

WALTER RODNEY COMMISSION OF INQUIRY



CO-OPERATIVE REPUBLIC OF GUYANA

THE WALTER RODNEY COMMISSION OF INQUIRY

**VERBATIM REPORT
OF THE PROCEEDINGS**

Tuesday 24th June, 2014

WALTER RODNEY COMMISSION OF INQUIRY

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15th Hearing	09:36hrs	24th June, 2014
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Commissioners:

Sir. Richard L. Cheltenham, K.A., Q.C., Ph.D – Chairman

Mrs. Jacqueline Samuels-Brown, Q.C.

Mr. Seenath Jairam, S.C.

Secretary to the Commission:

Ms. Nicola Pierre

Counsel to the Commission:

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Attorneys for the People's National Congress (PNC):

Mr. Basil Williams

Mr. James Bond

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Attorneys for Working People's Alliance (WPA):

Mr. Christopher Ram

Mr. Moses Bhagwan

Attorneys for the Guyana Trades Union Congress (GTUC):

Mr. Brian Clarke

Mr. Selwyn Pieters

Attorney for Dr. Patricia Rodney, Asha Rodney, Shaka Rodney and Kanini Rodney:

Mr. Andrew Pilgrim

Attorney for Donald Rodney:

Mr. Keith Scotland

Attorney for the Ex-GDF (Guyana Defence Force) Association: Lt. Col. (Ret'd) Joseph Harmon

Witness:

Mr. Allan Gates

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CALL TO ORDER

Chairman [Sir. Richard L. Cheltenham K.A., Q.C., Ph.D]: Good Morning, to all. Good Morning, Mr. Scotland.

Attorney for Donald Rodney [Mr. Keith Scotland]: Good Morning.

[Mr. Allan Robert Gates entered the witness box]

Mr. Chairman: As soon as you are ready signal me, and you can go right ahead.

Mr. Scotland: Signal please, I am ready.

Mr. Chairman: You are ready. Good, thanks. Mr. Gates, you continue to be under oath.

Mr. Allan Gates: Yes, Sir.

Mr. Chairman: To tell the truth and nothing but the truth.

Mr. Gates: Yes, Sir.

Mr. Chairman: Thanks.

Mr. Scotland: Good Morning, Sir.

Mr. Gates: Morning.

Mr. Scotland: Now I do not know if Commission Counsel dealt with... Commissioner, can he be shown the Terms of Reference, particularly (iii)? You know, Mr. Gates, sometimes when you do, the not so obvious, the obvious escapes you.

[Court Marshall took the Terms of Reference to the Witness]

Mr. Scotland: Thank you very much. Have you seen (iii) of the mandate of this Commission? "...to specifically examine the role if any..." Chairman, may I ask Mr. Hanoman, if he had gone through... I had looked at the transcripts and I did not see this part put to him. I do not want to go it over if it has been put already. Chairman, I did not see it, I just want to confirm that with him. May I continue?

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Mr. Chairman: Yes, you may. Thank you.

Mr. Scotland: Do you see that one of the mandates is “to specifically examine the role, if any, which the late Gregory Smith, Sergeant of the Guyana Defence Force, played in the death of Dr. Walter Rodney and if so, to inquire into who may have counseled, procured, aided or abetted him to do so, including facilitating his departure from Guyana after Dr. Walter Rodney’s death;”? Do you see that?

Mr. Gates: Yes, Sir.

Mr. Scotland: Let me go through with you very quickly. Based on your evidence and your interaction with Gregory Smith from November 1979 to March 1981 and the intervening period where you all would have met, would you say that Gregory Smith had any role in the death of Dr. Walter Rodney?

Mr. Gates: Based on the conversations we had and the sequence of events that followed, it would be reasonable to conclude that he played a major role.

Mr. Scotland: The Commission would want me, and I would want to ask you because my client was charged: What role did Gregory Smith play according to what you have concatenated, not from anybody else hearsay, in the death of Dr. Rodney?

Mr. Gates: I am convinced beyond a shadow of doubt that Gregory Smith deceived Dr. Rodney or his brother into believing that the walkie-talkie given to them was indeed a walkie-talkie when it was not, and he had knowledge, before and after, that it was an explosive device.

Mr. Scotland: You have given evidence of a conversation you had with Mr. Laurie Lewis and Major General (Ret’d) McLean. Who would you say, from your own experience, would have counseled, procured, aided and abetted him to do so?

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Attorney for the People's National Congress (PNC) [Mr. Basil Williams]: Mr. Chair, I do not know if it is accurate, but did this Witness ever say that he had conversations with Norman McLean?

Mr. Scotland: He has said that he had a conversation with Gregory Smith about who spoke to him about a conversation with Norman McLean...

Mr. Williams: Well that is not your question.

Mr. Scotland: ...and Laurie Lewis.

Mr. Williams: Your question was that he had conversations with both Norman McLean and Laurie Lewis.

Mr. Scotland: Mr. Chair, I reboot the question

Mr. Williams: The question that was put to the Witness was about his conversations with Norman McLean and Laurie Lewis.

Mr. Scotland: Mr. Chairman, I will rephrase...

Mr. Williams: It might have been a slip by my learned Friend, but we need to get it correct. There is no evidence that this Witness ever spoke with Norman McLean.

Mr. Scotland: Mr. Chairman, if I did so, I will rephrase the question.

Mr. Chairman: I was just trying to remember when exactly that was said, whether yesterday or the day before, because it might be that the record could speak for itself, but is that record available? It might be difficult to find. Could you move on and we will get back to it?

Mr. Scotland: Mr. Chairman, I will just rephrase the question. If it is the question was posed that he had a conversation, the evidence is that he never spoke to McLean, and I can see that. I will rephrase the question, and I am sorry.

Mr. Chairman: We will appreciate that, but accuracy is very important at this stage...

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Mr. Scotland: Agreed.

Mr. Chairman: ...and throughout.

Mr. Scotland: Agreed.

Mr. Scotland: Sir, I am referring you to the conversation you had with Gregory Smith?

Mr. Gates: Yes, Sir.

Mr. Scotland: Where he spoke to you about certain directives given to him.

Mr. Gates: Yes, Sir.

Mr. Scotland: Based on that, who you would say may have counseled, procured, aided and/or abetted Gregory Smith in the role that he had to play in the death of Dr. Rodney?

Mr. Gates: If what Gregory Smith told me was the truth, then I do believe that Norman McLean may have counseled, procured, commanded, whatever.

Mr. Scotland: What about Laurie Lewis?

Mr. Gates: Laurie Lewis also would have played a part, but in my interaction with Gregory, he specifically mentioned Norman McLean, and like I said if what he was saying is the truth, then there is no doubt and I do believe that he was speaking the truth, but like I said...

Mr. Chairman: There is no doubt that what?

Mr. Gates: If what Gregory Smith told me was the truth, then there is no doubt that Norman McLean counseled, procured and commanded, him to kill...

Mr. Scotland: Now subsequently, Gregory Smith

Mr. Chairman: Now, sorry, you did put two names to him?

Mr. Scotland: Yes, "McLean" and "Lewis".

Mr. Chairman: What is he saying about Lewis?

Mr. Scotland: Tell us about Lewis.

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Mr. Gates: He specifically he mentioned Norman McLean giving him that instruction.

Mr. Chairman: Yes.

Mr. Scotland: But also in your evidence-in-chief, you said it was Norman McLean and Laurie Lewis who were present?

Mr. Gates: Yes. They were present, but he specifically stated that Norman McLean gave him that instruction.

Mr. Chairman: Where was Lewis when the instruction was given?

Mr. Gates: He said that he was at some meeting at Ogle, I think, if I can recall.

Mr. Chairman: Did you understand that Lewis was present when Norman McLean gave him the instructions?

Mr. Gates: He did say that, if I can recall.

Mr. Williams: Mr. Chairman, thanks for the question. He has to locate that in the record because what he is saying certainly, in my mind, does not have the ring. Laurie Lewis related, as far as his story is, to him and his undercover status and the only question of Norman McLean came in some alleged conversation between this Witness and somebody he is calling "Gregory Smith", so I do not know of anything of Laurie Lewis having any dealings with Gregory Smith from the evidence, certainly, of this Witness.

Mr. Chairman: If it is necessary to retrace your steps, but we need to get it accurate and correct.

Mr. Scotland: Mr. Chairman, may I refer the Commission to page three of the evidence-in-chief, the witness statement of this Witness? Mr. Chairman, sometimes I think I take things for granted that everybody is...

Mr. Chairman: Put it on the record again if necessary, but we have to get it right.

Mr. Scotland: Yes please.

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Mr. Chairman: But we are at the point now where he is saying that two people were present...

Mr. Scotland: Yes.

Mr. Chairman: ...when he got that instruction. I would want to know what, if anything, was the reaction of the second person who did not give the instruction, but was present and as I understand it from him, and you will get it from him specifically, whether he thought that he would have heard it. Was he present about 50 yards away or was he present right there a few feet away? It must be carefully gotten for the record.

Mr. Scotland: Mr. Chairman, the context of it, it was reported speech; it was what Gregory Smith was telling him of a conversation so I can try to get it in that context. Sir, may I take you to your evidence at page 3, line seven from the bottom. Does he have his evidence-in-chief?

Commissioner [Mrs. Jacqueline Samuels-Brown, Q.C.]: What exhibit was that, can we be reminded please?

Mr. Scotland: ARG 3.

[Court Marshal took a copy of the evidence-in-chief to the Witness]

Mr. Scotland: Sir?

Mr. Gates: Yes, Sir

Mr. Scotland: Could you read your witness statement again into the record, "Sometime in March 1980"?

09.51hrs

Mr. Gates: "Sometime in March, 1980, we met one evening at about 10:00 p.m. at the Parade Ground on Middle Street and Gregory revealed to me that Walter Rodney asked him to manufacture a long range radio communication set in order to communicate with persons about 25 to 30 miles away. He told me that he told Walter Rodney that he could, but it would take

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some time. He said he report this to “Chico” first and then subsequently, met with Norman McLean and Laurie Lewis...”

Mr. Scotland: Take your time.

Mr. Gates: “He said he reported this to “Chico” first and then subsequently, met with Norman McLean and Laurie Lewis and later with Brezhnev. At the Norman Mclean/Laurie Lewis’s meeting he was told when Rodney dies by the device, he would be given \$1 million and safe trip to a foreign country with his wife and child.”

Mr. Scotland: Right. Could you tell this Commission, by way of expansion, what you understood Gregory Smith to be telling you in this conversation?

Mr. Gates: He was telling me that the instruction was given by Norman McLean, but Laurie Lewis was present. I cannot recall him saying if Laurie Lewis had said anything or sanctioned anything.

Mr. Scotland: What was the directive given to him?

Mr. Gates: The directive was, I think I mentioned that earlier, if I can recall, that he should tell Walter Rodney that it would take some time to get the device; three months or thereabout, and that it would be made in Russia or something like that, if I can recall.

Mr. Scotland: It is based on that conversation that you would have with Gregory Smith that you would have come to the conclusion that you did and gave this Commission?

Mr. Gates: Yes, Sir.

Mr. Scotland: Subsequent to 1980, Gregory Smith denied... Let me ask you, do you know of the book written by Gregory Smith and Ann Wagner?

Mr. Gates: I heard about it, but I never read it.

Mr. Scotland: Subsequent to the events of 1980, Gregory Smith denied any involvement in the death of Dr. Rodney and claimed, and I am paraphrasing here, that really he had nothing to do with explosives, etcetera, and he was just trying to assist them. Based on...

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Mrs. Samuels-Brown: I am sorry Counsel, are you referring to the book which has been produced here?

Mr. Scotland: The book has been produced and I think into evidence.

Mr. Williams: Which page?

Mr. Scotland: I am paraphrasing because the Witness has not read the book.

Mrs. Samuels-Brown: Thank you very much Counsel. I just wanted to know that this is book which we have been presented with which was allegedly written by...

Mr. Scotland: Gregory Smith

Mrs. Samuels-Brown: ...co-written by Gregory Smith.

Mr. Scotland: ...and Ann Wager. Sir, what do you say about that allegation, that assertion, made by Gregory Smith based on your interaction with him? Is it true or not true, based on your interaction with him?

Mr. Gates: I would say it is untrue.

Mr. Williams: My learned Friend is really making a substantial departure from the proceedings that we have adopted. We have an exhibit and if he is going to refer to the contents of an exhibit, he has to specifically point us to it. I do not know what this paraphrasing thing is about. I would want to look into this book and read what my learned Friend is pointing the Witness to. The book is here. It is in evidence and we all had to refer to particular parts of exhibits in this matter. This paraphrasing does not take us anywhere.

Mr. Chairman: Though you are correct that that is how ideally how it should be done, I think that it is common knowledge that before Smith died, these are recorded on more than one occasion saying that he had no role in it, so I do not think that that is a disputed issue. To that extent, I allowed it go on as it were – the referee who says, “play on, play on, I do not think there was any foul there”.

Mr. Williams: *[Laughter]* I am guided, Sir.

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Mr. Scotland: Thank you for your ruling, Mr. Chairman. Sir, you would then conclude, because you know that after the events, shortly thereafter, that Donald Rodney was charged with the unlawful possession of explosives?

Mr. Gates: Yes, Sir.

Mr. Scotland: Based on your interaction with Gregory Smith and your conversations with him leading up to June, 1980, even in light of the charges proffered against Donald Rodney, would you still stick to your conclusions that Gregory Smith tricked both Dr. Rodney and Donald Rodney into carrying a device which he, Smith, knew was potentially explosive, but they had no knowledge of?

Mr. Gates: Based on conversations with Gregory and the sequence of events that followed, it is reasonable to conclude that he did trick Walter Rodney and Donald Rodney, and Donald Rodney was made a scapegoat in the whole affair.

Mr. Scotland: May it please the Commissioners, these respectfully are my questions for this Witness unless I can be of further assistance, Mr. Chairman.

Mr. Chairman: Thank you very much. You have been helpful. Thank you. Who bats next? Mr. Andrew Pilgrim?

Attorney for Dr. Patricia Rodney, Asha Rodney, Shaka Rodney and Kanini Rodney [Mr. Andrew Pilgrim, Q.C.]: I propose to be middle order cameo, Mr. Chairman. So if it is possible, I could just go quite quickly. I do not know who else is chomping at the bit to go, but I can just ask a few things. I hope to clarify a few issues.

Mr. Chairman: To use a cricketing metaphor, I recognise you as walking to the crease.

Mr. Pilgrim: Indeed, Sir. I am grateful to you, Mr. Chairman. I had noticed earlier that you seemed to be segueing into the football genre, so I am careful to keep you focused as to which sport we are actually playing. I want to be following you at all times.

Mr. Chairman: Player of many sports.

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Mr. Gates: Excuse me members of the Commission, I do not know if I have any say that this time, but I would have preferred to deal with Mr. Basil Williams very early because I do not want him to take me right down at the end of the rounds because he is one of the best criminal minds in the Caribbean. There is no doubt...

Mr. Williams: No, you mean criminal lawyer, not criminal mind.

[Laughter]

Mr. Gates: Legal minds, sorry. My correction, please, legal mind.

Mr. Chairman: We acknowledge that as a slip of the tongue.

Mr. Gates: He is fighting me with a little trick. He is going to take me close down to the end of the 15th round.

Mr. Chairman: I think, Mr. Gates, the trouble is that you have no say in the order.

Mrs. Samuels-Brown: I just want to say that I do not think that the Witness meant any disrespect to Mr. Pilgrim...

Mr. Gates: None at all, on the contrary.

Mrs. Samuels-Brown: Is just that he is more up to contending with the other Counsel.

Mr. Gates: I am just giving him his due respect.

Mr. Pilgrim: Mr. Gates, can you tell us how do you come to giving evidence in this matter? How did that come about?

Mr. Gates: It came about because of the part of the role I played during the time 1979-1980.

Mr. Pilgrim: With the greatest respect, that is not how it came about. Things may have happened then, but I want to know how you came to be giving evidence before this Commission. Did you make any approaches? Did anyone approach you so that you would be here giving evidence yesterday and today and before?

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Mr. Gates: Yes, I did. I first wrote a letter to the press in the *Kaieteur News* after I heard about the Commissioner of Inquiry. That was like a couple months before indicating my willingness to testify. I, subsequently, gave a detailed statement to the Commission.

Mr. Pilgrim: No one approached you and said, “Look we want you to be a witness in this matter?”

Mr. Gates: No one approached me.

Mr. Pilgrim: There was a reference yesterday to a television show in 2013. Do you recall if during the course of that television show or otherwise, you made references specifically to Gregory Smith?

Mr. Gates: If I can recall, I did.

Mr. Chairman: Did or did not?

Mr. Gates: If I can recall, I did. I also mentioned about Dr. Roopnarine’s issue.

Mr. Pilgrim: Would that have been the first time you were speaking in a public forum about the issues involving Gregory Smith...?

Mr. Gates: It would have been the first time, publically, but then I spoke to several other individuals years before.

Mr. Pilgrim: You made it clear to this Commission on the first day that you gave evidence a few weeks ago that you are currently an inmate and is serving a sentence. Has any offer, inducement or incentive of any kind, in relation to that sentence been offered to you by any party, in relation to anything you do before this Commission?

Mr. Gates: No, Sir. My date of release remains the 26th September, 2017.

Mr. Pilgrim: Are you aware of the existence of any documents that can establish the period during which you worked in the Police Force in Guyana?

Mr. Gates: I think Mr. Balram Persaud, the Assistant Commissioner, Administration, knows me. He can provide such documents.

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Mr. Pilgrim: You have the belief that such documents are in existence?

Mr. Gates: Yes, especially a copy of the real Letter of Release which should be in the personal file.

Mr. Jairam: What is the name of that gentleman?

Mr. Gates: Mr. Balram Persaud, Assistant Commissioner Administration.

Mr. Chairman: How do you spell "Balram"?

Mr. Gates: B-A-L-R-A-M.

Mr. Chairman: Balram.

Mr. Gates: Balram Persaud.

Mr. Chairman: Did you tell us what became of your release documents releasing you?

Mr. Gates: It was misplaced. The Police took it away when they were looking for documents to prove that I was connected to the Central Intelligence Agency (CIA) and that I was passing information. They took away a whole set of documents that I never got back.

Mr. Chairman: Why, they made that raid on you?

Mr. Gates: Pardon me.

Mr. Chairman: Was that a raid on your premises?

Mr. Gates: Yes, when they found the documents from the United States Embassy.

Mr. Pilgrim: Are you aware of any documents which represent information that you would have fed to your then employers in the Police Force from the WPA during the time that you were, for want of a better term, "a double agent"?

Mr. Gates: Those reports were passed to "Chico" who was my Relay Officer and I doubt whether Laurie Lewis, being the kind of person he was, would keep records of... He was one of the best intelligent officers, I would say, in the Caribbean.

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Mr. Chairman: Who is that whom you are referring to now?

Mr. Gates: Laurie Lewis. When a man can survive in three different Governments, which kept hiring him, one after the other, he has to be. Before he died he was the Security Advisor to the President.

Commissioner [Mr. Seenath Jairam, S.C.]: Which President?

