermaniam, he is in a worse position. The kernel is that unless what was said is relevant, it cannot be brought. . . . The informer—

DS: With the greatest respect, I submit that that case has no relevance. It is utter nonsense. Donald Rodney is not an informer. He was an accused person, a witness.

RM: . . . and the evidence is not admissible.

PRATT: . . . We do not stick to the strict rules of evidence. There is an amount of latitude given by the Coroner to bring out what really caused [ ]. For that reason I permit him his cross-examination. Whenever I have to sum up I will exclude all irrelevance.

DS: I'm grateful.

Mr. McRae, we are dealing with these several matters. Obviously police would have carried out an investigation to determine whether the man Gregory Smith existed.

IM: Yes.

PRATT: You know this is your own personal knowledge?

IM: Yes. My investigation.

DS: You wanted to find Gregory Smith and you had people coming forward and giving information to the police about the existence of this man?

IM: Yes.

DS: Now, one of those persons was a person by the name of Pamela Beharry?

IM: Yes.

PRATT: She gave information to you?

IM: Yes. I spoke to her.

DS: On the basis of what she had said and others, it was necessary to investigate the Guyana defence force? In view of what Beharry and other people had said, it was necessary to investigate the force to discover whether he was a member?

IM: Investigate the fact, not the force.

PRATT: You investigated that?

IM: Yes.

PRATT: Ask him about what he was supposed to do. You can't ask him about Mr. Skip Roberts, Mr. Gentle. He won't know. . . .

DS: I ask whether it would have been necessary to investigate whether this man was a member of the GDF.

IM: Yes.

DS: In addition to whether he was a member, it was necessary to find out when he became a member.

I: I didn't. It wasn't necessary.

J: [?]

I: Don't think so.

J: Was it necessary to determine whether he was a member on the night of June 13, 1980?

I: Yes.

J: Were you able to establish whether this man was at any time a member of the GDF?

A: From what I was told, yes.

S: You were able to establish that he was a member of the GDF?

M: Yes.

RATT: What was the answer to that?

M: From the information I received, yes; he was a member of the GDF.

S: To determine whether he was a member, they could have produced paysheets, pay records . . . ?

M: Yes.

S: So to determine whether Gregory Smith was a member of the GDF, one of the ways was to see the pay record of the GDF? You know they could say he deh pun-leave [*dialect for: he is on vacation*]. . . Did you ever see any pay record whatever?

M: No.

DS: Did the army give over to the police any pay record?

IM: Not to my knowledge.

DS: Mr. McRae, you have some knowledge of the workings of an army. When a man is [ ] they put it in army orders, that he was Struck Off Strength? Did the Joint Services ever show you any record of Struck Off Strength for Gregory Smith?

IM: No, I did not see any.

DS: Not whether you saw any. Did they ever give you any?

IM: No.

DS: You gave evidence that Gregory Smith was a wanted man for the crime of murder. . . They didn't want him for fun! They wanted him for the death of Walter Rodney!

IM: I don't know . . . wouldn't say murder.

DS: What they wanted him for? What would you say?

IM: For the unnatural death of Walter Rodney.

DS: O God! Unnatural death? That is what you want to use? Not murder?

This man's photograph was published all over?

PRATT: You asked him that already.

DS: This man's photograph was published in all the police stations?

IM: Yes.

DS: The reason for that is that the police were anxious to lay their hands-on him?

IM: Yes.

DS: You have the ten most wanted men? He was the most wanted man at the time?

IM: I wouldn't say that.

DS: This man you were looking for, did you at any time have any conversation with Mr. McLean, who was then Chief of Staff, about this man?

IM: No.

DS: And as a conscientious policeman, any little information you got about this man so you could locate him, would have been helpful?

IM: Yes.

DS: Did you know that on June 20, 1980, the Chief of Staff issued a statement in relation to Gregory Smith?

IM: I don't know, sir.

DS: You have established now that this man was a member of the force. Mr. McRae, let me ask you, in your trying to establish the identity of this man, would you say the GDF was helpful?

IM: Yes. Those I spoke to.

DS: Who you spoke to?

IM: I can't remember.

DS: You know part of the procedure for going into the army, you have to give your photograph, fingerprints . . . blood group.

IM: I don't know.

DS: You said these persons you spoke to about the existence of Smith, what did they show you?

IM: I was shown a diary.

DS: Whose diary? Major McPherson's?

IM: Marine Wing, GDF diary.

DS: And that is the help? Did they show you any record of when he joined, when he left, what he was doing, when he went overseas on training, his assignment in the month of June 1980?

IM: No [*to each question*].

DS: Now we move from GDF. . . You had information as to where he resided night of June 13th? . . . The next thing would be to go to those premises and take possession of everything that was at those premises?

IM: Yes.



: The police in fact forcibly entered the address in Russell Street?

: I don't know.

: Did police go to Russell Street?

: Yes.

: Now in addition to information you had about the existence of Smith, you had information that he had a particular telephone? Mr. McRae, we all know that a simple way to know whose phone it is to go to Telecoms and enquire?

I: I don't know. I didn't go.

I: You didn't go, but the police did go?

I: Yes.

I: It was also important to know who was paying the bills for that telephone?

I: Yes.

S: I am instructed that the telephone was listed and paid for by the GDF?

I: Not to my knowledge.

S: Do you have evidence to the contrary to deny that?

I: No.

S: Let us be realistic. Here it is: this man is living in this house up to the night of the 13th and a man says this man gave me a device to kill my brother and next day that man disappeared. Isn't that highly suspicious?

M: Yes.

S: You had information that not only he resided there but also his common-law wife and his children? Were you able to locate the common-law wife and children?

M: No.

S: They disappeared?

M: Yes.

S: Now. It means this. It could be that not only could Gregory Smith be involved in the unnatural death of Walter Rodney, but he could also be involved in the disappearance of his wife and children?

IM: I don't—

DS: You wouldn't accept that as reasonable?

PRATT: You are asking him to answer questions he can't and shouldn't answer.

DS: She became a person you could not find? How many children?

IM: I can't remember.

DS: Would you say about five?

IM: About five.

DS: Now police would go and investigate the house?

IM: Yes.

DS: Police did in fact go to that house?

IM: Yes.

DS: And took away things, a number of items?

IM: Yes.

DS: Well, the police can't just break into a man's house. You're supposed to have a search warrant.

IM: It all depends.

DS: They break in or they had a search warrant?

IM: As far as I know they had a search warrant.

DS: This man wanted for the unnatural death, once a warrant is executed, the officer is expected to back it up with a report.

IM: Yes. Date and time of search; items taken away; who was present.

DS: And that warrant was in custody of police as well as the items taken away?

IM: Yes.

DS: The items which the police took—a large quantity of electronic equipment, photo albums. . . .

IM: I can't remember.

DS: You remember the electronic equipment?

IM: Yes.

