

## **Fair Trading Commission Prepares To Sue Car Dealers**

The Gleaner

The Fair Trading Commission (FTC) says it is now preparing to sue four car dealers this year for passing off old vehicles as newer models to consumers.

Executive Director of the FTC David Miller says the commission is currently preparing documents to sue dealers because they have been reluctant to compensate misled buyers.

Last year, the FTC sued Crichton Automotive Limited (CAL) on behalf of a buyer who was sold a 2005 car as a 2007 model.

Miller says since the successful suit against Crichton, the FTC has not seen an increase in the number of buyers seeking redress against car dealers for misrepresenting the models of cars.

He believes car dealers understand that the FTC is serious about breaches of the Fair Competition Act.

# Efforts to help cane farmers following abandonment of Appleton crop

The Observer



A sugarcane field awaiting reaping at Holland Estate in January.

SANTA CRUZ, St Elizabeth — In light of the abandonment of the 2016 Appleton sugar crop, efforts are being made to truck farmers' cane to Frome Sugar factory, Minister Without Portfolio with

responsibility for Agriculture JC Hutchinson has revealed.

“We are looking to see if we can send the cane to Frome,” Hutchinson told the Jamaica Observer last week.

Hutchinson, who is also Member of Parliament for St Elizabeth North Western, base for many of St Elizabeth's cane farmers, said Appleton Estate had been approached for help to get cane to Frome.

“We are in dialogue with Appleton to see if they can do something, whether they can assist with getting the farmers' canes to Frome, we don't know what they will do with theirs (Appleton Estate cane),” Hutchinson said.

The Appleton Sugar crop was a non-starter for 2016 after fish farming company Algix Ltd obtained an injunction against J Wray and Nephew Ltd, parent company of Appleton. Algix is alleging that effluent entering the Black River from the Appleton Sugar factory has caused massive fish kills and huge losses.

The injunction was upheld by the Court of Appeal earlier this month, with the matter scheduled to return to Court in September.

Hundreds of acres of mature sugar cane, which would usually go to the Appleton factory, are waiting to be reaped in northern St Elizabeth. The Appleton sugar crop usually lasts from January to June.

Hutchinson said the situation was particularly urgent since the rainy season has started in St Elizabeth. Heavy rains routinely deplete the sucrose content of sugarcane and also makes reaping difficult.

The situation is another hefty blow to Jamaica's ailing sugar industry. Earlier this year cane farmers and sugar workers in northern St Elizabeth staged road block protests in the wake of the court injunction. Appleton says it has sought to relieve the situation by paying weekly wages even in the absence of the sugar crop.

— Garfield Myers

## **Sexual Harassment Bill Is Not A Destination- Hanna**

The Gleaner

Jason Cross

Opposition spokesperson for Youth and Culture Lisa Hanna has said the sexual harassment bill needs to be properly understood in order for it to be accepted by all and for it to achieve its full objectives in a Jamaican society, whose cultural norms are infused with sexuality and sexual innuendo.

Hanna was delivering a lecture at the Norman Manley Law School, last week Thursday, to an audience of future and current attorneys. The lecture was held under the theme, 'Sexual Harassment Bill - Dismantling a Practice Embedded in Jamaican Culture'.

"This bill is not a destination, it is actually the start of a necessary journey. The truth is that sexual harassment cases are not simple. The question is whether every insult, joke or picture should result in a lawsuit, and how do you prove it," she stated.

Hanna said the bill will seek to put pressure on companies, schools and other institutions to ensure stated policies are implemented to prohibit any form of sexual advances, sexual interference or sexual harassment that could cause students, employees or customers to feel any form of discomfort.

"It really provides a mechanism to men and women who might not be courageous enough to stand up to a bully and (will) give them support, and that's what is needed," Hanna said.

Though the law will protect each and every citizen, it will focus a lot on women rights.

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## **Comb Courts And You'll See No Wigs**

The Gleaner

THE EDITOR, Sir:

I write in response to a letter published in the April 19, 2016 edition of The Gleaner titled 'Wigs have no place in modern courts'.

To the best of my knowledge and belief, the requirement for the wearing wigs was discontinued a few years ago: "On April 3, 2013, judges of the Supreme Court of Jamaica dispensed with the colonial tradition of the wearing of wigs, opting instead for new attire consisting of full black robes with vertical stripes in the national colours of black, green and gold. The dispensing of wigs was initiated by the Court of Appeal in December, 2011."