Mr. Gates: Both Mr. Jagdeo... He worked at Office of the President. He was with Burnham, then Hoyte rehired him, then Mr. Jagan further rehired him. The guy got a lot of class.

10.06hrs

Mr. Pilgrim: During the course of your evidence, I think sometime yesterday and as well a few weeks ago, you made references to the disruption of WPA meetings, can you tell us what entities you are aware of that you saw engaged in the disruption of any WPA meetings?

Mr. Gates: Well, members of the Death Squad or the Special Squad that I belonged to and members of the House of Israel.

Mr. Pilgrim: Just for clarity, the Death Squad is a police entity, correct?

Mr. Gates: No, the Special Squad, but the public later gave us that name.

Mr. Pilgrim: Of the Guyana Police Force?

Mr. Gates: Yes, Sir.

Mr. Pilgrim: And also the House of Israel?

Mr. Gates: Yes, Sir.

Mr. Pilgrim: Any other entities?

Mr. Gates: I have never witnessed any other entity.

Mr. Pilgrim: That is my cameo Chair; that is all from me, thank you.

Mr. Chairman: Thank you. Mr. Williams, is it your turn now?

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Mr. Williams: Mr. Chairman, I have indicated ... and I have gone first with almost every witness and I will not be doing so with this witness.

Mr. Chairman: Yes.

Mr. Williams: There are other lawyers.

Mr. Jairam: If they wish to ask questions.

Mr. Williams: Yes, that is what I am saying.

Mr. Chairman: Mr. Ram, I can scarcely see you.

Attorney for the Working People's Alliance (WPA) [Mr. Christopher Ram]: If I may.

Mr. Jairam: Having completed your innings, you may retire to the pavilion.

Mr. Pilgrim: Not hurt though, not hurt.

Mr. Chairman: Thank you, Mr. Ram, please proceed.

Mr. Ram: Thank you, Sir. Mr. Gates, Good Morning, Sir.

Mr. Gates: Morning.

Mr. Ram: You said that you were issued with two guns or at some time, you used two guns, is that correct?

Mr. Gates: Yes, Sir.

Mr. Ram: Was that unusual in your unit?

Mr. Gates: No, Sir.

Mr. Ram: How much ammunition did you carry around with you?

Mr. Gates: The 9mm Browning caliber, between 15 and 17 rounds, 6mm which is equivalent to like a 2.5 caliber, carried another 12 to 15 rounds.

Mr. Ram: You carried two firearms at all times?

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Mr. Gates: Yes, Sir.

Mr. Ram: Were there Standard Operating Procedures to account for the use of firearms issued to members of your unit?

Mr. Gates: No, Sir, because we were a special unit, a very special unit.

Mr. Ram: Very special ... could you explain that?

Mr. Gates: That unit took orders from the Crime Chief “Skip” Roberts.

Mr. Ram: What kinds of orders would you be taking from the Crime Chief “Skip” Roberts?

Mr. Gates: Well, like I said, the unit was first set up to go after the bad guys. Later on, we started doing surveillance of political opposition members by attending meetings and stuff like that, and gathering intelligence.

Mr. Ram: As far as you know, did the rest of the Police Force have Standard Operating Procedures?

Mr. Gates: Yes, Sir.

Mr. Ram: But because you were a very special unit, you were exempted?

Mr. Gates: Yes, Sir.

Mr. Ram: Can you say who had the power to authorise the issue of arms and ammunition to members of your unit?

Mr. Gates: “Skip” Roberts would have instructed my officer, Mr. Ulric London, who would have then written a request to the Officer-in-Charge of the Tactical Services Unit for the issue of weapons.

Mr. Ram: You seem to have an organised mind, would that be correct to say?

Mr. Gates: If you want to call it that, Sir.

Mr. Ram: Did it strike you that this was entirely inappropriate?

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Mr. Chairman: What are you referring to?

Mr. Ram: The issue and use of firearms outside of Standard Operating Procedures. Thank you, Mr. Chairman.

Mr. Gates: It may have been abnormal in normal times, but in abnormal times, I would say that it was normal. *[Laughter]*

Mr. Ram: Would you say that those times were abnormal?

Mr. Gates: Abnormal.

Mr. Ram: What made those times abnormal?

Mr. Gates: Because the Government of the day felt threatened by the existence of the WPA. There was no doubt that ... at least that was the belief of my senior officer that the WPA had infiltrated the Guyana Police Force; sensitive sections of the Guyana Police Force and the Army. If you can recall, we were told that Walter Rodney was receiving information from the then Head of Special Branch, Mr. James Mentore better known as “the beetle”. When that information was relayed to us, we got information that he was in a house on Robb Street, just opposite, there was a disco named Guiding Light, he went there to ... we got information that he went there to give information to some WPA people. I was not part of the ... I had not infiltrated the WPA at that time. We never knew that there was a back entrance, so we got certain instructions. On arrival at Robb Street, we were told ...

Mr. Ram: But you said you were not part of the ...

Mr. Gates: I do not think that I had infiltrated the WPA then. I was in the intelligence unit of the Special Squad. The house was searched and we later got information that Mr. James Mentore exited using a North Road entrance and hurriedly left the country. I do not think that he was ever seen since.

Mrs. Samuels-Brown: Mr. James Mentore, what was his position?

Mr. Gates: He was Deputy Commissioner and Head of the Special Branch.

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Mrs. Samuels-Brown: And you are saying that your squad carried out a raid or a search on ...

Mr. Gates: Yes, the House was searched.

Mrs. Samuels-Brown: Thanks. This was because it was felt that Walter Rodney had ...

Mr. Gates: Yes, we had information that the Head of Special Branch was in a meeting with Walter Rodney at that house.

Mrs. Samuels-Brown: Thank you.

Mr. Gates: Which was owned by a sympathiser of the WPA, I will put it that way.

Mr. Ram: During your service with the unit was any member ever disciplined for improper use of firearms?

Mr. Gates: No, Sir. It is sad to say, we were above the Law.

Mr. Ram: Every member of the unit was considered above the Law?

Mr. Gates: Yes, Sir.

Mr. Ram: Where did you think that supernatural powers came from? *[Laughter]*

Mr. Gates: Well, “Skip” Roberts was our boss and like I said, “Skip” Roberts never reported to the Commissioner of Police; he got his instructions from the top.

Mr. Ram: Were you at any time assigned to monitor meetings of the Working Peoples Alliance?

Mr. Gates: Yes, Sir.

Mr. Ram: How regularly?

Mr. Gates: Whenever there was a meeting. I did not attend all of them, but whenever there are meetings, we got instructions to go and gather intelligence, and record what was being said at those meetings. I can remember one morning, I was in charge of the Special Squad office for that period, when “Skip” came in early, he said, ‘*Look WPA just put out a set of Dayclean papers*’ ... I think it was by Stabroek Market ... he gave me some money to go and buy out all the *Dayclean*

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before it was ... you know. The vendor readily agreed because he got an extra something. They just did not want that kind of ... it was referred to as subversive literature.

Mr. Ram: Your monitoring of the WPA meetings was this before or after you had befriended and started to operate with Dr. Roopnarine?

Mr. Gates: Before, Sir.

Mr. Ram: And afterwards? Did you continue to monitor?

Mr. Gates: Well, I was the bodyguard of Dr. Roopnarine.

Mr. Chairman: He was answering you before you were finished with your question, when he said before. Just retrace your steps, what precisely was the question?

Mr. Ram: Before you had accepted an assignment to work with Dr. Roopnarine?

Mr. Gates: Yes, we were monitoring the activities and meetings of the WPA.

Mrs. Samuels-Brown: I am sorry, which of the assignments are we talking about; the assignments by Dr. Roopnarine?

Mr. Ram: Yes, Ma'am.

Mrs. Samuels-Brown: Or the assignments by the Police?

Mr. Ram: Well, there were two sets of assignments.

Mrs. Samuels-Brown: Yes.

Mr. Ram: Yes. I am asking before and after.

Mr. Gates: Prior to infiltrating the WPA, yes. After, yes we continued.

Mr. Ram: You worked for both sides then?

Mr. Gates: If you want to put it that way.

Mr. Ram: Did you have to prepare a report for each meeting you monitored?

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Mr. Gates: Daily reports and whenever there was a meeting, we had to prepare reports. Which were you talking about ... prior to infiltrating the WPA or after?

Mr. Ram: Yes, I am speaking of both.

Mr. Gates: Prior to yes, whenever there was a meeting, a report was submitted. Of course, I would not sign my name at the bottom, I used my code name; it was "Condor". After infiltrating the WPA, I was expected to provide daily reports on the activities of Dr. Roopnarine, who he met with, who he spoke to, the different places he went to, the University of Guyana to lecture, or wherever.

Mr. Chairman: Mr. Ram, get it very explicitly from him; he said he worked for both sides; I want to have it clear ...

Mr. Gates: No, he suggested that I worked for both sides.

Mr. Chairman: I think you accepted that.

Mr. Gates: Yes, technically.

Mr. Chairman: Both sides ...

Mr. Gates: I worked for Dr. Roopnarine as his bodyguard.

Mr. Chairman: Yes.

Mr. Gates: And on the other hand, I was expected to report on his activities to the State.

Mr. Chairman: Who are you working for then, the State?

Mr. Gates: Yes, the Police is an arm of the State.

Mr. Chairman: Thank you.

Mr. Ram: What were ... sorry, Sir.

Mr. Chairman: Thank you.

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Mr. Ram: What were your instructions in relation to monitoring these meetings? How detailed were these instructions?

Mr. Gates: No, we were told to make notes of threats or ... first persons in attendance because there were persons who worked for the Government that would disguise themselves and attend these meetings. If we can identify them, take pictures of them and submit reports. There were other persons who were dealing with recording what was being said at the meeting, you know, by the Leaders. But my instructions were to look for the public servants who were attending those meetings, undercover.

Mr. Ram: To whom were your reports submitted?

Mr. Gates: "Chico" and then to Laurie Lewis. The buck stopped at Laurie Lewis.

Mr. Ram: When you worked for Dr. Roopnarine and now a second phase of this assignment, how frequently did you prepare reports?

Mr. Gates: Well, I was with him on a daily basis because he was lecturing at the University of Guyana and other places, so on a daily basis.

Mr. Ram: Can you give this Commission some idea ...

Mr. Chairman: Would they be verbal reports then? You are with him daily, would you be talking to him ...

Mr. Gates: Written reports.

Mr. Chairman: Written reports?

Mr. Gates: Yes, Sir.

10.21hrs

Mr. Ram: Can you give this Commission some idea of the contents of a typical report, firstly, firstly, in relation to meetings you monitored?

Mr. Gates: That is Prior to?

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Mr. Ram: Yes.

Mr. Gates: Contents?

Mr. Ram: Yes.

Mr. Gates: Like I said, I specifically concentrated on public servants who attended those meetings undercover. If and when they were identified, pictures were taken of them, and if they were clapping and it seemed as though they were supporters, a detailed report would have been submitted. You would have had to make efforts to get the individual's name and where they were employed. Stuff like those.

Mr. Ram: Did you also report on car numbers?

Mr. Gates: On?

Mr. Ram: Car numbers.

Mr. Gates: Yes, we did. We would submit they numbers and they would check with the license revenue office to determine who the owners were.

Mr. Ram: Did you report, too, on the prominent citizens who attended those meetings?

Mr. Gates: Yes. Mr. Yesu Persaud, he headed some grouping named The Guard.

Mr. Ram: No, I think to be fair to this Commission, Guard started much later than Dr. Rodney.

Mr. Gates: We were told that he was a sympathiser of the WPA. We were told that.

Mr. Ram: And you reported...

Mrs. Samuels-Brown: Sorry, I did not get that name.

Mr. Ram: Mr. Yesu Persaud.

Mrs. Samuels-Brown: Could you spell it for me please?

Mr. Ram: Y.E.S.U.

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Mr. Chairman: If in context, who was he?

Mr. Gates: He later formed something named “Guard”, but I cannot say how long it was in existence, but he was the Chairman of DDL - Demerara Distillers Limited.

Mr. Ram: For the benefit of the Commission, he is a very prominent industrialist. He is well regarded throughout the Caribbean as an entrepreneur of some considerable acumen.

Mr. Chairman: He is or was? Is he still with us?

Mr. Ram: Sorry?

Mr. Chairman: Is he still with us?

Mr. Ram: If you mean alive, yes. He is retired.

Mrs. Samuels-Brown: And does the Witness’s evidence concur with what you just told us? He knows him to be prominent, industrialist - to have been a prominent industrialist and entrepreneur?

Mr. Gates: Prominent industrialist..?

Mr. Ram: And entrepreneur?

Mr. Gates: Yes, he was.

Mrs. Samuels-Brown: Thank you.

Mr. Chairman: We lost the context in which his name appeared.

Mr. Ram: It was in relation to the monitoring of prominent Guyanese.

Mr. Chairman: We would need to get more to make a general statement. One would not represent prominent Guyanese. Are you with me? You will have to give us a few.

Mr. Gates: Yesu Persaud, there was a Lawyer by the name Malcolm Taharally...

Mr. Ram: Malcolm Taharally.

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Mr. Jairam: Has he been disbarred since?

Mr. Gates: I do not know. He was from New Amsterdam, Berbice, and he left the country.

Mr. Ram: Any professionals, like Attorneys-at-Law, accountants...?

[Laughter]

Mr. Gates: Attorneys-at-Law, well I have mentioned Mr. Malcom Taharally. If I can recall, ... I really cannot recall at this time, but if given sometime I can... it was such a long time.

Mr. Ram: Did you report, Sir, on any activities –attacks, threats- by any one on WPA members; either speakers or persons attending the meetings?

Mr. Gates: Attacks?

Mr. Ram: Yes.

Mr. Gates: Like I mentioned yesterday, the one at the corner of Barr and Alexander...

Mr. Ram: Did you include those in your reports?

Mr. Gates: Yes, I did. Like I said, I was reprimanded and my boss was upset because I backed off the Rabbi guys.

Mr. Ram: Did you get any feedback to your reports?

Mr. Gates: You do not normally get feedbacks. If he needed additional information, he would so request. He would make additional requests to have that person put under surveillance from the time they left home in the morning, to....

Mr. Ram: And that... sorry.

Mr. Gates: ...Up to the time they got home.

Mr. Ram: And that feedback would have come from?

Mr. Gates: Mr. Lewis, via “Chico”.

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Mr. Ram: Mr. Chairman, I have no further questions.

Mr. Chairman: Thank you, Mr. Ram. Lt. Col. (Ret'd) Harmon?

Attorney for the Ex-Guyana Defence Force (GDF) Association [Lt. Col. (Ret'd) Joseph

Harmon: Yes, Mr. Chairman, thank you very much. I have just a few questions for Mr. Gates. Mr. Gates, you said that you were a part of a special squad and that one element of that squad was an intelligence unit?

Mr. Gates: Yes, Sir.

Lt. Col. (Ret'd) Harmon: Could you tell this Commission what specific training you had in intelligence gathering and intelligence collection that qualified you for service in that squad?

Mr. Gates: First of all, having completed the basic recruit course, and seconded to the special squad... I did not mention this in my statement, but I would like to say this now. It had nothing to do with.... I mean, I was spotted from the time I was in training school as a person who can go about gathering. It was not all about training. During 1978, I think, Course 93 and Course 94 was about to be completed. When at 22:00hrs one evening, I was summoned and given some ballot sheets and we were given a list of eligible voters. We were told to tick off—put 'X' on the house and put them into those ballot boxes. It was at that stage, I did not realise then that we were committing electoral fraud since we were given special treatment.

Lt. Col. (Ret'd) Harmon: Mr. Gates, the question I asked you was about your training...

Mr. Gates: Yes, Sir.

Lt. Col. (Ret'd) Harmon: You were saying that you were – and let us clarify this for the sake of the Commission - on a Basic Recruit Course (BRC). Is that correct?

Mr. Gates: Yes, Sir. I was going to point out...

Lt. Col. (Ret'd) Harmon: Just wait, let me.... You were on a basic recruit course?

Mr. Gates: Yes, Sir.

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Lt. Col. (Ret'd) Harmon: And that was the first entry level training for a civilian who was now seeking to become a member of the Guyana Police Force?

Mr. Gates: Yes, Sir.

Lt. Col. (Ret'd) Harmon: So that was the basic training. You may proceed now to tell me what happened on that Course.

Mr. Gates: Like I was just saying?

Lt. Col. (Ret'd) Harmon: Yes.

Mr. Gates: We were given certain instructions to participate in this...

Lt. Col. (Ret'd) Harmon: As part of the training...

Mr. Gates: Not as part of the training. I can name several squaddies who can come here and verify what I am saying. We were told some ballot boxes came into the training school. We were given a list of voters and we were told to tick off the names –to put ‘X’ on the house- and put it in the ballot boxes. Certain persons were identified to perform that task. We were later identified for what you call “special treatment” or whatever you would call it. When I left there, I went to the beat duty centre. I was supposed to be doing six months still and three months after, I was sentenced to Criminal Investigations Department (CID) Induction Course.

Lt. Col. (Ret'd) Harmon: Mr. Gates, just do not rush ahead. I am dealing now with the basic recruit course. That is where you are.

Mr. Gates: Yes, Sir. I am explaining to you that having completed...

Lt. Col. (Ret'd) Harmon: No, I have not come to that. I do not want to go past that. I will take you in stages. Six months in the BRC course, that is the Basic Recruit Course?

Mr. Gates: Six months.

Lt. Col. (Ret'd) Harmon: And what would have been the syllabus; what were you taught on that course?

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Mr. Gates: We were taught report writing, general duties...

Lt. Col. (Ret'd) Harmon: Yes.

Mr. Gates: ...we did firearms training, taking statements, the powers of observation... Those were some of the...

Lt. Col. (Ret'd) Harmon: That was the syllabus of a basic policeman, the basic recruit?

Mr. Gates: Yes, Sir.

Lt. Col. (Ret'd) Harmon: Before you became this super intelligent operative, did you receive any other specialised intelligence training in the Guyana Police Force?

Mr. Gates: I attended the CID Induction Course.

Lt. Col. (Ret'd) Harmon: What year was that, please?

Mr. Gates: That would have been sometime in early 1978.

Lt. Col. (Ret'd) Harmon: Early...?

Mr. Gates: Early 1977... 1978, early in 1978, or late 1978.

Lt. Col. (Ret'd) Harmon: Yes.

Mr. Gates: I also did a correspondence course from the....

Lt. Col. (Ret'd) Harmon: On that induction course, you call it? Could you tell us what subjects you covered in that Induction Course?

Mr. Gates: We covered surveillance; we covered information gathering; we covered information gathering; we covered interview and interrogation; we covered report writing; a bit of national policy....

Mr. Chairman: What national policy?

Mr. Gates: Policies of the Government where were were told certain persons were above suspicion, you know...

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Mr. Chairman: That was a policy?

Mr. Gates: That was National Policy.

Mr. Chairman: That people were above suspicion?

Mr. Gates: No, they would have told you diplomats and stuff like that... and that you could not arrest them... it was a National Policy.

Lt. Col. (Ret'd) Harmon: Mr. Gates, do you recall any of the officers who were responsible for that training programme on which you were on? If so, whether of them are still in service in the Guyana Police Force today?