DS: Can you recall the officer in charge of the party of policemen?

IM: ASP Gentle and Sergeant Sago.

DS: And all those items? Mr. Gentle is the man who [took] your job? He is still a member of the force and is now a senior superintendent?

IM: Yes.

DS: And all those items which were taken should have been submitted for investigation? Donald Rodney was saying that this man gave us a thing and gave us certain instructions and when we sit down it blow up—that is the gist?

IM: Yes.

DS: Police took any electronic equipment from this man's home?

IM: Yes.

DS: It would have been necessary to investigate that equipment?

IM: Yes.

DS: We are in the day of the spy agent. We all know that a bomb could be planted in one place and some place else you could set it off? As a police and a citizen, you know this could happen?

: No.

: Are you saying you are not aware that explosive devices can be set off from distances?

: No.

: A friend was explaining. You know model planes?

: Yes, remote.

: Yes. That is the word I want. You have seen planes?

: I don't know.

: That is all it means. You have seen a—

: I don't know.

: You had at that time in the police force a ballistics expert?

: Yes.

: What was his name?

: Kendall.

: If police are solving a crime, all have to cork together? Did you know that the ballistics expert said this device could have been set off by electronic means, Kendall?

: I don't know.

: And if he was saying that, you know it would have been vital to determine what kind of equipment this man Gregory Smith had in his house?

: Yes.

: Police went there, took away, the fact that police went to that home and took away all these items meant that the search for Gregory Smith should have been intensified?

: Yes.

: As far as you know, what efforts were made to find Gregory Smith?

: His photograph was circulated and I went to several homes and places.

: Where?

: Betervervagting was one. I didn't go, police went to BV, Kwakwani, around Georgetown.

: Did you know that Gregory Smith's father, Cecil Smith, lived at Kwakwani?

: No. I didn't know.

: Had you known that he was a person to be interrogated?

: No.

: Army didn't give you his father's name? The names of his parents?

: No.

DS: And all of a sudden one day you read that Mr. Gregory Smith was alive, well and in a place called Cayenne?

IM: Yes.

DS: Now. Two things become of importance. One, how did he leave Guyana?

As far as you know did the police ever attempt to investigate how this man left Guyana?

IM: Yes.

DS: How?

IM: Check airport, questioned a few persons.

DS: And you found no immigration record to show he left legally? To be able to leave this country you have to hold a passport?

IM: Yes.

DS: Was any check ever made of Immigration Department to determine whether Gregory Smith was in possession of a passport?

IM: I don't know.

DS: A passport only has a life of five years.

IM: At the time ten years; it is now fifteen years.

DS: It is issued in the first instance for five years?

IM: Yes.

DS: And for you to get it renewed, you have to deal with the officials of government? You can't deal with the boys at Springlands?

IM: I don't know.

DS: You have to know that to renew a Guyana passport you have to go to the high commissioner or consulate of whatever country?

IM: Yes.

DS: It would have been easy. . . . You know Guyana has a consulate or high commission in Suriname?

IM: Yes.

DS: And Suriname borders Cayenne. Remember Gregory Smith is still a wanted man?

IM: Yes.

DS: Now if this man said he went into the high commission and got his passport renewed, you would say it was an irregular thing?

IM: If he had . . .

DS: But of course if you get instructions you have to obey? Now, you know and I know that Guyanese citizens involved or wanted for crimes, investigations, are brought back from neighbouring territories? The Danish man?



M: Yes.

S: They are duty bound to bring him back once they know where you are, once you are a wanted man?

M: Yes, provided extradition—

S: No, the first try the police normally get in touch with their counterparts.

M: Normal practice.

S: Were any steps taken by the Guyana police force to get Gregory Smith brought back to Guyana?

M: I don't know.

S: Guyana belongs to Interpol?

M: Yes.

S: And the facilities of Interpol are available to bring back a man from anywhere? We belong to Interpol so we can assist each other. . . .

M: Yes.

S: As far as you know, has the assistance of Interpol been requested to get this member of the GDF back home?

M: I don't know.

S: Would you agree with me that until Gregory Smith is questioned the circumstances of the death of Walter Rodney can never be answered?

M: I agree.

S: Let us go on. In the case of Donald Rodney you gave evidence and tendered his statement?

M: Yes.

DS: The only evidence implicating Donald Rodney was the statement he gave to the police?

IM: I agree.

DS: In that statement which you tendered, what he was saying was I don't know what the thing was, this man gave it to me and I gave it to my brother?

IM: Yes.

DS: And you know the magistrate convicted him on that?

IM: I know he was convicted.

DS: These are controversial matters but necessary matters; you know that during the 1980s Dr. Rodney belonged to a political organisation, the Working People's Alliance?

IM: Yes.

DS: And you have in Guyana a joint intelligence unit? The military, the police.

IM: I would not answer that.

DS: Security of the state is involved? You know what the law states? The security of the state is not greater than the death of a person. Each of the disciplined services has an intelligence-gathering unit? There is a special branch in the police force?

IM: Yes.

DS: You have policemen who attend political meetings of opposition parties?

IM: Yes.

DS: They go there and take notes?

IM: Yes.

DS: So that if people speak of treasonable action, violence, the state would be aware?

IM: Yes.

DS: And it is right that the state should have that information?

IM: Yes.

DS: And those policemen who gather that information, he is required to hand it in to his superior?

IM: Yes.

DS: And normally those policemen are in plainclothes?

IM: Uniform and plainclothes?

PRATT: What is the relevance?

DS: You would have had a file, special branch would have had a file of what Dr. Rodney was saying.

IM: I can't say.

DS: Police would take down and transcribe. They are required to do that at every meeting, government and opposition.

IM: Yes.

DS: So all these meetings, the special branch ought to have a record of what he was saying.

IM: Yes.

DS: The effect of what Dr. Rodney was saying was that this PNC government was no good and we must get rid of it.

IM: He was preaching that.

DS: And if in fact he was saying at these meetings that a change of government should be by violent means, he should have been arrested and charged?

IM: Not necessarily. He should have been questioned.

You know that the meetings at which Dr. Rodney spoke there were thousands?

I don't know that.

You never attended any meeting?

Yes.

How many persons were there?

About a hundred.

Where?

On the East Coast.

You are not interested in politics, as a citizen?

As a citizen, yes.

Are you saying that as far as you know that Dr. Rodney was calling for the overthrow of the government by violent means?

I don't know that.

You know Dr. Rodney had been charged for arson, burning down the Ministry of National Development, and his case was pending?

I can't remember. I know he was charged for arson.

In addition certain persons were charged for treason and during that enquiry Dr. Rodney was a suspect?

Yes.

Persons were charged for the offence of treason?

Yes.

The information you were pursuing is that Rodney had trained those persons and was [ ]. You were pursuing investigations that he was party to this crime of treason?

Yes.

RATT: You had that information?

Yes.

S: In what way was he supposed to be a party?