Some attorneys may on special occasions, such as becoming a Queen's Counsel, opt to wear the British wig, but it is no longer a requirement. In my visits to the several courts in Jamaica, I have never seen any of the traditional British wigs; other wigs, though, I have espied from time to time.

LENROY STEWART

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## **American Man On Money Laundering Charges For Court Wednesday**

The Gleaner

Thirty-five-year-old Dalton Forrester, an American man charged with several money laundering offences, is to appear in the Montego Bay Resident Magistrate's Court on Wednesday.

Forrester, who is from Brooklyn, New York was charged by detectives from the Counter Terrorism and Organised Crime Investigation Branch.

The police say on arrival from New York at the Sangster Airport on Saturday April 9, Forrester's luggage was being searched when US\$101, 378.00 was found concealed in it as well as on his person.

Forrester was reportedly unable to satisfactory account for the cash and after being interviewed in the presence of his lawyer was charged with the following offences:

- 1) Cross border movements of funds
- 2) Concealment of criminal property
- 3) Bringing into Jamaica criminal property
- 4) Possession of criminal property
- 5) Conspiracy to possess criminal property

## **American to answer to money laundering charges in MoBay court**

The Observer



KINGSTON, Jamaica – An American will appear in the Montego Bay Resident Magistrate’s Court tomorrow to answer to money laundering charges, after he was arrested by detectives from the Counter Terrorism and Organized Crime Investigation Branch (C-

TOC) last week.

Charged is 35-year-old Dalton Forrester of Brooklyn, New York, USA.

Reports are that on Saturday, April 9, Forrester arrived in Jamaica from New York City. The police say he was in the process of clearing customs when irregularities were detected.

A subsequent search reportedly revealed a total of US\$101,378 concealed in his luggage and on his person.

The police say Forrester was unable to provide a satisfactory account for the cash.

Forrester was interviewed in the presence of his attorney after which he was charged with: Cross border movements of funds; concealment of criminal property; bringing into Jamaica criminal property; possession of criminal property; and conspiracy to possess criminal property.

## **Arrest Warrant Issued For Cop After Two-Year Wait For Medical Records**

The Gleaner

Livern Barrett, Senior Gleaner Writer

A near two-year delay to obtain a medical certificate for a case before the Kingston and St Andrew Parish Court has resulted in a judge issuing an arrest warrant for a police Sergeant.

However, Parish Judge Maxine Ellis has instructed that the warrant for Sergeant Dionne Thompson, who is based at the Hunt's Bay Police Station, be stayed until the case comes back to court on April 28.

"This case has been languishing before the courts for some time and the police seem to have gone into the sunset," Ellis lamented.

The case involves two women who were jointly charged in 2013 with assault and wounding with intent.

Kera-Lloye Smith, the attorney for the two women, told The Gleaner that since then the court has been awaiting a medical certificate from the Kingston Public Hospital detailing the injuries sustained by the complainant.

"All that is holding up the case is the medical from KPH, " Smith said.

# OUR CARIBBEAN: A Barbadian queen anytime soon?

Rickey Singh, rickeys@sunbeach.net



Normally, governing with a mere one-seat parliamentary majority – as Mr Holness is currently doing following this year’s general elections – such a political initiative would be quite risky. Not so in today’s Jamaica – Caricom’s most populous member state that’s rich, like T&T, in creative cultural history.

Mr Holness could, therefore, bask in the political glory of doing what had been so enthusiastically promised by Jamaica’s first woman Prime Minister, “Sister P”. Also for his new promise to implement measures for Jamaica to have fixed election dates – a political first within our 15-member Community and to also establish a National Human Rights Institute.

However, there is a most significant political minus for Prime Minister Holness. It is his glaring failure to make any mention about Jamaica’s much overdue abolition of appeals to the London-based Privy Council and to access the Caribbean Court of Justice, (CCJ), headquartered in Port-of-Spain, as his country’s final court.



It remains a crying political/cultural shame that the first two CARICOM states to achieve political independence, within a month of each other, back in August 1962, show no remorse whatever in retaining a colonial relationship with Britain's Privy Council instead of accessing the CCJ as its final appeal court for which the people of Jamaica and Trinidad and Tobago are faithfully paying the relevant annual contributions.