Mr. Gates: My class instructor during the BRC was Mr. Winston Felix. On the training programme, you had Ignatius McRae, Mr. Lamb...

Lt. Col. (Ret'd) Harmon: We have gone past the basic recruit now, we are on...

Mr. Gates: Well, I am going onto the CID Induction...

Lt. Col. (Ret'd) Harmon: We are talking about the CID Induction now...

Mr. Gates: Mr. Ignatius McRae, Mr. Eustace Lamb... those are two I can recall. Those were the two main lecturers.

Lt. Col. (Ret'd) Harmon: Are those persons still alive today?

Mr. Gates: I think Mr. Ignatius McRae... both, I understand, are still alive. Mr. McRae, up to recent, was the Chief Security Officer at Banks. I do not know if he is still in Guyana.

Lt. Col. (Ret'd) Harmon: Was there any specific feature of your performance on that course, which would have endeared you to those persons for special treatment?

Mr. Gates: Like I said, the Administrators, they made an assessment, they decided at the end of that training programme, that I and a few others be sent to the CID special squad at CID headquarters. I do not know what criteria they used. I do not know.

Lt. Col. (Ret'd) Harmon: So, who made that assessment?

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Mr. Gates: I think a recommendation from the course instructors was sent to the Crime Chief and he decided what section in the CID one should be placed...

Lt. Col. (Ret'd) Harmon: Now, you have a very good memory, Mr. Gates. I have been listening to you for the last couple of days. Do you recall the person with whom you interfaced when that decision was made for you to be sent to the CID?

Mr. Gates: Like I said, it was at the end of the training programme that we were told.

Lt. Col. (Ret'd) Harmon: Not "we", who told you that?

Mr. Gates: I think Mr. Eustace Lamb.

Lt. Col. (Ret'd) Harmon: You think? Are you not sure?

Mr. Gates: Yes, Mr. Eustace Lamb.

Lt. Col. (Ret'd) Harmon: Do you have in your possession any evidence of having gone through these periods of training, for example, a certificate of qualification for the CID course or Certificate for qualification for the BRC?

10.36hrs

Mr. Gates: Like I said earlier, when police raided my home [*inaudible*] looking for documents to connect me to the CIA, those were taken away.

Lt. Col. Ret'd Harmon: So you do not have any now?

Mr. Gates: I do not. But the Force records... it would be in the Force records, and Mr. Balram Persaud, I am sure, would be willing and happy to present those documents.

Lt. Col. Ret'd Harmon: Okay. So apart from the CID Induction Course, were there any other specific courses of instruction which you attended that basically qualified you for this deep undercover role that you are about to play?

Mr. Gates: Like I said, I did a correspondence course from the Rouse School of Detective Training; it ran for a period of one year.

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Mrs. Samuels-Brown: I would like to get the name clear.

Mr. Gates: Rouse School of Special Detective Training. I think it was somewhere in California.

Mrs. Samuels-Brown: Thank you.

Lt. Col. Ret'd Harmon: What year that would have been Mr. Gates?

Mr. Gates: During the same period, 1978.

Lt. Col. Ret'd Harmon: In 1978?

Mr. Gates: Yes.

Lt. Col. Ret'd Harmon: You did a one year course?

Mr. Gates: Between nine months to one year.

Lt. Col. Ret'd Harmon: While you were a member of the Special Squad?

Mr. Gates: Yes Sir.

Lt. Col. Ret'd Harmon: Mr. Gates, you went on to say that "Skip" Roberts never reported to the Commissioner of Police. Is that an accurate recollection of what you gave in evidence here, Sir?

Mr. Gates: Based on my personal knowledge.

Lt. Col. Ret'd Harmon: He never?

Mr. Gates: Based on my personal knowledge.

Lt. Col. Ret'd Harmon: Mr. Gates, you were a member of the Police Force for how long?

Mr. Gates: I would say from 1977 to 1981.

Lt. Col. Ret'd Harmon: So that would be about four years?

Mr. Gates: Yes Sir.

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Lt. Col. Ret'd Harmon: In your evidence here you said that you were actually paid as a Superintendent, a salary of \$865 per month?

Mr. Gates: That is what it was increased to after I was sent to infiltrate the WPA.

Lt. Col. Ret'd Harmon: How did you become aware that that \$865 was a salary of a Superintendent in the Guyana Police Force?

Mr. Gates: Because I was told that.

Lt. Col. Ret'd Harmon: You were told that. Mr. Gates, are you aware in the Guyana Police Force at that time, under the commissionership of Mr. Lloyd Barker, was that the person you said who was the Commissioner then?

Mr. Gates: Yes Sir.

Lt. Col. Ret'd Harmon: That there were weekly administrative meetings of the Guyana Police Force at which all Assistant Commissioners, including Mr. "Skip" Roberts, who attended?

Mr. Gates: I am not aware Sir.

Lt. Col. Ret'd Harmon: You are not aware?

Mr. Gates: No Sir.

Lt. Col. Ret'd Harmon: But you aware that he never reported to the Commissioner?

Mr. Gates: Like I said, from my personal knowledge. I was never at those meetings. I was too small.

Lt. Col. Ret'd Harmon: I agree, I have a very vivid memory. Now Mr. Gates, I would like to take you to page 3 of your evidence-in-chief and to the references you have made to the conversation you had with Mr. Gregory Smith and what he told you about Norman Mc Lean. In somewhere about the middle of the page, Mr. Scotland, Counsel, did refer to this particular paragraph earlier. I would just want to clarify something here for my own benefit. You said that Gregory Smith told you that from time to time, he met with Norman Mc Lean, the Head of the

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Army, and he told me that he was instructed by Norman McLean to fill the opening for a radio communication technician. Is that true?

Mr. Gates: Yes Sir.

Lt. Col. Ret'd Harmon: Then further in answer to a question from Mr. Scotland, you said, it might have been Mr. Pilgrim, sorry, that the specific instruction that you understood Gregory Smith to have received from Norman McLean, was that he was to tell Walter Rodney that it would take a little over three months to manufacture a long range communication device. Do you remember saying that?

Mr. Gates: Yes Sir.

Lt. Col. Ret'd Harmon: This is the basis for you concluding that Norman McLean had something to do with the death of Walter Rodney without more.

Mr. Gates: That is based on what he told me.

Lt. Col. Ret'd Harmon: I am saying that the specific instruction that you said, you answered the Counsel's question, that the specific instruction that Gregory Smith received from Norman McLean was that he was to tell Walter Rodney that it will take about three months for him to manufacture a long range communication device. If someone were to tell you that, would you conclude that he or she is going to kill your mother?

Mr. Gates: Based on that conversation and the sequence of events that follow, led up to...

Mr. Scotland: Mr. Chairman. I... I did not want to come to sit in front to block...

Mr. Chairman: I hear you, but I can scarcely see you.

Mr. Scotland: Mr. Chairman, as this Commission has reiterated, time and time again, fairness is the hallmark. I think to be fair to the Witness, the entire statement...

Mr. Chairman: I consulted my own record, you go ahead, the Witness said much more that was put to him by Mr. Harmon.

Mr. Scotland: Mr. Chairman, for the benefit of the public...

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Mr. Chairman: Based on conversation with Gregory Smith and sequence of events that followed, it is reasonable to conclude that he did trick Walter and Donald Rodney. That is not the first instance in which he refer to he also mentioned earlier, and the charge against Donald was trumped up, but earlier on, he had spoken in similar vein in relation to a specific issue in the death of Walter Rodney, but go ahead.

Mr. Scotland: His evidence-in-chief is before this Commission, says, may I without reading it because I really would not want to stand in my learned Friend has cross. May I respectfully draw to the Commission's attention to page 3, line five, counting from the bottom. This is evidence-in-chief that would have led to his conclusion where he said that he reported, does the Commission see it? Starting with the sentence, "he told me that he told Walter Rodney that he could, but that he will take some time. He said that he has reported this to "Chico" first and then subsequently, met with Norman McLean and Laurie Lewis and later with Brezhnev. At the Norman McLean/Laurie Lewis meeting, he was told that when Rodney dies by the device, he would be given \$1,000,000 and a safe trip to a foreign country with his wife and child. If my learned Friend is to put that proposition to him, it is my respectful submission that he ought to put this into context and then tell the Witness, "now that you have seen this in evidence-in-chief, what do you say about your conclusion"?, because he said more than just that. What my learned Friend is putting to him, that is all you said, how could you then come to that conclusion, but the fact is, that is not all that he said.

Mr. Chairman: I think you have made your point Sir. Mr. Harmon, what in effect he is saying is that you might have not fully located your question in terms of the context, in terms of what was said earlier by the Witness.

Lt. Col. Ret'd Harmon: Sir, I understand quite clearly what I am doing and I accept your guidance on this matter, but I really did not need the lecture from my Friend. Sir, in fact, what I am trying to establish was that what this Witness was making was a quantum leap from a communication long range device to something that, in fact, might have killed Dr. Rodney. In his evidence-in-chief, his statement here he does not make that connection where Norman McLean is concerned, and so I am saying, Sir, it is important for us to go back to the instruction which he said that Gregory Smith told him he received from Norman McLean. Mr. Chairman, I would

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respectfully submit whether, in fact, as a result of something else, that Rodney died. The last instruction he received was that to tell Dr. Rodney that it will take three months or so to acquire this. So Mr. Chairman, I want to reiterate that point and to show that there was really in spite of what the Witness is seeking to say, that there was really no linkage between the instructions allegedly given by Norman McLean to Gregory Smith and the resulting explosion which did kill Dr. Rodney.

Mr. Scotland: Mr. Chairman, with the greatest of respect to my learned Friend, that is just not so and I know he has his job to do. I am not lecturing him. What I am doing, respectfully, is right after that statement, there comes the unequivocal statement he was told that when Rodney died by the device. So he must put it into context. That is all I am saying. He can ask his questions after. Put the entire recollection of the conversation to the Witness which is on record as evidence-in-chief, and then ask the question.

Lt. Col. Ret'd Harmon: Mr. Chairman, I am sorry, but I have to say this that what we have here before us is a conversation about a communication equipment, long range, 25 to 30 miles. There is no conversation here between Gregory Smith and Norman McLean which says that this device which I am giving you is a device which can kill Dr. Rodney. There is nothing here. There is nothing in his evidence either that says that. What he is saying here now is after Rodney dies by the device, what device he is talking about?

Mr. Chairman: You can ask him a simple question like that.

Lt. Col. Ret'd Harmon: I will ask him. Mr. Gates.

Mr. Gates: Yes Sir.

Lt. Col. Ret'd Harmon: In your statement that you gave to this Commission, you said on page 3 about the fifth or sixth line from the bottom at the Norman McLean meeting, he was told when Rodney died by the device, he will be given \$1,000,000. What device were you talking about here, Mr. Gates, or what device did you understand Gregory Smith to be talking about here?

Mr. Gates: The device that he gave to him.

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Lt. Col. Ret'd Harmon: He gave to whom?

Mr. Gates: The device he was told to, or was being told to of that would have been manufactured to give to him. That is my interpretation or my understanding.

Lt. Col. Ret'd Harmon: Mr. Gates, this is the device you were talking about that was coming from Russia by the KGB?

Mr. Gates: Yes, Sir, that is my understanding.

Lt. Col. Ret'd Harmon: Mr. Chairman that will be all I would have for the Witness.

10.51hrs

Mr. Chairman: Thank you. Mr. Williams you are likely to be walking to the crease as the last batsman.

Mr. Williams: Would we be doing that after the lunch break?

Mr. Scotland: My Friend is so tired from sitting down, he needs some refreshments.

Mr. Chairman: If you are padded up for days, you may need to have a few minutes' notice. I accept that and to that extent, we can pause now until about 11.20 hrs.

Mr. Williams: Thank you.

Mr. Chairman: We are now at the mid-morning break. Thank you.

Hearing suspended at 10.51hrs

Hearing resumed at 11.35hrs

Mr. Chairman: Mr. Williams, as soon as you are ready...

Counsel to the Commission [Mr. Glenn Hanoman]: Mr. Chairman, could I be permitted to interrupt very briefly for the purposes of clarifying the record, and this is coming off of what my colleague, Mr. Harmon, was exploring during his cross-examination.

Mr. Chairman: Can it not be done through the witness?

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Mr. Hanoman: As it please.

Mr. Chairman: Because you will have the opportunity to re-examine.

Mr. Hanoman: Mr. Harmon had suggested a very small portion of the evidence to the Witness during his cross-examination and I have discovered that it was expanded upon when I looked at the Verbatim Reports, so which ever method pleases you, Mr. Chairman.

Mr. Chairman: I am not too sure what you mean when you say that it was expanded upon.

Mr. Hanoman: During this Witness' evidence-in-chief, he went into details about a meeting at the Parade Ground that he had with Mr. Gregory Smith that could possible clear up...

Mr. Chairman: Last Friday he gave that evidence.

Mr. Hanoman: Pardon me, Sir?

Mr. Chairman: I think he gave that evidence last Friday.

Mr. Hanoman: He gave it so I just wanted to remind...

Mr. Chairman: Yes, but you will have an opportunity to do that and to do whatever else you may wish to do by way of re-examination.

Mr. Hanoman: Well it is already on the record so I...

Mr. Chairman: Okay, well you just refresh at the time.

Mr. Hanoman: Very well.

Mr. Chairman: Mr. Williams?

Mr. Williams: Actually, Mr. Chairman, I thought that the Commission's Counsel was going to enlighten us about the instruction you have given to him in relation to the record of convictions, if any, of the Witness.

Mr. Chairman: Perhaps, he may wish to tell us what progress he has made in trying to secure them.

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Mr. Hanoman: I stand by what the Witness has said. He has mentioned to me that he is serving sentence for the offence or offenses for which he has been convicted, and I think that we have shared that already through the evidence.

Mr. Chairman: Did you try to secure the record from the appropriate department in Government?

Mr. Hanoman: I have not been able to get any record that suggests that he has any other convictions.

Mr. Chairman: Did you try?

Mr. Hanoman: I have made attempts.

Mr. Chairman: That is it, Mr. Williams.

Mr. Williams: As it pleases, Sir.

Mr. Chairman: Have you been promised then, at a later date, because we may still need them?

Mr. Hanoman: I will redouble my efforts to get them.

Mr. Chairman: Very well.

Mr. Williams: Yes, Mr. Gates, would you agree with me that you have had a long career in criminal activity?

Mr. Gates: That is what you are saying, Sir.

Mr. Chairman: I am not sure what that means. Do you mean as a criminal or as a criminal investigator?

Mr. Williams: No, he has answered, as a criminal.

Mr. Gates: I said that that is what you are saying.

Mr. Chairman: Mr. Gates, I am not sure what your response is, the meaning of it is. Is it that it is true or not true?

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Mr. Gates: I do not agree with him.

Mr. Chairman: You do not agree with him.

Mr. Gates: No, Sir.

Mr. Chairman: Very well thank you.

Mr. Williams: Would you agree with me then that within the last 15 years you would have been a regular visitor to Lot 12 Camp Street?

Mr. Gates: I would not say a lot of times. I have been and continue to be hounded and persecuted by elements connected to external forces. We are talking about convictions, Sir.

Mr. Williams: You have not answered me you know. We are talking about your sojourns at Lot 12 Camp Street.

Mr. Hanoman: I wish to object to that question, in the sense that...

Mr. Pilgrim: Mr. Chair, I do not want to interrupt, but for those of us who may not be familiar with the various "Lot 12s" and so, if Counsel could make it clear that it is a prison, police lockup, or whatever so that we are in the picture with him. I know that Mr. Scotland is very familiar with the Barbadian Prison names, I can refer to those, but for the benefit of Counsel and the public, if he can just make it clear what lot, whatever it is and what that means to the...

Mr. Chairman: I am concerned about something else; I think it is quite proper to put convictions to him.

Mr. Pilgrim: Indeed, Chair.

Mr. Chairman: If the Police pick you up 15 times and no conviction resulted from that, to deal with the many times you have been picked up, I do not think would be helpful or fair...

Mr. Pilgrim: This is why I asked if it was the prison.

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Mr. Chairman: ...but we can put convictions to him and that is why I am disappointed that we did not have that card and so as it make this which Mr. Williams had asked for since last week.

The Police may pick you up 40 times, no convictions results, no charge results.

Mr. Williams: No, but in addition to that, we could put to him situations that he has been in; it is up to him to say “yes” or “no”. His answer to what would be a collateral question, of course, would be final. I would not pursue it, but I would still wish to put it to him. It is up to him to answer “yes” or “no”, but being collateral, I would move on, irrespective of what the answer is.

Mr. Gates: I am willing to produce two documents from the Chambers of the Director of Public Prosecutions (DPP) who had cause to intervene and discontinue persecution and prosecution by certain elements of the Police Force. Thank God the Force is in much safer hands today.

Mr. Williams: For the first time in all that time that you have been in that box, I am seeing you agitated. You are not your normal cool self. We have not started anything.

Mr. Gates: When I am dealing with a man like you, I have to put on my boxing gloves.

Mr. Williams: No. You have to be calm.

Mrs. Samuels-Brown: I would still like to know this address that you gave. What is the street name?

Mr. Williams: Lot 12? Could you tell the Commission that Lot 12 Camp Street is not a guest house?

Mr. Gates: Lot 12 Camp Street is the main prison in Guyana.

Mrs. Samuels-Brown: Thank you very much.

Mr. Gates: Where I am proudly serving as the Prison’s Librarian and Mentor.

Mr. Jairam: Sorry, what is that?

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Gates: I am the Prison's Librarian and I have been identified to do mentoring, so I have been making a valuable contribution to the rehabilitation of inmates.

Mr. Williams: You could not do that from the outside?

Mr. Gates: Let me say this, Sir, prior to being in prison, I conducted training programs for the Guyana Prison Service, the Presidential Security, the Guyana Revenue Authority (GRA) – you can check that – intelligence investigations and security. I am no career criminal. You can check with the GRA, check with the Presidential Security; I provided training for all of them.

Mr. Williams: Would you consider that you are well-off?

Mr. Gates: Well-off?

Mr. Williams: If your activities have earned you over \$50 million Guyanese dollars, would you consider that you have done well?

Mr. Gates: I am proud to say I do not own a house. I do not own a bank account. I have no money in my pocket. Nobody is keeping any money for me at the bank. All I own is this. I live off of donations.

Mr. Williams: Now, you have a number of companies. Do you care to tell the Commission about them?

Mr. Gates: Confidential Investigations Bureau.

Mr. Williams: What is that?

Mr. Gates: It is a private investigation agency. Central Bureau of Intelligence and Security.

Mrs. Samuels-Brown: You are listing them and it is very helpful, but if you could just go a little more slowly for me so that I can write.

Mr. Gates: Sure, Madame.

Mrs. Samuels-Brown: Thank you so much.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Chairman: What was the question, Mr. Williams?

Mr. Williams: If he could indicate to you the number of companies that he had.

Mr. Gates: That I had?

Mr. Williams: Well I do not know if you still have them or not.

Mrs. Samuels-Brown: The question was the companies that he had/has...

Mr. Williams: His business.

Mrs. Samuels-Brown: ...and he is answering and the first one is Confidential Investigations Bureau and he was going onto the second when I regretfully...

Mr. Gates: Central Bureau of Intelligence and Security.