EX McKAY: This is an enquiry. Whether he was a party to treason, how is this going to assist us? Vol. 8, p. 494—this is not latitude. This amounts to encouragement—"right to ask any question is subject to duty of Coroner to disallow any question he considers irrelevant."

RATT: I've been doing this.

IM: What I've been hearing . . . party to treason, commander of expedition force. We can be here till Christmas. Mr. Kwayana says seven years. . . . I find the court has been very kind in its latitude . . . indulgence.

PRATT: Restrict your questioning. I think you have had enough from this witness. He gave you everything you wanted.

DS: I am asking for an adjournment. When we return this afternoon, I will see.

PRATT: The point is what you want from the witness you have already got. I think he has carried us far enough.

### *Inquest Resumes at 1:30 P.M.*

DS: Do you know that it is usual police procedure that when a citizen reports that another citizen has used a firearm against him, during the course of the investigation, the police would seize that firearm?

IM: Yes.

DS: There is on record a report of June 1, 1980, by Haripersaud, deputy head master of Rama Krishna School, that Gregory Smith had pulled a firearm on him?

IM: Not aware of this.

PRATT: Is this relevant?

DS: We are dealing with 13th June. We are dealing with the 1st, 12 days before that, a man threatened to kill. . . .

Are you aware that the then-Crime Chief Roberts admitted there was such an incident and that Gregory Smith was taken into police custody?

IM: I don't know of it.

DS: In the issuing of firearms, you would expect a record? When police issue a firearm there would be a record?

IM: Yes.

DS: And you would expect that when members of the GDF issue a firearm there should be a record?

IM: I don't know the procedure of the GDF.

PRATT: Don't answer that. He wouldn't know.

DS: During the pendency of that investigation that person would have to report to the police station?

IM: Yes.

DS: During the course of your investigation, did you try to discover his character, his associations, whereabouts?

IM: I did not.

DS: You told us earlier you went in search of him somewhere on the East Coast.

: I didn't. I knew police did.

**X McKAY:** Mr. Singh asked you about Dr. Rodney being charged with arson in relation to burning down [ ]. Was that in the year 1980?

**I:** No. I don't think so.

**A:** During the time he was charged, was he blacklisted from leaving the country?

**I:** Not to my knowledge.

**M:** You know Dr. Rodney was acquitted of that charge? He was dismissed?

**A:** Yes.

**M:** Mr. Singh asked you about Donald Rodney and his charges and conviction?

**A:** Yes.

**M:** He was charged with being in possession of explosives?

**A:** Yes.

**M:** And being in possession of such explosives on the night of the 13th of June 1980?

**M:** Yes.

**IM:** At John Street?

**M:** Yes.

**RM:** The facts related to the death of Dr. Rodney?

**IM:** Yes, sir.

**RM:** Donald Rodney appealed his conviction and shortly thereafter the magistrate granted him bail and he skipped the country and is now a fugitive from justice?

**IM:** [?]

**RM:** Mr. Singh was asking about the procedure for issuing passports. Do you know whether anyone by the name of Gregory Smith has been issued with a new passport?

**IM:** No, sir.

**RM:** That will be all, sir.

Your Worship, before I take my seat, I happened to be looking at the *Stabroek News* in which it was stated that I showed witness a copy of the statement. It never occurred. It was untrue. I never showed the witness a copy of the statement. And it said that Mr. Kwayana—

**PRATT:** It never occurred. And what Mr. Kwayana—

**JAI NARINE SINGH, Jr.:** I haven't noticed the statement of Mr. McRae read back.

### *Tenth Witness, Vernon Gentle*

**VG:** I am detective senior superintendent stationed at CID headquarters, Eve Leary, Georgetown. During the year 1980 I was an assistant superintendent. On 19th June 1980 about 8:30 A.M. I was at CID headquarters-Eve Leary when I received certain information. As a result I took a party of detectives to Lot 40 Russell Street, Charlestown, where I met a woman by the name of Hazeline Douglas, the aunt of Gwendoline Jones. I identified myself to Hazeline Douglas. I told her that we were there to search the premises under the National Security Act for arms and ammunition. We searched and took away a quantity of electronic equipment which included three radios, four Bantam sets or walkie-talkies and one monitor. I lodged and these things were kept in the storeroom of CID headquarters-Eve Leary. On 27 June 1980 Corporal Roach 0484 who is now a sergeant went to CID-Eve Leary. I detailed him to carry out an examination of all the electrical equipment and to give me his findings in writing.

**DPP:** (Gonsalves-Sabola): Whose home is 40 Russell Street?

**VG:** That is the home of Gwendoline Jones.

### *Cross-Examination by Jai Narine Singh, Jr.*

**JS:** Tell me. When you went to Russell Street, were you not going in search of a person by the name of Gregory Smith?

**VG:** No, sir.

**JS:** Did you have at the time information that Gregory Smith was residing or had resided at 40 Russell Street?

**VG:** The information, no sir.

**JS:** Were your investigation, your search and search party connected in any way with the death of Dr. Walter Rodney?

**VG:** [Long pause] Yes, sir.

**JS:** Can you tell the court in your mind what was the nexus between Gwendoline Jones and 40 Russell Street and the death of Walter Rodney?

**VG:** The information I received. . . .

**JS:** Was Gwendoline Jones at any time taken into custody by you . . . the nexus?

**VG:** I went to Gwendoline Jones's home. I was told that I could go there and find arms and explosives which were connected with Dr. Rodney's death.

**JS:** Up to 19th of June when you went to 40 Russell Street were you or were you not aware that a man called Gregory Smith was alleged to be involved in the death of Dr. Walter Rodney?



G: No. I wasn't aware of that.

I: Are you saying that you did not hear the name?

G: Yes, I did. I heard the name.

I: And you knew at that time also that Gregory Smith was a serving member of the GDF?

G: No, sir.

S: So, Senior Superintendent, you are telling this court that on the 19th when you went to Russell Street and searched the premises you were not at the time looking for Gregory Smith?

G: At that time, no.

S: Did you at any time subsequently discover that Gregory Smith was residing in fact at 40 Russell Street?

G: No, sir.

S: So, Senior Superintendent, are you saying that up to this day your investigations did not show that Gregory Smith resided there?

VG: My investigations did not include looking for Gregory Smith.

S: That was not my question. Did you subsequently discover that Gregory Smith resided at 40 Russell Street?

VG: No, sir.

JS: Senior Superintendent, you took a number of articles from that house?

VG: Yes.

JS: Did you make a list?

VG: Yes.

JS: Would those articles have included a telephone?

VG: [After a long pause] I cannot now recall.

JS: What did you do with the list?

VG: I made an entry into the property book.

JS: That property book is in your possession or the possession of the police?

VG: No.

JS: What has happened to it?

VG: We were looking for it. We can't find it. Apparently it was discarded.

JS: Is it usual for police to discard records of articles taken from the public?