The fact that both Dr Keith Rowley and Holness are first-time prime ministers, is not, in my assessment, cause for remaining silent and unmoved over continued failure to access the CCJ as their respective final appeal court. These two PMs have been around in active parliamentary/governance politics for a pretty long time.

### **Ignoring the CCJ**

The comparison may be worse for Holness than for Rowley when viewed in the context of Jamaica's new move to terminate the monarchical system of governance with a Jamaican as head of state, most likely a woman. But it's no excuse for continuing to ignore required arrangements to replace Britain's Privy Council with the CCJ as their court of last resort and for which their citizens are paying.

In the meanwhile, the Barbados Government of Prime Minister Freundel Stuart continues to behave – at least publicly – as if it's devoid of any concerns about the country retaining its monarchical system of governance with the British monarch as head of state, instead of a Barbadian – man or woman.

Like Guyana, Barbados will also mark its first half century of political independence this year within six months of each other. Surely replacing the Queen of Britain with a Barbadian Head of State would be a most welcome constitutional development for the second half of the 21st century.

After all, back in 1976 Trinidad and Tobago became the first English-speaking Caribbean nation to emerge as a constitutional republic. Little Dominica was to follow in later years and the government of St Vincent and the Grenadines has given clear signals of its intention to attain republican status with a Vincentian national as president.

Questions? When will Trinidad and Tobago, and Jamaica access the CCJ as their final appeal court of Appeal? Also, when will be the “correct” time for Barbados to part company with its colonial legacy and elect a Barbadian head of state instead of a Governor General serving as the Queen’s representative?

After all, little Dominica has long elected an outstanding national as its first native-born head of state. However, I am not holding my breath for a response, any time soon, from Prime Minister Freundel Stuart.

- Rickey Singh is a noted Caribbean journalist.

## Pistorius sentencing hearing set for June

The Observer



South African Paralympian Oscar Pistorius talks on his mobile phone at the High Court in Pretoria at the end of yesterday’s postponement hearing.AFP

Pretoria, South Africa (AFP) — A South African court will convene in June to determine disgraced Paralympic athlete

Oscar Pistorius’s sentence for murdering his girlfriend Reeva Steenkamp, a judge ruled in Pretoria yesterday.

Pistorius’s lawyers last month failed in their final legal bid to reverse a Supreme Court of Appeal (SCA) ruling that upgraded his conviction from culpable homicide — the equivalent of manslaughter — to murder.

The double-amputee killed Steenkamp, a model and law graduate, in the early hours of Valentine's Day three years ago, saying he mistook her for an intruder when he shot four times through the door of his bedroom toilet.

"Your matter is postponed until June 13, and it will be heard until June 17, do you understand?" Judge Aubrey Ledwaba told Pistorius, who answered "Yes."

Pistorius, wearing a black suit, black tie and white shirt, left the court after the brief hearing and walked through a scrum of television camera crews outside to get into a vehicle.

The former Paralympic champion, 29, faces a minimum 15-year jail term for murder, which may be reduced due to time he has already spent in prison.

He was released from prison in October to live under house arrest at his uncle's property in Pretoria after serving one year of his five-year prison sentence for culpable homicide.

The SCA judges in December described his testimony at his trial in 2014 as "untruthful" and delivered a damning indictment of the original verdict.

They found him guilty of murder, overruling the culpable homicide conviction.

Pistorius's lawyers tried to appeal to the Constitutional Court, the highest court in South Africa, but it declined to hear the case.

Pistorius was last seen in public at a bail hearing in December, after which he was fitted with an electronic monitoring tag.

Under his bail conditions, he has been allowed to leave his uncle's house at set times with official permission, but must not travel further than 20 kilometres (12 miles).

Pistorius denied killing Steenkamp in a rage and, during his trial, sobbed in the dock as details of his lover's death were examined in excruciating detail.

“I was overcome with fear,” he told his trial. “Before I knew it, I’d fired four shots at the door.” He has since lost his glittering sports career, lucrative contracts and status as a global role model for the disabled.

Steenkamp’s family previously welcomed his murder conviction and described his Constitutional Court appeal as a “delaying tactic” to keep him out of jail.

**The End**