Mr. Chairman: Go ahead.

Mr. Gates: Strategic Advisory Services provided advisory services.

Mr. Williams: Is that it?

Mr. Gates: International Connections. That is it.

Mr. Williams: That is it. How would you describe them? You just called the name of the great Yesu Persaud, a great industrialist of his company in his time. How would you describe your companies? Would it be correct to say that they were paper companies?

Mr. Gates: They were active at the time, but I cannot be compared to Mr. Yesu Persaud, in financial terms.

Mr. Williams: But you are doing well or you are doing well?

Mr. Gates: If I was doing well, I surely would not have been an inmate of the Georgetown Prisons; trust me.

Mr. Williams: That is just greed, but we are going to come to that.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Pilgrim: I do not know if Counsel is going to be allowed just to make comments that disparage the Witness. It might be more appropriate if he puts questions or suggestions to him that he is greedy, for example, rather than just insulting people without allowing them an opportunity to respond.

Mr. Williams: No. It was never my intention to insult him. He made a remark to me and I suggested to him that it could possibly be because of greed.

Mr. Pilgrim: He should be allowed then to respond to that.

Mr. Williams: This Witness knows exactly what I am talking about. He is not...

Mr. Jairam: Mr. Williams...

Mr. Gates: I do not know what you are talking about.

Mr. Jairam: Mr. Gates. Mr. Williams, as a cross-examiner you should not abuse your privilege. Not because you are in the privileged position of an Attorney... You asked a question and made a comment because of his greed and it provoked some laughter from members of the public. I think you need to be a little more restrained and disciplined in your cross-examination.

Mr. Williams: Sir, I disagree with you. I have done nothing wrong in my questioning here and if people have their special sensitivities they must not come into this box and purposely libel and slander people in this country, so I do not understand what this is about.

Mr. Jairam: Why do you call it libel and slanderous?

Mr. Williams: Because he has been doing that. Everything here is hearsay and double hearsay and hearsay upon hearsay.

Mr. Jairam: We you would have to demonstrate that by your cross-examination.

Mr. Williams: I have done so many times and I will do it again. Anyway, let us proceed.

WALTER RODNEY COMMISSION OF INQUIRY

Mrs. Samuels-Brown: I know you have said let us proceed, Mr. Williams, but if I may be permitted, you did make the comment “that is just greed” and I would like to hear from the Witness. Were you motivated by greed, Sir?

Mr. Gates: No, your worship.

Mrs. Samuels-Brown: Thank you.

Mr. Williams: Well he has to answer the questions that would show what he is talking about.

Mrs. Samuels-Brown: It was not put as a question, but I thought to be fair to him, I should put it as a question. Thank you.

Mr. Williams: The Witness and I were doing very well. I do not know what the interventions are about. Yes, let us go on. Now, did you use any of those companies to export lumber to Barbados and which activity you invited the public of Guyana to participate in?

Mr. Gates: I invited? I never invited anybody to participate in anything.

Mr. Williams: What did you do?

Mr. Gates: I took loan from several persons and if you could provide any...

Mrs. Samuels-Brown: I am having a difficulty. Did you use any of those companies to export lumber to Barbados and invite the public? Can we have them one at a time please?

Mr. Gates: No. I never invited the public to participate.

Mrs. Samuels-Brown: No, the first question was did you use any of those companies to export lumber to Barbados?

Mr. Gates: Yes, I did.

Mrs. Samuels-Brown: Thank you.

Mr. Chairman: I think the plea to Counsel though is one question at a time. You had two or three wrapped up there.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Williams: Sir, as it pleases you. He was going fine with four/five questions at a time.

Mr. Chairman: And he chose to answer the third one.

Mr. Williams: Yes, as it pleases.

Mr. Chairman: One at a time.

11.50hrs

Mr. Williams: You advertised to the public that you are in this business?

Mr. Chairman: You have gone on. What about the question about whether he had...?

Mr. Williams: He has answered the question that he had a business exporting... He was involved in the business of exporting lumber to Barbados. I thought he answered that.

Mr. Chairman: Did you, Mr. Gates?

Mr. Gates: Yes, I said yes.

Mrs. Samuels-Brown: The second part of the question “and you invited the public...”

Mr. Williams: Yes, that is what we are going on to.

Mrs. Samuels-Brown: The question was whether he had invited the public to invest? I have not heard an answer to that?

Mr. Gates: I never invited the public to invest.

Mr. Williams: What did you do?

Mr. Gates: You tell me.

Mr. Williams: ...with the public?

Mr. Gates: You tell me. You produce the evidence. Bring the newspapers clippings, bring whatever; confront me with it.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Williams: Did you via the newspapers in Guyana invite members of the public to invest in your company which business was to export lumber to Barbados?

Mr. Gates: I did, but no one invested.

Mr. Williams: You see why we are having two questions at a time? I am asking one and he is giving two answers.

Mr. Gates: No, you want me to say “I did” which will give the impression that I collect moneys from investors.

Mr. Williams: Did you tell the public that they would be able to have returns of between 50% and 100% of their investments within a few months?

Mr. Gates: I may have said that.

Mrs. Samuels-Brown: Is that 50 and 100...?

Mr. Williams: Between 50% and 100% of their investment within a few months. Did you?

Mr. Gates: I may have said that. I cannot recall.

Mr. Williams: As a result... Do you agree that people responded to the advertisement?

Mr. Gates: Yes, but I said no one invested.

Mr. Williams: Alright but the National Security Council of Guyana got involved? Is that not so?

Mr. Gates: Yes, they wrote me at one point and I explained to them that no one invested. I took loans from a few persons.

Mr. Williams: Okay, you are jumping. Their complaint to you was that persons complain to them that they had invested with you.

Mr. Gates: No one invested.

Mr. Williams: No, that is not the question I am asking.

Mr. Gates: Persons may have done that.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Williams: The Guyana's Security Council raise with you the complaints of persons who said they invested with your company? Is that not so?

Mr. Gates: I do not know what the complainants said to...

Mr. Williams: Did they talk to you?

Mr. Gates: They did.

Mr. Williams: I am saying what the Council told you that members of the public said that they invested with you?

Mr. Gates: I think they sent me a letter.

Mr. Williams: It does not matter.

Mr. Gates: I cannot recall the contents of that letter.

Mr. Williams: In fact, the Council would have informed you that the persons who visited them to complain about your activities complained that over \$50 million was paid to you and they had had not any returns?

Mr. Gates: I have no knowledge. Bring the people to the Commission.

[Laughter]

Mr. Gates: Why did the Commission not take action if that was so? Why did the Police not take action if that was so?

Mr. Williams: As a result the Guyana Security Council had to publish a Notice. This Notice is dated the Friday 21st December, 2007. Are you aware of this the publication?

Mr. Gates: I am not aware. They did that for several companies.

Mr. Williams: No, we are talking about your several companies.

Mr. Gates: I cannot recall. I do not read the papers every day.

[Laughter]

WALTER RODNEY COMMISSION OF INQUIRY

Mrs. Samuels-Brown: Counsel, I did not get the date. Can you assist me?

Mr. Williams: Pardon me.

Mrs. Samuels-Brown: The date.

Mr. Williams: Friday, 21st December, 2007.

Mrs. Samuels-Brown: Thank you.

Mr. Williams: “Guyana Security Council public notice: Confidential Investigations Bureau...”, is that a company of yours?

Mr. Gates: Yes.

Mr. Williams: Central Import and Export?

Mr. Gates: Yes.

Mr. Williams: Another company?

Mr. Gates: Yes.

Mr. Williams: Carib Lumber Export?

Mr. Gates: I do not know about that one.

Mr. Williams: Allan Robert Gates, Thomas Haynes, Simone King, do you know those names?

Mr. Gates: I do not know about those other companies.

Mrs. Samuels-Brown: Mr. Williams you are going very fast. Do you happen to have a copy?

Mr. Williams: Sorry Madame, I am going to lay it over to you just now.

Mrs. Samuels-Brown: The Chairman has asked if you could produce the copies early.

Mr. Williams: Yes, I do not know if he needs a copy, when I show it to him and he decides...

Mr. Gates: I do not need to see that, I will answer.

WALTER RODNEY COMMISSION OF INQUIRY

Mrs. Samuels-Brown: I just need to get the companies' names.

Mr. Williams: As it pleases you. Central Import and Export, that is the second one and the third is Carib Lumber Export.

Mr. Gates: I do not know about that.

Mr. Williams: Then we have three names, Allan Robert Gates...

Mr. Chairman: Just one minute, Counsel. When you say you do not know about that third company is that one of your companies?

Mr. Gates: It is not my company.

Mr. Chairman: It is not your company?

Mr. Gates: No, Sir

Mr. Williams: Are you concern in it?

Mr. Gates: Pardon me.

Mr. Williams: Are you a shareholder, are you an officer of the company, what?

Mr. Gates: I do not know.

Mr. Williams: I am asking you.

Mr. Gates: I am not a shareholder. I never registered such a company.

Mr. Williams: Let us move on with the leave of the Commission. Then we have names Allan Robert Gates, I would suppose that is your name?

Mr. Gates: That is my name.

Mr. Williams: Thomas Haynes?

Mr. Gates: I do not know him.

Mr. Williams: Simone King?

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Gates: I know the person, but I do not know about their activity.

Mr. Williams: No, who is Simone King?

Mr. Gates: It is a relative.

Mr. Williams: Your family?

Mr. Gates: Yes, but like I said her business was not connected to mine, so I cannot give any information on that person.

Mr. Williams: This is the Notice, “The Guyana Securities Council (GSC) wishes to advise the public that Confidential Investigations Bureau, Central Import and Export, Carib Lumber Export, Allan Robert Gates, Thomas Haynes and Simone King are not licensed by the Guyana Securities Council to conduct security business in Guyana and do not have any securities registered with the Guyana Securities Council that can be legally offered to the public. In addition, the Guyana Securities Council does not have before it any application from these entities or persons to obtain securities dealers’ licenses or to register any of their securities. The Securities Act requires all persons conducting security business or investment advice business in Guyana to be licensed by the Guyana Securities Council to do so. The Act also requires that securities must be registered by the Guyana’s Security Council before they can be raised to the public. The Guyana Securities Council urges the public to exercise caution when considering investment opportunities.” Do you understand what this notice was referring to?

Mr. Gates: As far as I am concerned, it did not apply to me.

Mr. Williams: No, but you have couple companies mentioned here?

Mr. Gates: I do not know what information was given to the Commission, but I think I responded to them telling them that I know of such thing that is why they could not proceed with legal action.

Mr. Williams: Does this Notice relate to the complaint that I just raised with you that you received money from investors promising them healthy returns?

Mr. Gates: I did not receive any moneys any investor.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Williams: Those returns were not forthcoming?

Mr. Gates: I did not receive any money from any investor.

Mr. Williams: As a result this was a Notice to protect the Guyanese public from you and your companies?

Mr. Gates: The Guyana Securities Council has even put Notice for Stockfeed; it is not nothing strange.

Mr. Williams: No, could you answer my question? Do not let us get otherwise. I am being pretty reasonable with you. Just answer question.

Mr. Gates: I am being reasonable with you too.

Mr. Williams: I am saying to you as a result, this Notice was published to protect the public from the activities of your company and yourself? Do you agree with that?

Mr. Gates: That might have been so, but like I said, I had no investor on board.

Mr. Williams: Let us move on. Just answer and let us move on. Mr. Chairman...

Mr. Chairman: Ply the usual route.

Mr. Williams: In fact, it is not true what you are suggesting to the Commission. You were in fact charged with obtaining by false pretences?

Mr. Gates: When?

Mr. Williams: As a result of that activity.

Mr. Gates: ...of that?

Mr. Williams: Yes.

Mr. Gates: The Police is...

Mr. Williams: Just answer my question.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Gates: Listen to me... Yes, on one occasion and that charge was withdrawn by the Director of Public Prosecutions. I have that document.

Mr. Chairman: You were so loud there, Mr. Gates, I did not hear you.

Mr. Gates: Sorry, Sir. I said the charge was subsequently discontinued by the Director of Public Prosecution because the Police provided false evidence to the DPP Chambers.

Mr. Chairman: Mr. Williams, I just want to say that we are interested in convictions...

Mr. Williams: Yes, Sir, but I am talking about...

Mr. Chairman: ...which were not successfully appealed.

Mr. Williams: Mr. Chairman, with respect, we are here to have witnesses of truth. I am sure you would agree with me.

Mr. Chairman: Yes.

Mr. Williams: Therefore it is incumbent upon me to show that the types of witness who have, over the years, been attracting the attention of the authorities with offenses like obtaining by false pretences. This goes right to the heart of his credibility.

Mr. Chairman: I said that he is in a very special position.

Mr. Williams: Sir, will let me give you convictions.

Mr. Chairman: A man who is a double and triple agent may attract the attention of Police on different occasions.

Mr. Williams: No, we are talking about fleecing the public, but let us go to...

Mr. Chairman: All related to this character.

Mr. Williams: Sir let us go to convictions then as you said you want convictions.

Mr. Chairman: Otherwise we will be going through allegations.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Williams: Do you agree that, in fact, you are actually serving right now a term of imprisonment in relations to several counts of obtaining by false pretences?

Mr. Gates: ...which is under appeal.

Mr. Williams: Could you answer the question?

Mr. Gates: Yes, alleged.

Mr. Williams: Look, we are going to get on easy. You do your business, I am doing my business.

Mr. Chairman: Mr. Williams, he said, "yes but they are under appeal". I think that is appropriate that we should know that. Let us be fair at all times.

Mr. Williams: Yes, but the convictions are there. You said you wanted convictions.

Mr. Chairman: He said they are under appeal.

Mr. Williams: If it is under appeal, it has not been extinguished.

Mr. Chairman: Yes, but we want to hear that too.

Mr. Williams: No, but I did not know that was what he was saying. I just want him to answer "yes" or "no", and then we can move on. I will have to start tightening you up if you are going to continue like that and you know I could do that. Let us move on. You were convicted for one, two, three, four, five, six, seven, eight, nine, ten, eleven, twelve counts of obtaining by false pretences. Do you agree with that?

Mr. Gates: The matter is under appeal.

Mr. Williams: Could you answer my question?

Mr. Gates: Yes, the Magistrate "cowboy me".

Mr. Chairman: What?

[*Laughter*]

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Gates: The trial was not a fair trial. I was not even served statements. Can you imagine that?

Mr. Williams: Mr. Chairman, I do not know if you want me to control the Witness, but I would be happy to be under your protection.

Mr. Chairman: No, but just answer the question. What I want to know, Mr. Williams, is whether that resulted from one transaction or this on 12 different occasions?

Mr. Williams: I do not know if you wish to ask him, but I can ask him that?

Mr. Chairman: Yes, it would helpful to know.

Mr. Williams: I am guided, Sir. I do not want to dwell too long on this, I got a lot of things to do. These were all different persons?

Mr. Gates: Yes, they were.

Mr. Williams: Ten different persons or 12 different persons and the allegations... You were convicted for fleecing them of how much, can you average?

Mr. Gates: Fleecing them?

Mr. Williams: Fleecing.

Mr. Gates: The records are there at the Court of Appeal.

Mr. Williams: That is why you have to tell us.

Mr. Gates: I collected moneys from 12 persons with the promise to import vehicles for them. Contracts were entered into at the same time I entered into a contract...

Mr. Jairam: Would it in any way prejudice his case in the Court of Appeal, Mr. Williams?

Mr. Williams: No, it would not.

Mr. Chairman: No. It is before Judges and everything said...

Mr. Williams: It would not.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Jairam: I just want to be careful.

Mr. Williams: Sir, our task is to ensure that all three of you are given the best evidence to assist you to discharge your remit under this Commission of Inquiry's Terms of Reference and this is a Court of Law.

12.05hrs

Mrs. Samuels-Brown: I am the person who interrupted, he said he collected...

Mr. Gates: I collected money from 12 persons...

Mrs. Samuels-Brown: ...to import...

Mr. Chairman: ...vehicles for them and entered into contracts with.

Mr. Gates: Then I entered into a contract with my supplier who failed to deliver to me...

Mr. Chairman: Go ahead.

Mr. Gates: Yes as a result, I sued him in the High Court.

Mr. Pilgrim: He sued the supplier?

Mr. Gates: Yes, I did, Sir.

Mr. Williams: We do not want to detain the Commission we just wanted to ... The Chairman wants convictions and that is all I want to deal with. We are not trying your appeal here.

Mr. Gates: No, but they must know the circumstances.

Mr. Williams: We are just stating the thing...

Mr. Chairman: No, but...

Mr. Williams: Commission Counsel could deal with that if he wishes.

Mr. Chairman: Yes, but he is in the midst of explaining something...

Mr. Williams: Yes.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Chairman: ...please let him do that.

Mr. Gates: The persons visited the Police. The Police took statements from the persons. I told them my side of the story and I showed them the contracts. They did not send my evidence to the Director of Public Prosecutions. As a result, charges were instituted. My lawyers represented me, tendered the contracts, tendered the document that I sued my supplier and everything and the Magistrate fixed a certain time for decision. When I went on that day the Magistrate was not there. I went back another time she was not there and they told me that they will send me a Notice. I never received a Notice until I was arrested and told... There was a serious breach of the Administration of Justice Act where I was never served statements as required – seven days before the person gives their evidence. My lawyer has also filed a motion to quash the sentences which is currently before the Chief Justice.

Mr. Williams: Okay, could we continue?

Mr. Chairman: Yes, we have had enough of that.

Mr. Williams: Yes, Sir. Now, 12 counts of obtaining by false pretense. You could have been spending a lifetime in there.

Mr. Gates: In where?

Mr. Williams: In Lot 12.

Mr. Chairman: That is not a proper manner to speculate.

Mr. Williams: But you got four years.

Mr. Gates: I got four years?

Mr. Williams: Yes.

Mr. Gates: That is what the Magistrate...

Mr. Williams: No, what is the sentence? Is that not equivalent to four years?

Mr. Gates: Yes, she gave me four years, but there are higher Courts that will deal with that.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Williams: Do you agree that four years on 12 counts is a light sentence?

Mr. Gates: There are people that got two years on 50 counts.

Mr. Williams: No. Why do you want to argue with me? You are not going to go anywhere doing that. Just answer the question.

Mr. Gates: So what? She was supposed to give me life?

Mr. Chairman: But none of that, Mr. Williams, is helpful. I think you have put on record...

Mr. Williams: Yes.

Mr. Chairman: ...matters that depending on how we view it, may reflect on his...

Mr. Williams: Yes, Sir. I am saying that to say this, that that sentence that you got was in contemplation of you coming to give evidence here at this Commission of Inquiry.

Mr. Gates: What?!

Mr. Chairman: How would he know that even if that is true? That would be in the mind of the sentencing officer.

Mr. Williams: How he knows that?!

Mr. Chairman: Was he told that?

Mr. Williams: Mr. Chairman, that is what we are exploring. The date of your sentence, according to this record, was August 2013.

Mr. Jairam: But, Mr. Williams, are you not imputing improper motives on the part of the Judicial Officer to be in cahoots with the Executive?

Mr. Williams: I do not know if it is improper motives, so what? If it is improper motives, I am putting it to him, what the case is. I do not know if it is improper motives or not.