VG: It depends on the circumstances.

JS: You are saying that the circumstances of the death of Dr. Rodney—

VG: No. When it is filled it is discarded. Due to one thing or another it can be destroyed, maybe by rodents.

JS: In the property book held by the police which lists the items and the owner, what name did you enter?

VG: I can't now remember. I may have put in Gwendoline Jones.

JS: Did you list Gregory Smith?

VG: No.

JS: Did you remove any items such as clothing, briefcase, calling cards, photo albums from 40 Russell Street?

VG: I can't recall moving none of those items—clothing, briefcase, calling cards, photo albums, telephone. I can't recall moving none of those.

JS: As a result of items uplifted and lodged did you arrest Gwendoline Jones?

VG: No, sir.

JS: Did you look for Gwendoline Jones?

VG: On that day? Yes.

JS: Were you successful in finding her?

VG: No.

JS: Did you speak to any neighbours?

VG: Personally, I did not.

JS: Did you take Hazeline Douglas into custody?

VG: It is normal procedure. I imagine I did. I can't recall.

JS: Did you make an entry?

VG: In the station diary. I would have to look.

JS: Or has it been discarded?

VG: I haven't been looking for that.

JS: Now, Senior Superintendent, I would like to ask you a procedural matter.

A man appeals a conviction, a summary matter, he is placed on bail.

Would you consider him to be a fugitive from justice?

VG: No, as far as I know.

JS: Would you agree that he could only become a fugitive from justice when his appeal is being heard and he doesn't turn up?

VG: Don't quite agree. To my mind, if a man is on bail, if he puts himself out of the jurisdiction of the court, he has made himself a fugitive from justice.

PRATT: Kindly ask relevant questions.

DOODNAUTH SINGH: As far as you know was the person Gwendoline Jones an electronic technician?

VG: [Long pause] As far as I know, no.

DS: When you went to Russell Street, you went there because you expected who?

VG: I went there to find explosives, ammunition, arms.

DS: But you weren't at all interested in finding anyone?



G: No. When I went to that address I was expecting to see a person.

S: Who?

G: Whosoever.

S: If that was so, you could not have executed a search warrant.

G: No.

S: At the time of this search you were a junior officer to Mr. McRae?

G: No. We had the same rank.

S: You didn't have the same rank. McRae said you executed a search warrant.

G: I executed a search. I did not execute a warrant in the true sense.

S: Why were you interested in discovering whether there were explosives in that premises?

G: Because of information I received on the telephone.

S: This is 19th June?

G: Yes.

S: Was this relevant to the death of Dr. Walter Rodney?

G: I was told so.

RATT: He was asked that before.

S: With the greatest respect, no other lawyer does what I do. He cannot ask the same question I am asking. Nobody does. . . .

S: This information has to be relevant to the death of Dr. Walter Rodney.

VG: So I was told on the phone.

DS: You found no explosives. You found, what you found was electronic equipment. Why did you take it away? Is electronic equipment under the National Security Act?

VG: The informant said that this equipment may have had arms, ammunition [sic].

DS: But you didn't give it to the ballistics expert, you gave it to the electronic expert. Why?

VG: Because I felt it had to do something with electronics.

DS: You did realise that you had taken away walkie-talkie sets? You would not expect walkie-talkie sets to be in the home of a private citizen?

VG: Yes.

DS: Did you attempt to find out who were the person or persons responsible for the walkie talkie in [ ]?

VG: I attempted to.

DS: In what way?

VG: I spoke to Hazeline Douglas who was the occupant in the house.

DS: Prior to going to that premises did you ever hear the name Gregory Smith in connection with the death of Walter Rodney?

VG: [Long pause] I doubt it. I cannot recall.

DS: Didn't you as a citizen read that Dr. Rodney's brother Donald Rodney had issued a statement setting out how his brother had died?

VG: I cannot recall.

DS: You know that the police wanted-men board wanted Gregory Smith as a wanted person?

VG: Yes.

DS: You are still a member of the police force? Acting as deputy crime chief?

VG: Yes.

DS: The position of Gregory Smith is that he is still wanted by the Guyana police force?

VG: [Long pause] Gregory Smith is wanted for questioning in respect of the death of Walter Rodney.

DS: And a diligent police officer would be grateful for any information they could get about the whereabouts of Gregory Smith?

VG: Yes.

DS: Mr. Gentle, don't you know that there has been published conversations between reporters and Mr. Gregory Smith?

VG: I have seen reports.

DS: Have you attempted to interview the reporters who spoke to Gregory Smith?

VG: No, sir.

DS: You agree that the alleged information establishes (a) that Gregory Smith is alive?

McKAY: My friend is being deviant again. It is not fair to a jury to ask them to disregard all these things about newspapers alleging . . . establish by admissible evidence.

DS: You say Gregory Smith is wanted by the Guyana Police Force?

VG: For questioning.

DS: You would be interested in whether he is alive?

VG: Yes.

DS: Where he is?

VG: Yes.

DS: The reporter is saying that he knows.

PRATT: Stop this line of examination. Don't answer that.

IANLEY MOORE: . . . report said something about telephone . . . territorial. . .

S: He was Minister of Home Affairs. Territorial! He doesn't know about Interpol? Talking nonsense!

M: No.

S: He is an expert in international law!

M: I am; I have two years in it at university!

S: You have not brought back persons from Suriname? This happens every week. You know you can seek assistance. Guyana police have not gone to Suriname and brought back people?

G: Yes, with the assistance of the Dutch police.

S: You know you can seek assistance in any territory in which Gregory Smith resides?

G: [Long pause] Depends on the relationship with the particular territory. Well, I don't know what relations we have with the address I saw in the report.

S: We have an embassy in Suriname?

S: From the reports you did not see—

RATT: Don't answer.

S: To determine the true circumstances surrounding the death of Dr. Rodney, don't you agree that Gregory Smith should be questioned? Don't you agree, as a policeman with long experience?

G: I'm not sure that I could answer that question.

S: Is Gregory Smith still wanted? For questioning by the Guyana police force?

G: I'll have to check that out.

S: Is he still wanted today?

G: I'll have to check that out.

S: Is he still wanted up to today?

G: I imagine. I'll have to check.

S: What would you have to check?

VG: With the investigation.

S: When can you do those checks?

VG: I can tell you tomorrow.

S: Did you ever see the report which the electronic expert Mr. Roach submitted?

VG: Yes.

DS: Having seen the report what did you do with the items?

VG: I lodged them in the storeroom.

DS: You mean no one has uplifted them?

VG: I don't know, sir.

DS: If those pieces of equipment were delivered to someone, there would be a record?

VG: I have been looking and have been unable to locate the property book.

DS: No. Have you seen any record of things which the police seized having been returned?

VG: I am not in charge of the storeroom. I cannot find property book. I am unable to say whether they were returned. We are still searching the room.