Mr. Jairam: No, I am ...

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Williams: We are plea bargaining. We have passed legislation for plea bargaining in Guyana.

Mr. Jairam: Well, you may do that, but we have to be careful. We cannot...

Mr. Williams: No, I know where...

Mr. Jairam: ...denigrate a Judicial Officer...

Mr. Williams: I am not.

Mr. Jairam: ...by a side wind.

Mr. Williams: Mr. Chairman, we have passed legislation in this county on plea bargaining and we have lawyers resorting to that legislation to plea bargain with the DPP, etcetera and all the lawyers who practice here, know that so it is not intention on my part to denigrate the Judiciary, in fact, I have been defending the Judiciary from the witnesses who have come here and libel and scandalise them; all the Judges names that were mentioned by Mr. Hamilton and all of them.

Mr. Jairam: Well, maybe we can explore...

Mr. Williams: I have been protecting the Judiciary.

Mr. Chairman: Now, Mr. Williams, I want to know this, was there a plea bargaining in his case? And was the plea to the effect that in return for his testifying before this Commission ...

Mr. Williams: He got a light sentence on 12 counts!

Mr. Chairman: No, did that happen?

Mr. Williams: Well he has to answer! I am putting that to him!

Mr. Gates: It never happened. I received one promise and I can tell you about that promise if you wish. *[Laughter]*

Mr. Williams: Yes, tell me, what is the promise that you received?

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Gates: I received a promise from God, he said, “Speak the truth and the truth shall set you free” Not free from the walls of the Camp Street prison, but free in spirit!

Mr. Williams: That should set you free.

Mr. Gates: In spirit, not from the walls of the prison.

Mr. Williams: Alright, now let us move on. You have been in prison from 2013.

Mr. Gates: I was not in prison from 2013. You have your facts wrong.

Mr. Williams: August 2013...

Mr. Gates: That was when I was convicted.

Mr. Williams: Right! And serving your sentence from that date.

Mr. Gates: No, but I was not arrested until five months ago.

Mr. Williams: What?!

Mr. Gates: I was not arrested, like I said, the Magistrate and Court officials tricked me. I was not aware that I was sentenced until I was arrested.

Mr. Williams: There is more in the mortar.

Mr. Gates: The date that they gave me, I turned up on that date, they told me the Magistrate was transferred to the Mahaica Magisterial District. They gave me another date. When I went back on that date, they said she is still not here and that they will send me a Notice.

Mrs. Samuels-Brown: Mr. Williams, please allow me. Witness...?

Mr. Gates: Yes, Ma'am.

Mrs. Samuels-Brown: ...we understand that you feel strongly and you did explain earlier that you were not notified of the Magistrate's decision or the announcement of the Magistrate's decision...

Mr. Gates: Yes, Ma'am.

WALTER RODNEY COMMISSION OF INQUIRY

Mrs. Samuels-Brown: ...but if you could just state the facts instead of collaring it with words such as “tricking” because perhaps if it becomes necessary, this Commission will decide on or make the necessary inferences, but you just state the facts.

Mr. Gates: Thank you, sorry.

Mrs. Samuels-Brown: And we will get on faster as well.

Mr. Gates: Thank you.

Mrs. Samuels-Brown: Thanks.

Mr. Williams: Well, you are saying...

Mr. Chairman: I am concerned, Mr. Williams, that this forum is not the proper forum for the rehearing of his matter as though it is a Court of Appeal.

Mr. Williams: I agree with you, Sir, which is why I am not addressing the issues in the matter. I am trying to show that this is a witness of convenience and I am entitled to do that and it compounds it, it confirms my attempt to do that because we are now discovering that from the Witness's own mouth that he, in fact, was not imprisoned from the day of his conviction.

Mr. Chairman: But even if that is so, and many people are not, some people get bail by going to the High Court immediately after conviction.

Mr. Williams: No, but he was not even on bail! He did not even know.

Mr. Chairman: No, but suppose, even if it were not, what inferences can we draw from that?

Mr. Williams: The inference is: Why should authorities, why should the Guyana Police Force turn a blind eye to the fact that the Court has exercised its jurisdiction in relation to allegations on offences made for the obtaining of public moneys of members of the public, and they have not attempted to enforce the sentence? That has to be of gross... In fact, it is a matter of great concern to us...

Mr. Chairman: Well...

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Williams: ...that a person has been sentenced and he was never arrested and taken into custody until after five months he turns up at the Commission of Inquiry.

Mr. Chairman: We do not have the facts and circumstances surrounding that and I am going to ask you to get on...

Mr. Williams: Yes, well I am getting on!

Mr. Chairman: ...because I cannot draw any inferences from that.

Mr. Williams: I am getting on!

Mr. Chairman: I do not have the facts and circumstances nor is this the proper forum to parade those facts!

Mr. Williams: Well, he introduced it. He has introduced the fact that he was not there from the day of his conviction.

Mr. Chairman: Okay, let us get beyond that.

Mr. Williams: Yes.

Mr. Chairman: I do not know the facts and it is not relevant to what we are doing.

Mr. Williams: It is not?! Mr. Chairman? He comes now and testifies and the fact that he was not incarcerated before is not relevant, and a Court has made an order!

Mr. Chairman: But that is nothing new.

Mr. Williams: Sir, it is a deal!

Mr. Chairman: We would have to ...

Mr. Williams: It is not nothing new. It is clear that it was the making of a deal to allow this man to come and give evidence in this Commission of Inquiry.

Mr. Chairman: But that is not the only inference!

Mr. Williams: Well, it is an inference.

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Mr. Chairman: Suppose he escaped and ran away and then he was caught.

Mr. Williams: But he never said that! He never said he escaped.

Mr. Chairman: But even if he did, what am I supposed to do with that fact?

Mr. Williams: But, Mr. Chairman, I will hope that I have the opportunity to address you when the time comes.

Mr. Chairman: Okay, but let us get on.

Mr. Williams: We are just eliciting the evidence now. All he has to do is answer “yes” or “no” and I will move on.

Mr. Chairman: Let us get on.

Mr. Williams: Yes. Interesting... You said after that date of conviction you then started, in fact, serving time...

Mr. Gates: That is right.

Mr. Williams: ...in the custody...

Mr. Gates: That is right.

Mr. Williams: ...of the Guyana Prison Authority?

Mr. Gates: That is right.

Mr. Williams: If that was August, we are looking at what, December or is it early 2014?

Mr. Gates: 26th January, 2014.

Mr. Williams: 2014. You were imprisoned from January, 2014?

Mr. Gates: That is right.

Mr. Williams: And you are saying that Commission Counsel tried to contact you in the prison about giving evidence?

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Mr. Hanoman: He never said that, please. That is a misrepresentation of the evidence.

Mr. Williams: No, I am asking him. That is why I am saying that you are in the bowels of the prison...

Mr. Gates: Yes.

Mr. Williams: ...so I am asking you, how is it you are in the box testifying on behalf of the Commission here?

Mr. Gates: Because a statement was submitted on my behalf to the Commission.

Mr. Williams: No, we want to know how it happened.

Mrs. Samuels-Brown: I just want to clarify. There is no witness who is here testifying on behalf of the Commission. We have no interest in any witness. Witnesses have come forward to give evidence for the Commission, but they are not testifying on our behalf. I just want to make that clear.

Mr. Williams: I take your point, but as you are led by Counsel for the Commission... Yes, I am interested in how you are in the prison and you are able to become a witness. What did you do? Did someone approach you in the prison?

Mr. Gates: No, Sir. I had a relative submit a statement on my behalf to the Commission indicating my willingness to testify. I was subsequently contacted.

Mr. Williams: By whom?

Mr. Gates: By someone from the Commission.

Mr. Williams: Who contacted you from the Commission?

Mr. Gates: Mr. Hanoman because he had to come now to get a written statement. *[Laughter]*

Mr. Williams: In fact, you are not a stranger to Mr. Hanoman.

Mr. Gates: I do not know Mr. Hanoman other than seeing him.

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Mr. Williams: What?!

Mr. Gates: I do not know him. I know him as a lawyer.

Mr. Williams: Ohhh! Mr. Hanoman never represented you?

Mr. Gates: Never! As a matter of fact, I attacked him many times in the newspaper for representing drug lords. I wrote a lot of articles. *[Laughter]*

Mr. Scotland: Mr. Chairman, I really do not understand the mirth, you know. What is happening here, Mr. Chairman, is that...

Mr. Chairman: I think that we are entered into an irrelevance and I will so rule. I have given great latitude...

Mr. Scotland: Yes!

Mr. Chairman: ...in relation to this matter, but we are going into matter now that cannot help us to determine credibility.

Mr. Scotland: Thank you, Mr. Chairman.

Mr. Williams: Well, Mr. Chairman...

Mr. Chairman: It cannot help us.

Mr. Williams: ...I am not sure what matters you are referring to, respectfully, and I do not know what my learned Friend from Trinidad is suggesting. He detained us for about an hour after you had indicated to him that what he was saying to the Commission was irrelevant. It does not lie in his mouth...

Mr. Chairman: I do not think...

Mr. Williams: ...to criticise any member of this Commission.

Mr. Chairman: I do not think. I so indicated. I indicated that some of what he was saying was on record before, not that it was irrelevant.

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Mr. Williams: But that is what you were saying to him that he was not making... when he was trying to compare the two things, you told him that he had no leg to stand on. For an hour you were telling him that. Yes.

Mrs. Samuels-Brown: Before you proceed, Mr. Williams and if I may be permitted, Mr. Chairman, respectfully, I think we have an obligation to make it clear in relation to these public proceedings the way that the administrative and evidence taking aspect of the Commission's work proceeded. As members will know, persons were invited by Public Notice to give statements and following that, it was the responsibility of Counsel for the Commission to collect statements in a particular format so that it could be made available for use in this Commission of Inquiry, so I do not want it to be suggested in a manner which could tarnish the reputation of this Commission that to have attended on a potential witness and elicited a statement in the proper form from him, is anything that suggest irregularity and impropriety. I really feel constrained to say that.

12.20hrs

Mr. Williams: Yes, Mr. Gates?

Mr. Gates: Yes, Sir.

Mr. Williams: Could we continue?

Mr. Gates: Sure.

Mr. Williams: You were in the bosom of the prison; you said you sent out something with a relative. Counsel for the Commission came to you. Were you given witness protection, or something?

Mr. Gates: Witness protection?

Mr. Williams: Yes.

Mr. Gates: I live among the most violent criminals.

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Mr. Williams: Could you answer the question? Did they offer witness protection while you are testifying?

Mr. Gates: They offered me nothing, nothing.

Mr. Williams: But you are not in the prison during the currency of this Commission of Inquiry?

Mr. Gates: I was not?

Mr. Williams: In the prison.

Mr. Gates: During the commencement?

Mr. Williams: From the beginning of this Inquiry.

Mr. Gates: I was in prison.

Mr. Williams: You were in prison, when?

Mr. Gates: In January, 2014.

Mr. Williams: No. I am saying when the work of this Commission started, you were removed from the prison...

Mr. Gates: Removed?

Mr. Williams: Yes.

Mr. Gates: *[Laughter]* I was in cell 13 from January until May when I got into a physical confrontation with the....

Mr. Williams: So, you have been in the prison, in cell 13, from the beginning of this Commission of Inquiry?

Mr. Gates: I said from January 26th.

Mr. Williams: We are talking about the beginning of this Commission.

Mr. Gates: When this Commission started? In April...

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Mr. Williams: That is what I am talking about.

Mr. Gates: Yes. I was in the prison.

Mr. Williams: Yes, but after it started, you came out?

Mr. Gates: I came out?

Mr. Williams: Yes, you were removed from the prison.

Mr. Gates: I was escorted by both uniformed and plain-clothes officers.

Mr. Williams: To where?

Mr. Gates: To this Commission.

Mr. Williams: Everyday?

Mr. Gates: Well, for whenever a summoned was issued.

Mr. Williams: Mr. Gates, I was trying to say...

Mr. Gates: I am not the Director of the Prison. I do not have the keys to the prison. I have to be let out.

Mr. Williams: ...all I am asking you is a simple question. After the business of this Inquiry started, I am suggesting to you that you were not in the prison? If you want me to go far with it, we could go...

Mr. Gates: The records of the prison will reflect that I was in Prison.

Mr. Williams: In fact, you were given a special treatment....

Mr. Gates: By whom?

Mr. Williams: ...to testify here...

Mr. Gates: By whom?

Mr. Williams: ...and you never returned to the prison when you left here.

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Mr. Gates: *[Laughter]*

Mrs. Samuels-Brown: You need to answer the question. Were you given special treatment to testify here? Please answer.

Mr. Gates: No, I was never given any special treatments.

Mrs. Samuels-Brown: And the second question was that you were never returned to the prison. Was that not it; after you attended here?

Mr. Gates: I returned to the prison on every occasion and the officer-in-charge can testify to the fact. The records will substantiate that.

Mr. Williams: Let us move on. *[In discussion with Counsel]* I am being disturbed here; Mr. Chairman, but I will not make a complaint.

Mr. Chairman: Well, you may not get any redress then.

[Laughter]

Mr. Williams: Well I suppose it is comity.

[Laughter]

Mr. Chairman: Alright, let us get on.

Mr. Williams: So, we have a situation, Mr. Gates, where the Counsel for the Commission is relying on you to be a truthful witness.

Mr. Gates: Yes, he is, and I am being truthful.

Mr. Williams: But you have a history.

Mr. Gates: What history?

Mr. Williams: Of immorality...

Mr. Gates: All of us.

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Mr. Williams: ...a history of untruthfulness...

Mr. Gates: All of us.

Mr. Williams: ...a history of preying on your fellow human beings...

Mr. Gates: Romans 3:23.

Mr. Williams: ...a history of preying on your fellow human beings...

Mr. Gates: I have no knowledge of what you are saying.

Mr. Chairman: What does that mean?

Mr. Williams: But he is obtaining money from the members of the public under false pretences.

Mr. Gates: Produce the conviction, Sir.

Mr. Chairman: But I thought we had passed that. He is being convicted, he is in prison, the matters are under appeal, let us move on.

Mr. Williams: Yes, well I am moving on. I am just putting this to him so we can move on. Let me show you how that attitude of yours has permeated your whole life. Let us go to your story about how you became this double agent, about your love for the WPA and all those things you told the Commission. I am suggesting to you that according to your story when Dr. Roopnarine was in custody, you breached your duties to the Guyana Police Force.

Mr. Gates: By doing what, Sir?

Mr. Williams: By doing what Mr. London told you not to do? Remember what Mr. London told you not to do, during this period?

Mr. Gates: No phone calls, no communication with relatives, no visits...

Mr. Williams: And you did not comply with that?

Mr. Gates: There are times...

Mr. Williams: You did not comply with the instructions from your superior officers.

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Mr. Gates: A lot of us do not comply with instructions.

Mr. Williams: Yes, or no?

Mr. Gates: I did not. I complied with some.

Mr. Williams: Do you agree that that was an immoral thing to do?

Mr. Gates: Not when you know the person in custody is innocent.

Mr. Jairam: Mr. Williams, I do not think you are being fair. He was asked a question whether at the time it was lawful for a prisoner to be deprived of a phone call, and he said “no.” So, you know...

Mr. Williams: Whether it was lawful?

Mr. Jairam: Whether it was lawful to deprive a prisoner of a phone call and he said “no.” So, what you are putting to him has a double effect that Mr. London was asking him to be part of an illegality. I remember that very clearly when he said it was not lawful in the Guyana Police Force at the time.

Mr. Williams: Mr. Commissioner, if you bear with me...

Mr. Jairam: Okay.

Mr. Williams: Because we certainly could not be encouraging our ranks in a disciplined force to disobey the instructions on their belief that it was unlawful. I do not know who gave him the competence to say that the instruction was unlawful.

Mr. Gates: Because we were taught that a man was entitled to a phone call...

Mr. Williams: You will answer my question now, in this connection. Tell the Commission how long you could have detained a person in custody at the time?

Mr. Gates: 24 hours.

Mr. Williams: Really?

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Mr. Gates: That is my understanding.

Mr. Williams: Under the National Security Act?

Mr. Gates: Well, under the National Security Act, I am not too sure of the time.

Mr. Williams: That is the point. You do not even know it. Do you know about the National Security Miscellaneous Provisions Act?

Mr. Gates: Yes, you could search a place without a warrant and do a number of illegal things.

Mr. Williams: Were you aware that they suspended the normal rights that you had?

Mr. Gates: Yes, at the time.

Mr. Williams: So, what are you talking about? You do not have a clue.

Mr. Gates: I am not a Lawyer.

Mr. Williams: Sir, if a man is pulled in, and you said – we are going to come back to it because they were threats. They were national security threats, we are going to come back to that- but he is taken into custody, and your superior officer told you -the very first time he is in the lock-up- not to give him any calls. That does not tell us you were not supposed to give him any calls forever. That could be an inhibition. Up to today they do it. I am putting that to you...

Mr. Chairman: Is that a question?

Mr. Williams: ...that when you got that instruction you could not say how long that instruction was to be carried out.

Mr. Gates: My Officer did not say how long.

Mr. Williams: Exactly! And do you agree that if you make an arrest in such circumstances, the Police would want to have time to do certain quick investigations. So, they would not want the witness, the suspect in their custody, to be able to do anything; to block, or in any manner, hamstringing their investigations. Do you agree with that?

Mr. Gates: I do agree.

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Mr. Williams: We are talking of a time when we had the National Security Miscellaneous Act enforced. You obviously are ignorant of the provisions of that, at the time. Do you agree with that?

Mr. Gates: Yes, I was ignorant. I did not know all the clauses and the....

Mr. Williams: Yes, so there was no question of you disobeying a lawful instruction, or it was an unlawful instruction.

Mr. Chairman: Mr. Williams, his innocence, what you called “ignorance” does not go to credibility.

Mr. Williams: No, I am dealing with the fact that he has disobeyed a lawful instruction. He cannot, in his mind, decide it is unlawful.

Mr. Chairman: But what does that go to?

Mr. Williams: To show you the kind of person you are dealing with.

Mr. Chairman: A man who might disobey lawful instructions...

Mr. Williams: Well, Sir, he might be priestly in your eyes, but with respect, he is not priestly in the eyes of many Guyanese that has suffered by his hands.

Mr. Gates: So are many of us.

Mrs. Samuels-Brown: You know, Mr. Williams, what your question originally was was whether or not it was immoral...

Mr. Williams: Yes.

Mrs. Samuels-Brown: ...for him to have disobeyed the instructions...

Mr. Williams: Yes, given the....

Mrs. Samuels-Brown: ...which, Mr. Williams, -if you would allow me, and I would be grateful- is different from saying was it proper for him to have disobeyed instructions, or did he

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disobey instructions? Because he may feel that, morally, I was right in all the circumstances, but it would still amount to disobedience....

Mr. Williams: Yes, but you anticipated me, Madame Commissioner...

Mrs. Samuels-Brown: No, but your question...

Mr. Williams: I have addressed immoral. I have not gone to this question of his lawful disobedience. That was visited to me upon intervention of Commissioner Jairam.

Mrs. Samuels-Brown: Forgive me, but I did get the impression you have moved to that, so I apologise, Mr. Williams.

Mr. Williams: I only responded to Commissioner Jairam.

Mrs. Samuels-Brown: Okay. Thank you, Sir.

Mr. Williams: If you wish to address, Madame Commissioner, the immorality aspect, is a double pronged approach I am adopting. Once immoral, because he was given an instruction and he disobeyed it.

Mrs. Samuels-Brown: No, it is okay. You can proceed with the questions. Thank you.

Mr. Williams: I think we have dealt with the lawfulness of the instruction to the exchange with Commissioner Jairam. What I want to say is this; you did not give *viva voce* evidence on this box, about what really induced you to hand in your letter of resignation.

Mr. Gates: What induced me?

Mr. Williams: Yes. Is it not true that you were induced to leave your work as a Police Constable by the offer made to you by the prisoner in your custody at the time?

Mr. Gates: I did mention that.

Mr. Williams: No, you did not.

Mr. Gates: I did not? I did mention that.

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Mr. Williams: Let us not get into all of that. When you gave your evidence-in-chief, you did not mention anything about what I am about to talk to you about right now. That was that Dr. Roopnarine offered you a job as his bodyguard.

Mr. Gates: Yes, Sir.

Mr. Chairman: That was on the record long ago.

Mr. Williams: No, Mr. Chairman, when he gave his evidence to you – he has it in his statement, I am trying to put what he gave *viva voce* - I am trying to supply that now.

Mr. Scotland: Mr. Chairman, may I be of assistance to the Commission?

Mr. Williams: No, I do not want you to assist me, this is my Witness.

Mr. Scotland: No, Mr. Chairman, but he must be fair.

Mr. Chairman: He has asked for the floor, at a point, and I am prepared to hear him. Yes, thank you.

Mr. Scotland: Mr. Chairman, that is not so. Page 27 of the Witness's evidence, line ten, counting from the bottom, on the 6th June...

Mr. Chairman: Unless I am losing my memory, he gave that evidence on Friday last...

Mr. Scotland: Yes, Mr., Chairman. Pellucidly.

Mr. Williams: What is the evidence he gave?

Mr. Chairman: Precisely what you are putting to him.

Mr. Scotland: "As a result of your conversation with Dr. Roopnarine, did you do anything, and if so, what?"

"Yes, Sir, I must admit I was anxious to be a part of the WPA. That very next morning, I wrote my resignation and informed my officer in charge, inspector London, and he advised me to take it to the Crime Chief, Mr. Cecil "Skip" Roberts, also known as Cecil Alexander Roberts; then Deputy Commissioner of Law enforcement."

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Mrs. Samuels-Brown: I believe before that there was some mention of \$1500?

Mr. Williams: No, there was not. I want to tell Counsel, here...

Mrs. Samuels-Brown: If I may, Counsel?

Mr. Williams: Yes, Please.

Mrs. Samuels-Brown: You will recall that his written statement as part of the evidence here, and it is either in his written statement which became part of his examination-in-chief, or in his *viva voce* evidence; where he said that he got an offer of \$1,500 per month.

12.35hrs

Mr. Williams: I find I have been interrupted on many occasions and I believe I have enough experience to conduct a cross-examination. I am making a public note that I am be subjective to unfair intervention.

Mrs. Samuels-Brown: Counsel, I am very sorry...

Mr. Williams: Well you should be. Can I proceed to cross-examining this Witness?

Mrs. Samuels-Brown: I am very sorry that you interpret the attempts of the Commission to assist you as interruptions. I am saying it is somewhere in the record. If you could assist me, I would be grateful.

Mr. Williams: Mr. Chairman, could I proceed? I am saying and I do not know what is going on, that when he gave his *viva voce* evidence in the box, he omitted an important fact and I have said when my learned Friend from Trinidad has tried to use anything from the statement, he must refer to the statement. I do not know why you want to anticipate me. I do not have to tell you where I am coming from. You have to bear with me until am finished with my cross-examination. I am saying that when you look at this evidence that is referred to at page 27, the real reason for him making an application to leave the job is not disclosed.

Mr. Chairman: But he said he was given an offer with Dr. Roopnarine.

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Mr. Williams: But the offer... what was the offer? He did not say that in *viva voce* evidence that is my point.

Mr. Jairam: Why do you want to compartmentalise the evidence?

Mr. Williams: Because the public is listening. The Chairman has always said that we must let the public know out there, the public does not know what is in the statement the public is hearing what he is saying, and the public would want to believe that he left the job for the love of the WPA when, in fact, he left the job for filthy lucre.

Mr. Chairman: But he did not say that.

Mr. Williams: He did not say that that is why I am bringing it to him now and I am asking him to refer to his statement.

Mr. Chairman: First of all, it must be made clear to everyone including members of the public that there are two elements in anyone's evidence. In a precondition of testifying, you have to give a written statement. That statement is then admitted into evidence and then given a tag. In addition to that, you appear to that and you are subject to questions and to cross-questions. So there are two dimensions and the *viva voce* evidence.

Mr. Williams: Mr. Chairman, would the public know what is in the statement?

Mr. Chairman: But that evidence was given here on Friday last, that he was given a money offer.

Mr. Williams: This it is on page 27. I do not know what the interruption is about.

Mr. Chairman: There is no obligation on the part of the Witness to repeat everything that is in his written statement.

Mr. Williams: I am bringing it to him. He has to answer my question from this statement.

Mr. Chairman: Yes, I accept that, but it is already on record that he was offered a very substantial sum by Dr. Roopnarine, over and above, what he was getting.

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Mr. Williams: Mr. Chairman, as I understand the Law and trials everything is sequential because context has a lot to do with sequence and if he is testifying for the first time here, no one knows what is in his statement and he is testifying about what happened the night when Dr. Roopnarine was in his custody, and he omits to say that he was induced to leave the Guyana Police Force because Dr. Roopnarine offered him \$1,500 to work as his bodyguard. That is relevant.

Mr. Hanoman: If I may, please, just to clear up the record section 45 of the verbatim notes.

Mr. Chairman: On what date? It is not Friday last?

Mr. Hanoman: The 6th June, page 45, the Witness is saying that he collected \$1,500 from Dr. Roopnarine.

Mr. Chairman: Could you read it into the record?

Mr. Williams: Mr. Chairman, I am talking about on the day he gave his evidence which is on page 27 which you were rightly referred to. There was nothing in it about why he suddenly decided once to give in a resignation, and I am saying to you that I wish to put it on record why he wanted to do that after speaking to Dr. Roopnarine, and that is what I have in the statement which I am going to refer him to.

Mr. Hanoman: If I may, I may be unfair to this Witness to suggest to him that he never said in his *viva voce* evidence that he collected \$1,500 and if I may, and I am referring to page 45 of the Verbatim Report of the proceedings Friday the 6th June, 2014. This was after page 27 when he expanded on it.

Mrs. Samuels-Brown: Who was conducting ...

Mr. Hanoman: I was leading Mr. Gates in examination-in-chief, and he did say on that page that, "and then I said to him and then you were getting Dr. Rupert Roopnarine's money. How much money Dr. Rupert Roopnarine was giving to you", and he answered, "well different amounts, depends on how well he was doing, the minimum would have been \$1,500". So he did mention in his evidence-in-chief that he was collecting \$1,500, at least, from Dr. Roopnarine.

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Mr. Williams: So Mr. Chairman, what does that tell us - that after he became the bodyguard of Dr. Roopnarine, Dr. Roopnarine decided that he will give him \$1,500 per month?

Mr. Chairman: I understood the Witness to have said that he was attracted to that offer and as a result, he left the Police Force.

Mr. Williams: Sir, this is the answer, “and you were getting Dr. Rupert Roopnarine’s money. You were getting another sum of money with “Chico”, yes. Then you were getting Dr. Rupert Roopnarine’s Money. How much money Dr. Rupert Roopnarine was giving you? Well different amounts, depend on how well he was doing, the minimum would be \$1,500”. Does this tell us that this money was discussed *ab initio* at the time Dr. Roopnarine was in custody, or does this suggest to us that after he started being his bodyguard, being planted on him, after that time, perhaps how well he was working, Dr. Roopnarine decided he would be given \$1,500. That is the point that I am getting at. I do not know what the noise is about. I know where I am going. I am trying to show that the payment of this money did not come after he started working with Dr. Roopnarine, but it was the inducement for him to go to work with Dr. Roopnarine. That is all. I do not know what the noise is about.

Mr. Chairman: Mr. Williams, it seems to me that we are going around in circles.

Mr. Williams: Sir, I agree there is a difference if the money is paid after he started working, that is, it arises for the first time after he starts working, and Dr. Roopnarine said he is a good worker and let me give him money.

Mr. Chairman: Mr. Williams, all I am doing is inviting you to go on.

Mr. Williams: Thank you Mr. Chairman. I would appreciate it if the Commission bears with me because I always have a destination and I am going to make this point again. I do not believe I am asking questions for the sake of asking questions. I always ask a question and you know the direction that I am going. You cannot anticipate me, just answer the question and let us move on. I am saying to you that the payment of \$1,500 came up when you were talking to Dr. Roopnarine in the police station when he was in custody for the allegation of arson.

Mr. Gates: Yes, it did come up.

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Mr. Williams: Yes, he offered you \$1,500 to be his bodyguard and you were induced to accept that?

Mr. Gates: Yes.

Mr. Williams: So that has nothing to do with what you are saying on page 27.

[Counsel Table collapsed- Hearing were Suspended]

Mr. Williams: I am always right.

[Hearing Resumed]

12.50hrs

Mr. Williams: Mr. Chairman and Commissioners, if we are to resume, I just would like to ask one question on that point and move on.

Mr. Chairman: Yes, thank you.

Mr. Williams: May I proceed? Now, Mr. Gates.

Mr. Gates: Yes, Sir?

Mr. Williams: You on the job in the police station, you have instructions from your superior, but then in all of that, you have received an offer of employment from Dr. Roopnarine at \$1500 and you accepted that?

Mr. Gates: Yes, I did.

Mr. Williams: Did you think there was anything morally wrong with that?

Mr. Gates: No, I do not think so. I was getting a better offer.

Mr. Williams: Oh, that is all that matters to you?

Mr. Gates: No, I did not say that.

Mr. Williams: It was about the money.

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Mr. Gates: I was also sympathetic to the cause.

Mr. Williams: I am listening to you.

Mr. Gates: I was sympathetic of the cause of the WPA, what they were fighting for.

Mr. Williams: Now, \$1500, in 1980, that is a small fortune.

Mr. Gates: It was better than \$300 and ...

Mr. Williams: Better than the Superintendent pay?

Mr. Gates: \$365, \$600-\$800, by that way it was double.

Mr. Williams: Now, you have your undertaking to get \$1500, you told us about the so-called engagements with "Skip" Roberts, etcetera, for you to be this double agent, and so you are on the job?

Mr. Gates: Yes, Sir.

Mr. Williams: With Dr. Roopnarine. Guns, you want to elaborate on the question of this G3 semi-automatic rifle which is referred to at page three of your statement?

Mr. Chairman: You are sure you do not want to put a specific question? Just ask him to elaborate; he may talk around the world without answering the question.

Mr. Williams: I am guided, Sir.

Mr. Chairman: Ask a question.

Mr. Williams: Yes. As the bodyguard for Dr. Roopnarine, at that time, you are aware that Dr. Roopnarine would practice his artistry in shooting down on the Corentyne Coast, at that time?

Mr. Gates: I do not understand.

Mr. Williams: I am asking if you are aware.

Mr. Gates: Can you rephrase the question please, Sir?

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Mr. Williams: Are you aware that Dr. Roopnarine would go down the Corentyne Coast to a certain place where he would practice shooting a G3 semi-automatic rifle?

Mr. Gates: Yes it was possible.

Mr. Williams: Pardon me.

Mr. Gates: Yes it was possible.

Mr. Williams: Do you have that in your statement? You are disavowing what is in your statement?

Mr. Gates: Which part of my statement?

Mr. Williams: I referred you to page three at the very first paragraph.

Mr. Gates: Yes, Sir?

Mr. Williams: That is what I am asking you to elaborate on that.

Mr. Gates: Well, I think it was clear that the WPA wanted to change a lot of things; even Dr. Roopnarine admitted publically that they were acquiring arms and ammunition.

Mr. Chairman: Please proceed, Mr. Williams.

Mr. Williams: Yes. And you would accompany Dr. Roopnarine down the Corentyne?

Mr. Gates: Yes, Sir.

Mr. Williams: Tell us on how many occasions you did that?

Mr. Gates: About two or three.

Mr. Williams: You know where he went?

Mr. Gates: Where he went?

Mr. Williams: Yes. The place that he went at?

Mr. Gates: I know it was Arnold Rampersaud's residence.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Williams: Arnold Rampersaud. That name sound familiar. That is the same Arnold Rampersaud who was charged for some offence?

Mr. Gates: Yes, Sir.

Mr. Williams: And what would happen when you got there? When you and Dr. Roopnarine got there?

Mr. Gates: Just as I said in my statement.

Mr. Williams: The public is listening so we want to know.

Mr. Gates: I would demonstrate the use of the G3.

Mr. Williams: You would do what?

Mr. Gates: Demonstrate the use.

Mr. Williams: The use of the?

Mr. Gates: G3 sub-machine gun.

Mr. Williams: By doing what?

Mr. Gates: Teaching live firing.

Mr. Williams: Teaching who?

Mr. Gates: Dr. Roopnarine.

Mr. Williams: You said the purpose of that exercise was that they had an intention to overthrow the Government?

Mr. Gates: As far as I understand.

Mr. Williams: Could you share with the Commission, one manner in which he discussed with you a possible overthrow?

Mr. Gates: I can remember on one occasion, it was discussed.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Williams: What? What was discussed? Look at your statement. We are at paragraph two, the last paragraph of your statement.

Mr. Gates: The same page?

Mr. Williams: Paragraph two of your statement, last paragraph.

Mr. Gates: The last paragraph?

Mr. Williams: Yes. The paragraph begins with Breznev. Commissioners do you have that? Page two, the last paragraph, beginning with Breznev.

Mr. Chairman: Yes we have it here.

Mr. Williams: Could you read then from this statement beginning “During the same period...”
Do you see that? Six from the bottom.

Mr. Chairman: You can be more helpful to him?

Mr. Williams: Yes, could you read that please?

Mr. Jairam: It is page two, Mr. Gates.

Mr. Williams: Six lines from the bottom unless you have a different transcript.

Mr. Jairam: The fourth line after you see your name appears.

Mr. Gates: Yes. “During the same period, Dr. Roopnarine had confided in me that he and Walter Rodney were spearheading an operation to acquire arms and ammunition, explosives and radio sets, Very High Frequency (VHF), in order to overthrow the Government of Guyana.

13.05hrs

Mr. Williams: Yes and you said that was a confession made to you by Dr. Roopnarine?

Mr. Gates: I would not say that was a confession.

Mr. Williams: You said he confided in you.

Mr. Gates: We had a discussion.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Williams: He intimated that to you?

Mr. Gates: Yes, Sir.

Mr. Williams: Continue reading.

Mr. Gates: “At one time Dr. Roopnarine had discussed the logistics of Plan Overthrow and we had discussed that it would be to first seize Camp Ayanganna take control of all ports of entry and exist into the country and then over run the Office of the President or the official residence, as the case maybe...”

Mr. Williams: Continue.

Mr. Gates: “...to arrest President L. F. S. Burnham, simultaneously. The plan was also to cease control of radio stations.”

Mr. Williams: When he said “first seize Camp Ayanganna”, what do you understood Camp Ayanganna to be?

Mr. Gates: The army base.

Mr. Williams: The Guyana Defence Force (GDF) Army base?

Mr. Gates: Headquarters.

Mr. Williams: GDF Army Headquarters. Continue you reading onto the next page.

Mr. Gates: “That was the broad outline of the plan.”

Mr. Williams: “That was the broad outline of the plan.”

Mr. Gates: Yes, Sir.

Mr. Williams: What did you understood that last sentence to mean? “That was the broad outline of the plan”? Whose plan?

Mr. Gates: The WPA’s plan.

Mr. Williams: What you have read before that statement was the plan outlined?

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Gates: Yes, but it never came to fruition.

Mr. Williams: No, we just asked you about the plan.

Mr. Gates: Yes, Sir.

Mr. Williams: Continue, next sentence.

Mr. Gates: “As part of the plan I would sometimes accompany Dr. Roopnarine to a village on Corentyne to Arnold Rampersaud’s house which was close to the sea. During these visits an individual would bring G3 semi-automatic rifle and usually a magazine containing between 16 to 18 rounds of 7.62 ammunition. We would collect it on a secluded area on the beach where there were no houses nearby. I would then train Dr. Roopnarine on the use of the weapon and he would fire five live rounds. This happened on two occasions and the individual would then collect the ejected shells and the rifle at the end of the training session.”

Mr. Williams: Continue.

Mr. Gates: “At least on four occasions I accompanied Dr. Roopnarine late in the evening to collect 7.62 ammunition from several persons at various points in the city.”

Mr. Williams: Continue.

Mr. Gates: “Dr. Roopnarine told me that they were army ranks. One afternoon, probably in November, 1979, I accompanied Dr. Roopnarine to Dr. Walter Rodney’s home in South Ruimveldt”.

Mr. Williams: Alright, you could stop there. From all of that you understood from Dr. Roopnarine that the WPA had a plan to overthrow the Burnham Government?

Mr. Gates: Yes, Sir.

Mr. Williams: Those were facets of the plan?

Mr. Gates: Yes, Sir.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Williams: In furtherance of the plan, practice sessions were pursued in the use of firing semi-automatic rifles down the Corentyne Coast?

Mr. Gates: Yes, Sir.

Mr. Chairman: Is that a little broad or was it involving several people or only one man?

Mr. Gates: One person.

Mr. Williams: One person according to what he...

Mr. Chairman: It is important because I do not expect one man to overthrow a Government.

Mr. Williams: No, he said the WPA.

Mr. Chairman: Yes, but the practice only related to one man.

Mr. Williams: No, that exercise, pursuant to what he just read. He was talking about the man he was body guarding. As you said you had this intelligence responsibility in the CID unit of the so-called "Death Squad". From what you understood there, would you agree that the security forces had a right to defend the State...?

Mr. Gates: I would agree.

Mr. Williams: ...against such a plan?

Mr. Gates: Yes, Sir.

Mr. Williams: Would you not agree...

Ms. Samuels-Brown: Did he answer?

Mr. Williams: He said, "yes, the security forces had a right to defend the State against such a plan".

Mr. Gates: Yes, Sir.

Mr. Williams: Would you agree that the State, in defending itself against such plans, might have had to act in terms of securing the State from certain activities?

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Gates: I do agree.

Mr. Williams: He said, “I would agree”. Would you also agree that in furthering that plan, the WPA there have brought itself in confrontation with the State agencies?

Mr. Gates: I agree.

Ms. Samuels-Brown: When you say ‘it’, if I may interrupt, you mean the WPA right?

Mr. Williams: Yes, the WPA.

Ms. Samuels-Brown: Thank you.

Mr. Williams: You agree that the burning down of the General Secretary’s Office of the PNC, for example, would be an activity in furtherance of that plan?