DS: We don't have the equipment so I will have to ask, this is hearsay. Can you recall the expert saying that among those pieces of equipment you had transistors and capacitors?

VG: Can I refresh my memory from the report? I always have trouble with electronic terms.

DS: How do you know I have the report? I don't have the facility of the statements. Mr. McKay has all the statements.

RM: I don't have statements.

DS: Don't make fun!

[Orderly hands witness diary page exhibit of Sergeant Roach.]

DS: Refresh your mind and you will see transistors and capacitors.

VG: He said he did not mention transistors and capacitors.

DS: That doesn't mean he did not put it in his report. Are you saying there is a difference between that and what he wrote? You see mention there of transistors and capacitors?

VG: Yes.

DS: [Calls for post mortem report] You know that Dr. Mootoo performed the post mortem on the body of the deceased?

VG: So I was told [orderly shows him copy of report]. I know.

DS: Dr. Mootoo took out of the body certain items?

VG: I don't know; I wasn't present. Comrade McRae and Kendall, they were there.

DS: You never saw anything?

VG: I wasn't there.

DS: The normal procedure is when a post mortem is performed and items are extracted they ought to be given to the safekeeping of the police?

VG: Yes.

J: Mr. McRae is no longer a member of the force, so I have to ask you.  
J: Can you tell me whether you have any items in police custody taken out from the body at the post mortem?

J: I don't know.

J: At the time of this incident you had as the ballistics expert, Mr. Kendall, present at the post mortem. Is Mr. Kendall still a member of the police force?

G: No.

S: Where is he?

G: He is now permanently resident in New York.

S: You know Mr. Kendall visited the site of this incident?

G: Yes.

S: Is Mr. Kendall resigned, dismissed?

G: Retired.

S: In addition to Mr. Kendall examining, he was present at the examination of the British explosive expert?

G: So I heard.

S: Any steps have been taken to bring Mr. Kendall back to give evidence at this enquiry?

G: I don't know of any.

TANLEY MOORE: This is largely for the benefit of the jury. What is the extent of your jurisdiction as a constable in the police force? You know everybody is a constable from the Commissioner down.

VG: The whole of Guyana.

SM: Do you have any police powers which you can exercise in any country in the world other than Guyana?

VG: No.

SM: And as far as you are aware, do you know of any extradition treaty between the Republic of France and any of its overseas divisions?

VG: No.

SM: Cayenne is an overseas department?

VG: Yes.

SM: Insofar as you are aware what are the procedures which have to be undergone by the police of Guyana if there is an extradition treaty arrangement? First we have extraditable and non-extraditable offences. It has to be established in the courts.

VG: It has to be an offence which is extraditable. You must prove that you have—that warrants—

SM: You have to establish in the courts of both countries, by evidence that the person whom you seek has committed [ ]. It was suggested that you could just fly across and scramble a man up. . . .

DS: Who suggested that? I never did. I never suggested that you could just go and scramble a man up. Mr. Moore is saying that just because he was a minister and was talking absolute nonsense.

DS: I will ask you leave to ask two questions: he has sought to lead evidence about extradition. . . .

REX McKAY: This is taxing your indulgence. The court seems to have an overweening indulgence.

PRATT: We hope Dr. Mootoo will be here tomorrow. He said he would have to get up the records. [To orderly] Would you contact him and ask him to be here for 9?

### February 11, 1988, Day Eight

*Dr. Leslie Mootoo, Eleventh Witness, led by DPP Ms. Gonsalves-Sabola*

DPP: You are a regular medical practitioner in Guyana?

LM: Yes, I am.

DPP: In June 1980, you were the government bacteriologist/pathologist?

LM: I was.

DPP: Among your qualifications you are the holder of a diploma in forensic medicine?

LM: I am.

DPP: And you have had several years experience in that field?

LM: Yes.

DPP: On 14th June 1980 at 10 A.M., did you conduct a post mortem on the dead body of Dr. Walter Rodney?

LM: Yes, at the Georgetown Hospital morgue.

DPP: And you made a record in accordance with your findings?

LM: I did.

DPP: Is this the record?

DPP: Yes.

DPP: Who identified the body?

LM: A Mrs. Shepherd and Fr. Malcolm Rodrigues. Mrs. Shepherd was the sister-in-law of the deceased. Fr. Malcolm Rodrigues identified himself as his friend. Mrs. Shepherd is now in Canada.

DPP: Who was present during the post mortem?



**M:** Dr. Walter Chin, medical superintendent of Georgetown Hospital at that time; Dr. James LaRose, who was in training to do pathology then changed his mind, he is at Lusaka now, doing Medex; Mr. Carlton Marks, hospital administrator; Assistant Superintendent Kendall, ballistics expert, gone since to Region 11. Seems as though I'm the only body here, Assistant Superintendent Ignatius McRae, CID.

**PP:** Can you tell us your findings?

**M:** The External Affairs. The body was that of a thinly built but healthy African male, measured 5'6½". The body was clothed as follows: 1) One white short-sleeved shirt marked Kent. This shirt was burnt in various parts. 2) One pair brownish-grey trousers with a brown belt. The trousers were burnt in the front, but the seat was intact and the zip was missing. 3) One pair shorts, blue in colour burnt in the front. 4) One pair brown shoes without laces.

The following were seen, Your Worship: 1) There were first degree burns on the left aspect of the forehead around the left eye and the left aspect of the face including the frontal bone. 2) There were first degree burns on the left arm posterior aspect and the left forearm, the medial aspect. 3) First degree burns on the right arm and forearm, medial aspect. 4) First degree burns in anterior chest walls. 5) There were some areas of second degree burns on the right chest and and right nipple area. 6) Lacerated wound on the medial aspect of the right forearm 2 cms below the elbow joint and bits of wood was removed from this area. 7) Compound comminuted fractures of the pelvic bones. 8) Destruction of genitalia. 9) Compound fracture tibia and fibula. 9) [*sic*] Compound fracture of the femora (both thigh bones). 10) Compound fracture tibia and fibula (left leg). 11) Abrasion (right ankle joint). 12) Entire abdominal wall missing with protruding loops of intestines.

External Examination: The general external examination revealed multiple mutilating injuries present involving the front of the abdomen and pelvis, both thighs and left leg. In these areas there were bits of wood, plastic, grass, sand and earth, all removed and given to ASP Kendall.

**LM:** [*Continued*] The muscles of the anterior abdominal wall were missing exposing the pelvic and abdominal contents and prolapsing loops of intestines. The muscles of both thighs were shredded.

I have used the words before "Oliver North."

Internal Examination: The head and neck, the skull, showed no fractures, the brain was normal in appearances.

Thoracic cavity. The oesophagus was normal in appearances. The

trachia and the bronchi were normal in appearances and there were no carbon particles present.

The lungs, there was subpleural haemorrhages present, more pronounced in the lower lobes.

The heart, normal in appearances.