Mr. Gates: If they did... I am not in a position to say whether they did burn it down but...

Mr. Williams: No, let me follow a pattern that has been used.

Mr. Gates: Okay.

Mr. Williams: Armed with that knowledge that you possessed would you conclude that the burning down of the Office of the General Secretary of the People’s National Congress and Ministry of National Development at the time was in furtherance of such a plan?

Mr. Gates: I would agree.

Mr. Williams: You would agree?

Mr. Gates: Yes, Sir.

Mr. Williams: Dr. Roopnarine was clear in his mind, very clear, that he and Walter Rodney were spearheading the operations to acquire arms, ammunitions, explosives and radio sets?

Mr. Gates: Can you rephrase that question, Sir.

Mr. Williams: I am saying that Dr. Roopnarine was clear in his mind he and Walter Rodney were spearheading the operations to acquire arms, ammunitions, explosives and radio sets?

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Gates: Well, he should.

Mr. Williams: *[Laughter]*

Mr. Chairman: You are aware or you are not aware?

Mr. Gates: I am aware.

Mr. Chairman: The answer cannot be that he should. What is your answer, are you aware or not aware?

Mr. Gates: I am aware.

Mr. Williams: Did you file reports on that?

Mr. Gates: Yes, I did.

Mr. Williams: What Dr. Roopnarine told you the exercises down the Corentyne...?

Mr. Gates: Yes, I did.

Mr. Williams: ...in the manner in which you described earlier?

Mr. Gates: Yes, Sir.

Mr. Williams: You said you declined to carry out some conspiracy to kill Dr. Roopnarine?

Mr. Gates: Yes, Sir.

Mr. Williams: If Brezhnev had in fact existed, you would not have allowed him to cause you to lose your \$1,500?

Mr. Gates: If he had existed? He did exist.

Mr. Williams: You would not have allowed him to cause you to lose your \$1,500?

Mr. Gates: Are you saying that is why I did not do it?

Mr. Williams: That is a question I am asking you?

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Gates: Like I said, Dr. Roopnarine was a good man.

Mr. Williams: Yes, but in addition. You were not prepared at that time to lose that \$500.

Mr. Gates: Of course, not.

Mr. Williams: I thought that much. I know Dr. Roopnarine is a good man. Let us move on. This conversation you had with this chance meeting with Gregory Smith, remember that?

Mr. Gates: Yes, Sir.

Mr. Williams: Do you also remember you said that in that business, would you say “spy business”...?

Mr. Gates: Yes, Sir.

Mr. Williams: ...you operated on a need-to-know basis?

Mr. Gates: Yes, Sir. That was Laurie Lewis’s rule.

Mr. Williams: Did you breach that rule?

Mr. Gates: Yes, I did because both he and I discuss.

Mr. Williams: With such a rule, do you agree that you could not ask “Chico”, you could not ask Chester, you could not ask Laurie Lewis about the source of funding?

Mr. Gates: I asked “Chico”, I never asked Laurie Lewis.

Mr. Williams: I am putting it to you that because of the role of operating on a need-to-know basis only, you could not elicit that information about the source of funding from “Chico”, Chichester, Chester or Laurie Lewis?

Mr. Gates: I did request that information from Mr. Chichester and I stand by my statement.

Mr. Williams: You said you were undercover. From the movies I have seen, 007 and James Bond movies and so on, when you are working undercover, you are working covertly...

Mr. Gates: That is right.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Williams: ...not overtly.

Mr. Gates: That is right.

Mr. Williams: Do you agree with that?

Mr. Gates: I agree.

Mr. Williams: And certainly it is very important that your cover is not blown?

Mr. Gates: Of course.

Mr. Williams: Yet you told the Commission that you had these two guns and nobody could dare stop you or tell you anything in that regard because they knew your status?

Mr. Gates: They suspected.

Mr. Williams: What kind of double agent are you then.

Mr. Gates: I am not saying about the entire Police Force, but there are certain people in certain key areas they suspected, but I was never stopped; I was never searched.

Mr. Williams: That is unusual behaviour for an undercover agent that anybody would know about his undercover status?

Mr. Gates: As I said certain persons suspected and they never attempted to search me or question me.

Mr. Williams: You are not operating like 007.

Mr. Gates: I am not 007.

Mr. Williams: You are "Double 'O' Zero" then.

Mr. Gates: Whatever you want to call it.

01.20hrs

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Williams: Because you are not operating like an undercover agent. For example, you told the Commission on this chance meeting with Gregory Smith at Rodney's house, that the very first opportunity you had talking with Gregory Smith, you ask him, "Are you undercover"?

Mr. Gates: I never said "undercover". I asked him if he was still in the Army.

Mr. Williams: Okay, I am going to get the record.

Mr. Gates: It is not somebody I knew yesterday.

Mr. Williams: Yes, might I respectfully refer you, Mr. Chairman and Commissioners, to page 57 of Friday, 6th June, 2014, record? Now tell me, I am going to read this last paragraph on page 57 which is your evidence, if this is normal behavior for a man who is undercover.

"I was pleasantly surprised to see him there, so we went to a corner in the yard and I asked him, "Are you still in the Army?" Like I said, we knew each other and he said yes he was still in the Army, I said "Are you undercover?""

Mr. Gates: Yes, I did ask him that.

Mr. Williams: "He said no, he is doing some stuff [If we would turn over the page] and I told him, "Well, I am also doing some stuff also, some undercover stuff." Is that normal behavior for an undercover agent?

Mr. Gates: It is normal for somebody who you know for a long time.

Mr. Williams: So if you knew me for a long time and you are on an undercover exercise, you would just meet me because you know me for a long time and say "Hey, I am on an undercover stuff".

Mr. Gates: It is normal sometimes.

Mr. Williams: Geese! You know, it is not true. You never had this conversation with Gregory Smith.

Mr. Gates: I had that conversation with him. I maintain that.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Williams: Because you are breaching all the rules about being undercover.

Mr. Gates: There are times when you got to breach rules.

Mr. Williams: For example, you are seeing, according to you, Gregory Smith in Dr. Rodney's house.

Mr. Gates: Downstairs.

Mr. Williams: You are supposed to be a plant on Dr. Roopnarine, a Co-Leader of the WPA, whose car you have already bugged and the WPA's Office you had also bugged. Were you not afraid of the WPA discovering that you were in fact a double agent?

Mr. Gates: I was not afraid. You have to die sometime.

Mr. Williams: You would just disclose that to Gregory Smith who you had not seen in a long time?

Mr. Gates: Like I said, I knew the guy for a very long time and I thought it was important that we share intelligence because I had recruited Dr. Roopnarine's bodyguard, "Bonny", and another guy at the office who worked as informants.

Mr. Williams: I am putting it to you that you never had such a meeting with Gregory Smith at Dr. Rodney's house.

Mr. Gates: I maintain that I did have that meeting with him and I did have a conversation with him.

Mr. Williams: ...that you never had that conversation with him.

Mr. Gates: I did.

Mr. Williams: Now, you also spoke about him telling you that he was...

Mr. Chairman: Who is he now?

Mr. Williams: Gregory Smith.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Chairman: Very well.

Mr. Williams: We are still on Gregory Smith. ...that he was reporting to Norman McLean.

Mr. Gates: That is what he said.

Mr. Williams: Alright. At page 65 Commissioner Jairam asked you who Norman McLean was, you said "He was Head of the Army at the time". "Do you know his rank?" this is Mr. Jairam again. This is page 65 of the record. "Mr. Gates: Major General or Brigadier General. I cannot remember what it was at that time. I think it was Brigadier General." Now, you said that conversation had occurred around April/May 1980, do you agree with that?

Mr. Gates: Yes, Sir.

Mr. Williams: Again, I am suggesting to you that Gregory Smith never told you anything whatsoever.

Mr. Gates: Gregory Smith told me that...

Mr. Williams: ...he had any reporting relationship with Norman McLean.

Mr. Gates: He did and I rely on my statement.

Mr. Williams: Even if he told you that it could not be true for this reason, in April or May... You said you did not know if it was April or May, but either April or May. June was the next month, is that not so, in 1980? It was the next month, the death of Dr. Rodney?

Mr. Gates: I think so, yes.

Mr. Williams: Yes, but if he said three months he had to build it and he is talking to you in April/May, you therefore cannot relate the death of Dr. Rodney to any instructions from Norman McLean about finishing this walkie-talkie or whatever device in three months.

Mr. Gates: I am saying that I rely on my statement that that is what he told me.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Williams: I do not know about relying on your statement, but I am showing you, we are weaving, we are extrapolating. You said that the instructions given by Norman McLean were that it should take three months... my question...

Mr. Hanoman: If I may, I think that might be a misrepresentation. Whenever the three-month period was mentioned, I think it was clearly an approximation and I am not sure if there is a reference anywhere to the three months in the evidence...

Mr. Williams: Mr. Chairman, my...

Mr. Hanoman: ...but if there is, it would have been an approximation and there are...

Mr. Williams: Mr. Chairman, this is unusual. I do not know how the Counsel for the Commission could come in and try to prompt the witness in an intervention. My colleague and learned Friend, Mr. Harmon, dealt with that matter at length this morning. He did not challenge it.

Mr. Jairam: Without putting words in your mouth...

Mr. Williams: Yes, Sir.

Mr. Jairam: ...may I refer you to page 84 going on to 85 of yesterday's transcript, please? You will see, "Mr. Scotland", pick it up there.

Mr. Williams: Which particular...

Mr. Jairam: May I read?

Mr. Williams: Yes.

Mr. Jairam: This is Mr. Scotland to Mr. Gates "...and around March or let us say, because I see in your statement, you said it could have been a conversation you had or the request could have been before, so let us say that the request was made sometime in February 1980. Gregory Smith this would take some time for me to produce, is that not so?" On the next page he says "Yes, Sir." "Mr. Scotland: Would you then say that the exact words you said that Smith told you..."

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Williams: Sir, which page you are at?

Mr. Jairam: Oh, did I say “the transcript”, yesterday’s?

Mr. Williams: Yes.

Mr. Jairam: You have it.

Mr. Williams: Yes, which page?

Mr. Jairam: 84 going onto 85.

Mrs. Samuels-Brown: It starts at 84.

Mr. Jairam: Starting at the bottom of 84.

Mr. Williams: Yes.

Mr. Jairam: Look at the last “Mr. Scotland”.

Mr. Williams: Yes.

Mr. Jairam: That is where I read from and I had gone over the page and Mr. Scotland again at the top of 85... “Would you then say that the exact words that Mr. Smith told you he said to Dr. Rodney were “it would take some time”, would you then say “some time”, if you translate from March to June, 1980, that would be sufficient time to elapse to create such set?” “Yes, Sir.” I was just referring you to see if that would assist you.

Mr. Williams: Yes, Sir, but I was referring the Commission and let me get the record at page 57 of the record of 6th June.

Mr. Jairam: Yes.

Mr. Williams: The record of 6th June.

Mr. Jairam: You have that?

Mr. Williams: When he gave his evidence first, in-chief, I do not know if you have that.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Jairam: Go ahead, I ...

Mr. Williams: When he gave his evidence-in-chief ...

Mr. Jairam: Yes.

Mr. Williams: In answer to Mr. Hanoman, who said "Please tell us the circumstances of that meeting." "Mr. Gates: It was sometime maybe in or around April/May... March/April 1980, sometime around." What I am trying to show you is that the three months that he is talking about, he himself is unsure about whether it is May... The death of Dr. Rodney occurred the next month.

Mrs. Samuels-Brown: Mr. Williams, if I may be permitted to interrupt you.

Mr. Williams: Yes, Madame Commissioner.

Mrs. Samuels-Brown: I do not have my notes, could you indicate ... just read the section where he says he had the conversation with Smith, exactly what he said Smith said to him. I think we should get that if we can find it and if Commission Counsel could assist in finding the relevant section it would help us to move on a little faster. The reason I am asking, if I may just indicate, is I want to see if Smith was saying that he got his instructions in May, as is reported by the witness, or if it was supposed to have been prior to May. I do not have my notes with me, but if it is going to take too long...

Mr. Williams: No, it should not take that long.

Mr. Chairman: I think the evidence is that he at times made mention of February/March and at times he did mention it was possibly April/May, so it would appear to be sometime before February and May.

Mr. Hanoman: I am not sure that this Witness has ever accepted that there was a precise three month time period. Mr. Williams is referring to this three month period, I do not know if we can be referred to what... because I have not found it... that he has accepted that it was three months that was the period.

Mr. Williams: Whether he has accepted it that is what was said.

WALTER RODNEY COMMISSION OF INQUIRY

Mrs. Samuels-Brown: I do recall a three-month, but I am also looking at his statement.

Mr. Chairman: The penultimate paragraph of his witness statement...

Mrs. Samuels-Brown: I do recall a “three-month” being mentioned.

Mr. Williams: Could we come back to that because Mr. Harmon is looking for the “three-month”?

Mr. Chairman: But you may wish to look too at the penultimate paragraph of the witness statement.

Mr. Williams: Yes.

Mr. Chairman: Page 3 ... The point is though is that we have noted that on different occasions, he seemed to have been unsure as to whether March, February...

Mr. Williams: ...or April or May.

Mr. Chairman: ...April or May.

Mr. Williams: Yes.

Mr. Chairman: We are dealing with what? 34 years ago? I have to take that into account as well. *[Laughter]* Well, what I would like you to do, if you can, is shake him on the point, if you can, that it did not happen. That would be more useful.

Mr. Williams: What did not happen, Sir?

Mr. Chairman: About that conversation he had.

Mr. Williams: Yes, well, I put it to him. I have shown him that it is unusual for an undercover agent to just see somebody and say, “Are you undercover?”

Mr. Gates: It is not somebody I just knew. It is somebody I knew for years.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Williams: You were asked some questions yesterday by Counsel and you agreed in relation to the similarities with Brezhnev being a common factor, etcetera. My question to you is did you ever confirm anything Gregory Smith told you? According to your story?

Mr. Gates: There were several things. I do not know which one you are talking about.

Mr. Jairam: What did he say? Sorry, I was... What did you say, Mr. Gates?

Mr. Gates: No, he asked me...

Mr. Jairam: I heard the question.

Mr. Gates: ...if I ever confirmed...

Mr. Jairam: Yes.

Mr. Gates: I said we had several discussions but I do not know which one in particular he is referring to.

13.35hrs

Mr. Williams: One that he also knew Brezhnev, that is Gregory Smith.

Mr. Gates: I did confirm that.

Mr. Williams: But you have not given evidence about that.

Mr. Chairman: But why hold that against him, if no one asked him that.

Mr. Williams: Mr. Chairman, with respect; he is calling the name of a man who is giving human service in this country. In fact, it was the longest Chief-of-Staff of this Army, served under more than one President. Surely, we have to test –I thought, in fact, you were inviting me to do that– the veracity of this Witness's story.

Mr. Chairman: Yes, but the fact that he did not say a particular thing, does not mean he is not speaking the truth.

Mr. Williams: But Mr. Chairman, surely...

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Chairman: Put it to him now. If there is an omission that you think...

Mr. Williams:well that is what I am doing. I am giving the general question if he confirmed any of these things, and I deferred him to Brezhnev. You never told this Commission, for example, that in your meetings with Mr. Brezhnev, or whatever his name is, that you inquired, at minimum, whether he knew Gregory Smith. You never told this Commission that.

Mr. Gates: I was not asked.

Mr. Williams: It is not in your statement either.

Mr. Gates: I was not asked.

Mr. Williams: No, your statement. You are a person who said has all these companies and things. You are coming here to give evidence. You are not only coming here to give evidence by what you are asked. You are coming here to give evidence that you have personal knowledge about. You cannot say that you were not asked that question. You are here to give evidence. You are saying you have this exposure to the evidence.

Mr. Chairman: Mr. Williams, at the appropriate time you will be free, and I will invite you to address us as to what inference we may reasonably draw from the fact that everything that you may ask him that he did not say in his statement.

Mr. Williams: No, I just want to put it on the record, Sir.

Mr. Chairman: That is appropriate.

Mr. Williams: The impact; because the people are listening. They already know that he has called Major General McLean's name. They have a right to hear whether he actually tried to confirm the truthfulness of Gregory Smith's story. So, you did not?

Mr. Gates: No, I believed him. I did not.

Mr. Williams: Well, that is it. Do you agree that you do not know whether what he was saying is true because you were never present with him at any time him with Norman McLean?

Mr. Gates: No, I was never present with him.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Chairman: That is with Brezhnev?

Mr. Williams: Norman McLean.

Mr. Chairman: Norman McLean and who? He was never present with Norman McLean and...

Mr. Williams: He and this witness was never present with Gregory Smith, in the presence of Norman McLean.

Mr. Chairman: Thank you.

Mr. Williams: Nor, you were never present with him in the presence of Brezhnev?

Mr. Gates: No, Sir.

Mr. Williams: Or you were never together with him in the presence of Brezhnev?

Mr. Chairman: That is who now; Norman McLean or Gregory Smith?

Mr. Williams: First was Norman McLean, now it is Brezhnev. He was never present with Gregory Smith, at any time; with Norman McLean, or Brezhnev. Therefore, you cannot say off your own knowledge whether there was any connection between Norman McLean and Gregory Smith.

Mr. Gates: I can only say what he said.

Mr. Williams: No, just answer my question...

Mr. Gates: No, Sir.

Mr. Williams: ...you cannot say off your own knowledge...

Mr. Gates: No, Sir.

Mr. Williams: I move on now, Mr. Chairman.

Mr. Chairman: Yes, thank you.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Williams: I do not know if my tongue slips and I say “Comrade Chairman”, is that acceptable in Barbados?

Mr. Chairman: Yes, we sometimes hear it. I do not know if it is acceptable here.

Mr. Williams: It is acceptable in our Parliament, and all.

Mr. Chairman: In your Parliament. Was that a PNC introduction or Burnham introduction, which one?

Mr. Williams: I think it came some time when everybody was on the path to socialism.

Mr. Chairman: Oh.

Mr. Williams: It is in our constitution. Now, this thing about Mr. Winston Felix... You see, why we have to deal with these matters, you see this thing about having a statement, but you do not actually use everything in the statement, in a way it is deceptive because at a subsequent time, it could be used against a person; on the basis it was in evidence, it was an exhibit, but it was not challenged. We will have to challenge this. You are saying at page four of your statement, I think it was midway, when you referred to Mr. Winston Felix. “While departing, I coincidentally met Mr. Winston Felix opposite the central police station at New Amsterdam. We had a good relationship. He had been my class instructor at the police raining school during my training period. Mr. Winston Felix had already told me I should be careful while on my special assignment, since the WPA had also infiltrated the Guyana Police Force. When I met him, I told him that me and Laurie get wrong so I going undercover.” Now, you were talking about 1980?

Mr. Gates: Yes, if I can recall, 1980.

Mr. Williams: Yes. Of course, at that time Mr. Felix was the training instructor of the Guyana Police Force.

Mr. Gates: I never said he was stationed in Berbice. I said I saw him.

Mr. Williams: Yes, we are coming to that. Just answer my question. Was he not the training instructor?

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Gates: I cannot recall, Sir.

Mr. Williams: I am suggesting to you that at that time, Winston Felix was an instructor for the Guyana Police Force.