Coronary vessels were patent (open). The arch of the aorta was smooth.

There were fractures of the 6th, 7th, 8th, 9th ribs on the right and left chest on the anterior aspect.

The abdominal cavity—stomach and intestines: The stomach contained undigested food which was composed of rice and bits of meat. There was no injury to the stomach. Intestines: There were perforations of loops of intestines. There was rupture of the mesentery of the small intestines. The parietal surface showed congestion and the presence of haematoma. In this area the abdominal muscular wall was missing and bits of wood, metal, grass, mud, plastic were collected from the surface of the intestines and in depth in the abdominal cavity.

Pancreas: Present and normal.

Liver: There were three lacerations present in the right aspect.

The spleen was ruptured.

The kidneys had massive perirenal haemorrhage (around the kidney). There was no damage to any of the kidney substance.

Urinary bladder was empty.

The peritoneum around upper surface of the bladder was blood-stained.

Genitalia: This was absent.

Lower Limbs: There were compound fractures of both femora, shredding of the muscle. Left leg had a compound fracture.

Cause of death given as haemorrhage and shock, multiple injuries in abdomen and limbs from some explosive device.

**DPP:** From the injuries how far was the deceased from the explosion?

**LM:** He was right on it. Whatever went off was from the deceased's lap. I'm 90 percent sure he had his legs crossed.

**DPP:** How are you sure?

**LM:** The kind of injuries, flash burns, a lot to do with concentric waves and energy going up. It shreds like a mango.

**DPP:** How did the bits of wood?

**LM:** I don't know. I collected quite a bit of stuff.



*Cross-Examination by Doodnauth Singh.*

DS: Were you invited to attend the further post mortem by—

M: Dr. Hugh Johnson, now deceased. No, I wasn't invited. I didn't even know they were coming. I remember I spoke to you, Mr. Singh, and asked if you had invited them. You told me no.

*Note: Below is extract from copy of P.M. report, given to press table during vidence in chief by Dr. Mootoo, along with some colour photographs of body.]*

## OBSERVATIONS AND OPINION

- 1) Deceased was alive when the explosive device exploded.
- 2) The explosive device was in his lap at the time of the explosion.
- 3) The explosive device was not held by the hands of the deceased as more severe mutilating injuries of the hands would have been seen.

Opinions (1) to (3) were given to the Deputy Commissioner of Police-Crime, in a special conference at 9:30 A.M. on 15th June 1980.

DS: Did you see the report made by Dr. Johnson?

LM: No.

DS: Did you instruct that any X-rays be taken of the body at any time?

LM: I have some X-rays but they are not good. I have some photographs, too, of the body.

DS: Was one of the purposes of the X-ray to be able to identify what had entered the body?

LM: I was more concerned about fracture of the femur. I hadn't seen a bomb since I left Dublin.

DS: The X-rays if they were well done would have made it easy to identify other objects in the body?

LM: Other bits, yes.

DS: The metal that you took out, were you able to identify they were components of what?

LM: No. As I said, not my field.

DS: Since giving to Mr. Kendall those pieces you took out, have you seen them?

LM: No. And I haven't got any report from him.

DS: The conclusions you came to was that the injuries were consistent with the igniting of an explosive device which was resting on his lap?

LM: Yes.

DS: Do I remember your visiting the scene and you saw the body in the vehicle?

LM: Yes.

DS: And from what you saw at the scene, the direction of the charge was upwards and downwards?

LM:

DS: The injuries you saw to the hands tend to indicate the device wasn't held? It was just resting?

LM: Yes. Or else I would have expected more injuries to the hand. I have that on the Number 3 opinion.

DS: That'll be all.

REX McKAY: We should all say thanks to you for a very exhaustive report and definite opinion as to the explosive device and where it was. Your opinion is that the charge must have been in the lap of the deceased?

LM: Yes, whatever went off.

RM: Is it from experience the normal thing in Guyana to carry around explosives in your lap?

LM: I think the answer to that is, I wouldn't.

RM: Is it normal?

LM: No.

RM: And you told the court that you did visit the scene and saw the position of the deceased in the car? They all fit within the factual matrix on which you base your theory?

LM: Yes.

RM: And you are quite sure? In #3 of your observations and opinions you say that the explosive device was not held by the hand of the deceased? If he had held it—

LM: I don't think I would have seen any hand left.

RM: Dr. Johnson, the pathologist who came here is dead and Dr. Skuse, the other, was discredited by the Court of Appeal in England for giving wrong evidence.

DS: Mr. McKay advised that they be brought here.

RM: In your opinion having regard to the limited availability of X-rays, a second post mortem could have revealed not much more?

LM: I don't know.

M: Or are you telling us you didn't do a good job?

M: I think you and Mr. Singh are the best judges.

M: Do you think they could have found anything more?

M: No. But they might have been able to put together the bits and pieces I took out. Mr. McKay, could you repeat what you said about Dr. Skuse?

M: No. That was just for my friend here.

RATT: I don't have any other witnesses to call. I can listen to any addresses you have to give me.

DS: As I understand the procedure the witnesses have to be summoned by the court and on the basis of the evidence which has been established so far, we also submit the following:

Firstly that the court ought to take steps to have former ASP Kendall, the then ballistics expert to whom the various items which were taken from the body of Dr. Rodney were given. We have evidence to the effect that at that time, Mr. Kendall was the ballistics expert. In view of the established fact that this death was caused by the igniting of an explosive device, that the ballistics expert evidence would be of vital assistance for the ultimate determination of the jury.

Secondly, we submit that in the evidence it is clear beyond a shadow of a doubt that Donald Rodney should give evidence at this enquiry. Rodney is presently out of the jurisdiction and resides at 3 Augustus Woodfield Avenue, London SW16 IL6, England. Donald Rodney is willing to return to Guyana to testify at this inquest and it is clear on the evidence that the question of expense ought not be a consideration because the state at the time of the incident brought a forensic pathologist and an expert from England.

Thirdly, on the evidence it has been established that Gregory Smith who has been clearly implicated in the killing of Dr. Walter Rodney was a member of the Guyana defence force. It would be vital to this enquiry to determine whether on the night of the incident he was still a member of that force. So that I submit that the court ought to summon the records of the GDF service of Gregory Smith.

Finally, sir, the evidence has established that Gregory Smith was a wanted person necessary to be questioned by the Guyana police force as a person involved in the death of Dr. Walter Rodney. On the basis of that evidence I submit that the court ought to take steps to have some responsible officer of the Guyana police force to tell us what efforts have been made to get Gregory Smith to return to Guyana and give evidence.

Your Honour, whatever your thoughts and ruling on 1, 3, and 4 are, assuming that there is a reluctance expenditure-wise to have Donald Rodney return to Guyana then the relatives of the deceased are prepared to bear that expense.

PRATT: In connection with 1) Mr. Kendall is now residing, the doctor said, in Region 11 and I have absolutely no jurisdiction to issue any summons. 2) I think enough opportunity was given for Donald Rodney to be present [ ] fact that summons was served. I am not going to make any order. The same goes for Gregory Smith. My reply to 1, 2, 3, 4 is that I cannot allow it.

DS: In view of your ruling, I am now making application for an adjournment. . . .

PRATT: You had enough time. Over two weeks.

DS: We are dealing with an incident that occurred seven years [ago]. Please listen and write what I say.

PRATT: Adjourn till when? Next year? . . . a telephone conversation . . . within two days he could have been here.

DS: Firstly I submit that the witness had to be the witness of the court. Relatives cannot bring witnesses for the court. Only after a refusal of the court, counsel can suggest and then [ ]. We are requesting two weeks so that arrangements can be made to have him here and then the court can summon. . . .

PRATT: I can't grant the adjournment. You can address the court.

ELEAZER: Your Honour, we are getting the impression that this court is anxious to have this matter [ ] regardless that we have no cogent evidence to satisfy the jury. Witnesses ought to have been called by the court. At the beginning the court could not tell us who was called. It was part way in the inquiry when the court cited Donald Rodney. Despite all our efforts, we asked for the list of witnesses, we asked for the statements. . . . One of the absurdities is that somebody else watching interests had statements. Why ought not relatives be given an opportunity? The summons was served only on Saturday.

PRATT: One was issued, maybe before.

ELEAZER: [Asks for copy of service] Service February 6, 1988. 19th January, your signature, but service was effected on the 6th February. What makes it worse is that service is bad in law. Saturday is a non-day. So you really have no evidence before you that Donald Rodney is properly summoned. Police have not done their job properly.

PRATT: You can't put off, put off this matter.

ELEAZER: You are not the judge in the matter.

**RATT:** I know that.

**LEAZER:** You have evidence before you that the service of summons of Donald Rodney is bad in law. You have a duty to make sure it is served properly. You must rectify it.

**OODNAUTH SINGH:** I am asking for an adjournment for next Monday.

**LEAZER:** The serving of the summons must be rectified. Until you do that we cannot arrive at a conclusion. You can't ignore it.

**RATT:** Matter adjourned till Monday. Maybe we can get Rodney by then.

**McKAY:** [*On his way out*] On the question of serving summons on Saturday being bad in law, there is no legal authority for that.

Court resumes Monday at 9 A.M.

### February 15, 1988, Day Nine (Final Day)

**OODNAUTH SINGH:** Your Worship, in view of the inadequacy of time given to have Donald Rodney present at this inquest I am requesting that the court should take steps to have his statement admitted at this inquest.

**CORONER PRATT:** I don't think that members of the jury or counsel can question the statement or cross-examine the statement. I wanted the doctor's report, the post mortem report to be tendered without calling the doctor, but I called the doctor, so that he could be cross-examined. I will not grant the application because the statement cannot be cross-examined and cannot be tendered as documentary evidence. I think the time was adequate to bring Donald Rodney. I do not agree that the time was not adequate. I think we should proceed.

**DS:** In view of your ruling in respect of statement of Donald Rodney, the application for adjournment, the ruling of the court on the failure to take steps to get Gregory Smith within the jurisdiction, to get any evidence from the GDF whether Gregory Smith was a member of the Guyana defence force on the night of June 13, 1980; in view of your ruling that no evidence on what steps have been taken to get a wanted fugitive back will be allowed, I am instructed by my clients to withdraw from the proceedings at this time. I therefore seek leave to withdraw both teams of lawyers watching the interests of the deceased's family and watching the interest of Donald Rodney. My instructions are that this is not a valid attempt to determine the circumstances surrounding the death of Dr. Walter Rodney.

**P:** Counsel can enter appearance and counsel can withdraw. Permission is granted.

**DS:** Grateful to you sir.

[*Counsel withdraws followed by leading WPA activists.*]

**REX McKAY:** I am not permitted to address the court or the jury on the question of facts. No one is. All I would ask, Your Worship, is to let the jury know and to distinguish between rhetoric and facts. They can only draw inference from facts. Nothing can be drawn from rhetoric, claps and cheers and to point out that there has not been any evidence legally admissible to show the circumstances in which the deceased met his death other than the explosive device must have been carried in the lap of the deceased. There is nothing at all on record to implicate any Gregory Smith. The evidence on record implicates only a person named Donald Rodney in whose company the deceased was when he was carrying the explosive device. I ought to draw also to your attention that the jury ought to be guided by you. All we have been hearing is that Donald Rodney is coming. We must also know that he was convicted for possession of explosives arising from the very circumstances of the death of Dr. Walter Rodney.

Your Worship, page 517 of the third edition of Halsbury's, paragraph 979, "conclusion of jury or coroner. . . . If there is insufficient evidence to determine death, an open verdict may be recorded." So it seems to me that you ought to direct their minds to it, if they think there is insufficient evidence and if they so find it, an open verdict. As I see it, only one or two verdicts are possible—either accident or open.

**P:** I am just checking this interpretation or meaning of an open verdict. It is listed in Coroner's Practice, if evidence did not disclose means whereby cause of death—

**RM:** Cause of death is known.

**P:** That is why I brought this interpretation to your attention, because the cause of death was clearly stated by Dr. Mootoo.

Before I start, I would like to draw to your attention, members of the jury, that this is a matter that has been in the newspapers for over seven years. It contains a lot of political implications. You have heard witnesses Karen de Souza and Andaiye and you have listened to "rhetoric" as Mr. McKay referred to it. I want you to disregard all newspaper articles and the rhetoric that were in the court. It is regrettable that counsel watching the interests of the deceased had to withdraw, was given permission to withdraw. I think enough and adequate time was given. You had 24, 48 hours to be here; you were here. The other witnesses were given the same amount of notice; they were here. I don't think you members of the jury and the coroner should have to give any long time, they had enough time.



We are not here as political [ ]. We are here lawfully and honestly. . . . Forget your political affiliation, you must have them, or if you don't have them, forget politics. We are here to determine the . . . death of a brilliant Guyanese son. I suggest preliminary to that a review of the witnesses. I will have to advise you on the different types of verdicts.

Since February 1, you have been listening to the several witnesses. I must remind you that our task, and this is mostly now your task, you have to determine when, where, how and after what manner Dr. Walter Rodney came to his death and such other matters. Again I tell you to forget all political rhetoric, determine verdict based on evidence put before you.

The first witness was Sergeant Errol Easton. He said that on June 13, 1980, he was stationed at [ ] about 8 P.M., just about the end of his duty; he said he saw a car travelling at a fast rate . . . and suddenly heard a loud explosion. Easton further said that he and [ ] ran to the car. He said he saw an object with the aid of a torchlight. It was a man. The head. One of the most important elements is identity. Easton said he was unable to recognise the object because the face was downwards on the dashboard.

Other witnesses gave evidence.

Karen de Souza said . . . she arrived at the scene before Andaiye because she was able to outrun her. She had left the house at 45 Croal Street as a result of certain information she received from Donald Rodney. She said she saw a white car with the roof off. She asked a uniformed policeman to see who was inside. She said she saw a person who was clearly dead. She could not see the face, but said the person looked like Walter Rodney.

Andaiye gave similar evidence. She said Donald Rodney came to the house, injured and bleeding, and said that there had been a terrible accident: "Go for Walter." She left. She saw a crowd. She also saw a white car but could not get close to it because men from what she called the death squad were pushing back the crowd. She recognised the car by its number as that owned by Donald Rodney. She saw a boneless torso, saw face and recognised body as that of Dr. Rodney.

The body was also identified by Fr. Malcolm Rodrigues who identified himself as a friend of Walter Rodney.

Then there was the post mortem report by Dr. Leslie Mootoo. The cause of death from that post mortem was shock and haemorrhage.

From that evidence we know that Dr. Walter Rodney died on June 13, 1980, in a white car at John and Hadfield Streets and the cause of death

was shock and haemorrhage. This is as far as required as according to when, where, how and after what manner Walter Rodney met his death.

Now we come to the most important aspect—was anyone responsible?

Now, the person who was the last person to see Dr. Walter Rodney was his brother Donald Rodney. He was the one who ran to the house of Karen de Souza and Andaiye and when the matter was fresh in his mind he said there had been a terrible accident, "Go for Walter." He didn't say Walter was assassinated or anybody threw a bomb in the car. Karen de Souza and Andaiye gave evidence on this.

Now, I allowed during the inquest certain hearsay evidence but according to the learned writers on inquests, if a brother of the deceased at the time when he died was there, there is no reason to refuse to hear what he said. That is exactly what he said.

Evidence of ASP McRae. I allowed counsel a little latitude. I know that senior counsel was not in agreement with that but I—in an inquest you do not stick to the rigid rules. Throughout you heard we must have Gregory Smith, we must have Donald Rodney. If you don't draw the line, this inquest would have gone on for a year. It has already gone on for seven years. We are not here to prolong this matter. The relevant point is that this same explosive device, and you have to go back to the findings of Dr. Mootoo, Donald did not say somebody threw a bomb in the car. He did not say his brother was assassinated.

ASP McRae's evidence: I was glad that he brought out the fact that you had a certain Gregory Smith who was wanted. He said police had it posted up all over. It was no secret. But no one was able to find him. They looked various places, Kwakwani, the whole of Georgetown and did not find him. Gentle said that when he went to this house in Russell Street he did not go to find Gregory Smith, he went as a result of certain information and found electronic equipment. No one has ever laid eyes on this Gregory Smith! He said during the investigation he was not looking for Gregory Smith. Forget mention of counsel of some newspaper article by a reporter who spoke to—he is there at the table [*indicates Sharief Khan, the Stabroek News reporter who conducted extensive interview with Gregory Smith last year: recorder*]. It is all hearsay! In order to imbed in the minds of the jury that you [ ] they only quoted part of the article. They didn't quote (ha, ha) they didn't quote an important part. Forget that. This is exactly what they will want to do, to swing it to suit themselves. They will want to swing it to suit themselves. Police were looking for a man by the



# Control of Instructional Media in the Caribbean LINDA D. QUANDER

Traditionally, higher education in the Caribbean was for those few who received scholarships to study abroad or for those who went abroad for a combination of work and study. Today, a more numerous and diverse citizenry perceives higher education as a right rather than a privilege. The 1987 British Commonwealth Heads of Government Summit in Vancouver, Canada, formally recognized this right to access a university education, acknowledging at the same time the subsequent pressure on extant limited resources

(Shridath, 1987).

A result of an elitist perception of higher education is Western domination of instructional media. The United States and the United Kingdom develop most of the programs and train most of the staff affiliated with instructional programs. Officials of developing countries charge that cultural imperialism is inherent in foreign media programs—that Western cultural ideologies appear in program planning, design, and content.

The conflict between developing countries, including the Caribbean, and Western industrial countries to control the flow of information affects what political and cultural philosophies are taught, and how they are taught in relation to educational methodology and economic factors. Development of regional and domestic communication is suggested as a way to alleviate the persistent problem of inequitable information flow, but it is relatively easier to import programs than to produce regional domestic programs.

The Caribbean people generally continue to be susceptible to imported programs, techniques and their accompanying effects. In Haiti, the French language was used in the media and in the schools. Books and newspapers were printed in French. Even radio, which was usually the medium of communication for the nonelite, utilized French. The adoption of French culture, however, was elitist, in that it benefited ten percent of Haitians who were literate and fluent in French. Only religious programmers used Creole in radio broadcasts to rural residents (Walker, 1982).

Literacy was much higher in Puerto Rico, Trinidad-Tobago, Jamaica, Antigua, and higher still in Barbados. However, these countries imported

name of Gregory Smith. Not one of the police officers said they were looking for an assassin. The brother of Walter Rodney was there and he didn't say he was assassinated. He was there; he said it was an accident. You were told by members of, let me say witnesses, that a certain political party was bent on the violent overthrow of the government. I don't know how they said so, it is terribly incriminating. I don't know that you overthrow with peanuts. . . . This device is not a lawful device. It is an illegal device. Donald Rodney was tried and convicted in this court with possession of an illegal device. He had to get it by some illegal means. He couldn't get it from Guyana Stores or J. P. Santos. And if he got it by illegal means, if you are found with an illegal device, you must be tried and convicted. And if you have an illegal device and if it explodes, who is responsible? If you buy contraband gasoline and store it and it goes off, who is responsible? From the evidence before the inquest, an illegal explosive device went off in a car driven by Donald Rodney and Dr. Walter Rodney was a passenger. From the doctor's post mortem report he had the explosive device in his lap. And why he had it in his lap? He thought it was a radio? There is no evidence that he thought it was a radio and was carrying it to be fixed. It would be testing the intelligence of the jury to say that he knew not the device was explosive. Whose device was it? If you have an illegal device and it goes off, no one can be criminally responsible. It is either accident, misadventure or no one is criminally responsible. There is no evidence before this court that any device was given to the Rodneys. In the absence of that you cannot imagine that anyone gave it to him. The device was there. It exploded. And according to all the evidence, the explosion came from the lap of Dr. Walter Rodney.

Accident or misadventure or no one criminally responsible is the only verdict you can find. I kindly ask you to retire. You will retire to my chambers and deliberate there.

[Jury deliberates for one hour and then returns.]

PRAAT: What is your finding?

FOREMAN: Death by misadventure.

PRAAT: Death by accident or misadventure? The words are used interchangeably. The finding of the jury is death by accident or misadventure. Note: On the way out, press enquire of jury whether verdict was unanimous. Foreman replies, "Yes," and other members say, "No comment."