Mr. Gates: I would not doubt, Sir, but I cannot recall.

Mr. Williams: I am further putting it to you that at that time, Mr. Felix's rank was not higher than a Sergeant?

Mr. Gates: I cannot recall what rank he was, but I said I did speak to him.

Mr. Williams: You recall everything. I am also putting it to you that Mr. Felix, in fact, became a Cadet Officer after that time that you are talking about.

Mr. Gates: I cannot recall what rank he was.

Mr. Williams: This is what I want to get at; Mr. Felix could not tell you be careful while on your special assignment...

Mr. Gates: Because he was my class instructor.

Mr. Williams: ...because Mr. Felix had nothing whatsoever to do with your assignment – undercover.

Mr. Gates: Like I said, he was my class instructor. I had a lot of confidence in him. On several occasions, I sought his advice in confidence, and I had indicated it to him.

Mr. Williams: But you have not said that in your statement.

Mr. Gates: No, I have not said it, but you were asking me...

Mr. Williams: No, you have not said that in your statement.

Mr. Gates: I may not have said that in my statement, but you were asking me, so I am elaborating.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Williams: So you brought this in, by these words that “Winston Felix earlier told me I should be careful while on my special assignment”. These words suggest that Mr. Felix was aware of your special assignments.

Mr. Gates: He was.

Mr. Williams: And not only aware, aware officially.

Mr. Gates: Like I said, it was somebody whom I trusted and somebody from whom I sought advice...

Mr. Williams: I am saying that you were suggesting that he was aware officially.

Mr. Gates: I am not too clear whether he was aware officially.

Mr. Williams: But it is untrue!

Mrs. Samuels-Brown: I am sorry, Counsel the witness started to say “I had indicated to him...”, but I did not hear how he finished. I do not know what he was saying, he had indicated...

Mr. Gates: I said I had indicated to him, because he was one of the persons...

Mrs. Samuels-Brown: Had indicated to him, what?

Mr. Gates: That I was on this special assignment.

Mrs. Samuels-Brown: Okay, thank you.

Mr. Williams: *[Laughter]* this is a big time undercover agent. So, you told every other person you met that you were undercover? *[Laughter]*

Mr. Gates: I guess that is why the Government of Guyana hired me to train other security agencies.

Mr. Williams: You are speaking an untruth.

Mr. Gates: I am speaking the truth.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Williams: I am saying to you that you are furthering this tactic of trying to finger current leaderships of the Opposition in this Commission of Inquiry.

Mr. Gates: I am not, Sir.

Mr. Williams: Yes.

Mr. Gates: I am not.

Mr. Williams: You are wantonly using Basil Williams... Now you are wantonly using Winston Felix...

Mr. Gates: Mr. Felix is a good guy.

Mr. Williams: I am putting that to you. You are trying to show that he knew about your undercover cloak and dagger activities. He was in no position to know that.

Mr. Gates: I am saying I did.

Mr. Chairman: Mr. Williams, you want to put Winston Felix in context for us? We do not know who he is.

Mr. Williams: Mr. Felix is a former Commissioner of Police, and is right now a Shadow Minister for the A Partnership for National Unity (APNU). He is a thorn in the sides of the Government, in terms of the Policy of the Police, and so. As usual, they want to attack the messengers.

Mr. Chairman: Is the messenger Mr. Gates?

Mr. Williams: No, the messengers, like me, Mr. Felix, Mr. Harmon.

Mr. Chairman: I thought you were Counsel, I did not know you are now carrying messenger status.

[Laughter]

Mr. Williams: In parenthesis. *[Laughter]* yes, we are serious about this, Mr. Gates. This name has no business here, and I am putting it to you that you never had a conversation with Mr. Felix.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Gates: I am saying that I did, and I had several conversations prior with him

Mr. Williams: Now, let us move onto these “Death Squads”. Are you clear that the Death Squad was compartmentalised; dividing into three compartments?

Mr. Gates: Yes, Sir.

Mr. Williams: I am suggesting to you that you could not know how many persons the Death Squad would have killed during the course of the operation.

Mr. Gates: I could not know?

Mr. Williams: Yes, I am putting it to you.

Mr. Gates: And I was a part of the...

Mr. Williams: You said you were part of the Intelligence Unit.

Mr. Gates: I also dealt with the guys when I knew when persons were shot; I even went to the hospital to do certain things. I had a fair idea.

Mr. Williams: You said you operated on a need-to-know.

Mr. Gates: That was when I was on the assignment - when I was gathering intelligence for the unit. I had a close working relationship with Sergeant Andrews known as “Agent”. I had a close working relationship with Corporal Matthews and others.

Mr. Williams: Did you not tell the Commission that your so called “Death Squad” was divided into intelligence, patrol, and this death squad or execution squad?

Mr. Gates: That was not official.

Mr. Williams: Did you not say that to the Commission?

Mr. Gates: I did say that.

Mr. Williams: Did you not say that you were not involved in the execution?

Mr. Gates: I did say that.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Williams: Therefore, I am saying to you that you cannot know what executions that foreman unit would have occasionally carried out.

Mr. Gates: It was public knowledge. If you check the...

Mr. Williams: Well, it was public knowledge.

Mr. Gates: ...archives of the newspapers it will confirm....

Mr. Williams: I am glad you are saying it was public knowledge.

Mr. Gates: Yes, because it was reported in the press; in the *Dayclean*, in the *Catholic Standard*, and I personally lifted bodies and took them to the hospital.

Mr. Williams: You have no personal knowledge....

Mr. Gates: I have personal knowledge, Sir.

Mr. Williams:of the operations of that unit you call the execution unit.

Mr. Gates: I would like to see "Skip" Roberts appear here and pick up this Bible and swear that I was never a part of that Unit, and I was not fully acquainted with all the operations of that Unit.

Mr. Williams: In fact, I could understand it, with the evidence that you gave, you said "my unit" ...at page 18, at the top, 6th June's record "my unit was tasked with intelligence gathering. I was not one of the guys who would go out and execute people..." Do you remember saying that to the Commission?

Mr. Gates: I never said I killed anybody.

Mr. Williams: Yet, you are purporting to say how much this Unit that you never went out with killed.

Mr. Gates: Like I said, I knew, it was all on the records.

Mr. Williams: You did not, and I will tell you why also...

Mr. Gates: So, you are saying that during the PNC's time, the police did not kill anybody?

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Williams: You have not got public knowledge. I am saying you do not have personal knowledge of any killings done by that Squad because you never went out with the Squad.

Mr. Gates: I have personal knowledge, because when they killed them, they had to bring them at Headquarters before they took them to the hospital...

Mr. Williams: Are you listening to me? Do you agree then, that you never went out with them?

Mr. Gates: I never went out with them?

Mr. Williams: On their operation.

Mr. Chairman: I think you should both listen to one another. That is my ruling. Both of you must listen to one another. You go ahead, Sir.

13.50hrs

Mr. Williams: Yes, so you have answered "yes". You agreed with me that you never went out with that Squad, according to you, the "Death Squad" on their operations?

Mr. Gates: I never went out with them, but let me...

Mr. Williams: No just answer "yes" or "no".

Mr. Gates: I never went out with them, but whenever somebody is shot, they would bring them to the hospital keep them at the Headquarters until they died and then carried them there to the hospital.

Mr. Williams: Again you have gone again; you cannot know you never went with them so let us move on.

Mr. Chairman: The evidence said he took a few to the hospital.

Mr. Williams: This Witness has given evidence in this Commission. I am going on the evidence he has given. If he wants to come in and bring in, that is why I am contradicting him with this evidence.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Chairman: But he is still giving evidence. He is still. He did not give in the past and not now, he is still giving evidence. And two minutes ago, he said that he took some to the hospital.

Mr. Williams: Sir, we are going to deal with that. I think with your experience you would always know when somebody is making up something in the spur of the moment. I mean, I must say that I really have ignored these things that he is uttering now for the first time because I know it is untruth. He is now bring it up he is bringing them up. He has written a statement

Mr. Chairman: You are proposing to testify?

Mr. Williams: He has written a statement and he does not have anything like that in his statement. He has given evidence-in-chief for two or three days, he has not said a word about that so how you are going to accept something like that?

Mr. Chairman: I would only say to you that all the witnesses that testified here have gone well beyond their statement.

Mr. Williams: We understand that, but he has not said anything in here.

Mr. Chairman: [*Inaudible*] to be treated differently.

Mr. Williams: Has he said that in his evidence?

Mr. Chairman: He has not asked that, he did not say that, but he is still giving evidence, so you should not ignore what he is saying now.

Mr. Williams: Mr. Chairman, may I pursue this line of cross-examination? One other question I have for him.

Mr. Chairman: Pursue it.

Mr. Williams: I am putting it to you that you are just making up this evidence so-called about this "Death Squad" and killings, because you have no personal knowledge about it.

Mr. Gates: I was there and I have personal knowledge.

Mr. Williams: Let me refer you to page 24. The first note under your name from the top.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Chairman: Page 27 of what?

Mr. Williams: Of the 6th June record. I do not know... this is the evidence-in-chief. You see the last sentence under that answer that you gave, Mr. Hanoman then you from the top? “We never work together they had their separate duties”. Do you remember saying that?

Mr. Gates: Yes, I remember.

Mr. Williams: Yes.

Mr. Gates: But as I said, when persons are shot they were brought to CID Headquarters, they are kept in the vehicle until they are dead and then they are taken to the hospital.

Mr. Williams: We do not know about that I am going with the evidence.

Mr. Gates: You were not there, so you cannot tell me.

Mr. Williams: And the evidence on the record states clearly what you said you all were separate units. Secondly, you agree with me too that intelligence and intelligence gathering is different from the activities of the “Death Squad”?

Mr. Gates: It supported the activities.

Mr. Williams: It supported how?

Mr. Gates: Because they relied on us for information?

Mr. Williams: What kind of information did they rely on you for?

Mr. Gates: Information on wanted persons and stuff like that.

Mr. Williams: So they do not rely on the Criminal Investigating Department?

Mr. Gates: The Criminal Investigation Department deals with when it arrested and brought in.

Mr. Williams: You told this Commission what your functions were to spy on the WPA and the People’s Progressive Party (PPP), you never said the Intelligence Unit had a role in detecting and investigating crime. Do you agree with that?

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Gates: I never said that. I cannot recall saying that. I said that we started off by gathering intelligence of the bad guys and going after them; that is how we started off.

Mr. Williams: So what is clear from the operations which you described in the CID, at the time, it really was on the need-to-know basis. These units were sectionalised, so intelligence had nothing to do with crime detection and all of that?

Mr. Gates: We were not dealing with crime detection.

Mr. Williams: Intelligence was dealing with civilians and the like? I am putting to you that unit that you are speaking about was created at a time when crime had arisen in Guyana.

Mr. Chairman: Which Unit?

Mr. Williams: The same Unit he said was going out to deal with serious crimes. Do you agree with that? At time of heightened crime in Guyana

Mr. Gates: That was the purpose at the time.

Mr. Williams: Such crime included “kick down the door bandits”.

Mr. Gates: That is true.

Mr. Williams: And that Unit was specially tasked to deal with that type of crime.

Mr. Gates: That is correct.

Mr. Williams: And on occasions, they encountered people with greater fire power than themselves.

Mr. Gates: Sometimes not all the times.

Mr. Williams: You know you come to give the impression that to set up this squad was something unheard of in any country.

Mr. Gates: I never said that Sir.

Mr. Williams: Unheard of in Jamaica.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Gates: I never said that.

Mr. Williams: The crime capital of the world. It is unheard of in Barbados and unheard of in Trinidad. The fact of the matter is that this was the State's response for dealing with such crime at the time. Is not that so?

Mr. Gates: It probably was.

Mr. Williams: And death would have occurred if people refused to surrender and they wanted to shoot at the police and all of that. Is not that so?

Mr. Gates: Yes, but not in all the cases.

Mr. Williams: But we know not in all the cases.

Mr. Gates: There were cases where people were shot when police used more force

Mr. Williams: I know you are influenced by headlines which said 30 killings, but you, in fact, in this Commission said not all, when the Commissioner herself asked you questions, you broke down your figure in half.

Mr. Gates: I said half was justifiable.

Mr. Williams: They could have been justified in these killings perhaps to save their own lives.

Mr. Gates: I said half was justifiable, about half.

Mr. Williams: So you do not have any personal knowledge of what you are saying. So let me say to you to wrap up just before...

Mr. Gates: Yes dinner does serve at 15.00hrs at the prison, I do not want to miss my luscious dinner.

Mr. Williams: I thought you getting lunch from Waterchris.

Mr. Gates: No.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Williams: Because you Waterchris is still open. Let me say to you that I am not going to address all of this thing about you were locked up for 30 days and all of that. You ever sue the police for locking you up for 30 days?

Mr. Gates: I did not. It was a waste of time at that time.

Mr. Williams: I am not hearing you.

Mr. Gates: I never sued them.

Mr. Williams: These people had you in a cell for 30 days, blindfold you, do you all kinds of things and you never sue them? Because it was not true.

Mr. Gates: Well summoned Mr. Eddington Tappin, a Former Retired Assistant Commissioner, he can come to this Stand.

Mr. Williams: Mr. Chairman, you see what he is saying? This reiterates our point that we are supposed to have all his records because the Police Force is still in existence. It is not any overnight institution, but we are dealing with a witness who is telling you to get the record when the record ought to have been with us. This is not the first time that we have raised it and no effort is being made, but we have a witness coming and making all kinds of statements, we have a record, but no records come to us.

Mr. Chairman: I think we have dealt with that already, and I agreed with you that that the records should be with us.

Mr. Jairam: He did say above the shouting that it would have been a waste of time to sue, at the time.

Mr. Williams: Look if you join the Force in 1977 you were in training for six months.

Mr. Gates: Yes Sir.

Mr. Williams: The basic training. You know, you were confirmed after how long such training?

Mr. Gates: I never dealt with confirmation.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Williams: No Police Constable?

Mr. Gates: Two years.

Mr. Williams: Two years and that would have made you; you would have to be published in the Orders?

Mr. Gates: I did.

Mr. Williams: You would have to be published in the Orders?

Mr. Gates: Of course.

Mr. Williams: Is not that so?

Mr. Gates: Yes.

Mr. Williams: Look we do not have that record, but you were junior, very junior, in 1978 and secondly, it does not matter what you say you were undercover or not. If you said you were promoted to Sergeant.

Mr. Gates: I never said I was promoted, I said they told me that. I was not issued with any such letter. That was told to me to motivate me, but I was more concerned about the pay.

Mr. Williams: I know you were more concerned about that pay.

Mr. Chairman: Mr. Gates, you are well advised to wait until you are asked a question.

Mr. Williams: You know I am going to ask you if your promotion to Sergeant was published in the Orders so you decided to say that you did not say that.

Mr. Gates: Like I said, I do not know. That was told to me.

Mr. Williams: I am putting it to you that the Police Force could not pay you any money for any higher rank without it being published in the Orders.

Mr. Gates: Man, there was a special arrangement at police finance office bring former Commissioner Brumel, he knew about that special arrangement, he was a Corporal then.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Williams: You calling Brummel name again. I already see the police need to have a Lawyer in here, I am representing the PNC.

Mr. Gates: I have to give you information so that you could bring people here to confirm.

Mr. Williams: So Comrade Chairman, I would be grateful if by the time we are ready to address you that we have all the records relating to this Witness so that we could use for the purposes of enlightening.

Mr. Chairman: This Witness and generally.

Mr. Williams: So Sir, I am glad you consider that we are hamstrung.

Mr. Chairman: The Commission itself might be hamstrung not the Commission Counsel.

Mr. Williams: That is all for me with this Witness. I just want to reiterate to him that I put to you that you are merely a witness of convenience. I am putting that to you.

Mr. Chairman: That would be convenience to whom though? I do not understand it.

Mr. Williams: A witness of convenience to who brought him.

Mr. Gates: Thank God I never voted for the PNC nor the PPP, I always voted Alliance For Chance (AFC).

Mr. Pilgrim: Mr. Chairman, my learned Friend Mr. Clarke indicated that he might want to have a... I do not know if it is appropriate now or if you want to...

Mr. Chairman: No, I do not expect him to be too long. Mr. Clark let me get you. You are Bryan Clarke and you are working for the Guyana Trades Union Congress (GTUC)?

Attorney of the Guyana Trades Union Congress (GTUC) [Mr. Brian Clarke:] That is correct.

Mr. Chairman: You are junior to Mr. Pieters?

Mr. Clarke: That is Correct.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Chairman: Please proceed Sir.

Mr. Clarke: Mr. Gates, you mentioned you had firearm training?

Mr. Gates: Several.

Mr. Clarke: Several. You were asked about the standard operating procedures is that correct?

Mr. Gates: Yes, I was.

Mr. Clarke: And you received training in respect Standard Operating Procedures whilst in the Force?

Mr. Gates: Yes I did.

Mr. Clarke: This is at Felix Austin Training School?

Mr. Gates: Say that again?

Mr. Clarke: This is at Felix Austin Training School?

Mr. Gates: Yes.

Mr. Clarke: You received any training in note taking?

Mr. Gates: Note taking?

Mr. Clarke: Yes.

Mr. Gates: Yes, I did.

Mr. Clarke: And you prepared reports?

Mr. Gates: Yes, I did.

14.05hrs

Mr. Clarke: Were you issued with a pocket book or a police memo book?

Mr. Gates: When I was at Beat Centre.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Clarke: Sorry?

Mr. Gates: When I was at the Beat Duty Centre.

Mr. Clarke: You recorded daily activities as a Police Officer?

Mr. Gates: Yes, I did.

Mr. Clarke: Do you have any training on the Constitution of Guyana?

Mr. Gates: Constitution?

Mr. Clarke: Yes.

Mr. Gates: No. I have never really paid much attention to the... except what we were taught in classroom of a person's right to...

Mr. Clarke: Which classroom is this?

Mr. Gates: The Police Training College.

Mr. Clarke: And you did not pay much attention to that?

Mr. Gates: No. Like I said, they would teach us certain basic things like the rights of an arrested person and stuff like that, the constitutional rights.

Mr. Clarke: You testified earlier that you were given a list of sorts and ballot boxes to 'X' off whilst you were a police trainee or recruit was it?

Mrs. Samuels-Brown: I am not following that. Could you assist us by repeating the question a little more slowly, please?

Mr. Clarke: You mentioned that you were given ballot boxes to cross off whilst you were a police recruit?

Mr. Gates: Yes, it was during the referendum.

Mr. Clarke: What did you think about this?

Mr. Gates: What did I think about it?

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Clarke: What was your opinion on this?

Mr. Gates: Well at the time I was a recruit and I was not too knowledgeable... I was not au fait with what was going on but you were given instructions to mark off these ballots and to place them in boxes. We were given voters' lists with names of persons and put an 'X' and put it in the box.

Mr. Clarke: You just operated on a need to know basis?

Mr. Gates: Well at the time you were given an instruction.

Mr. Clarke: You had no objections? Just complied?

Mr. Gates: You have to comply and then complain if you do not agree with those instructions.

Mr. Clarke: You mentioned several times that you were sympathetic towards the WPA's cause?

Mr. Gates: Yes.

Mr. Clarke: It was also established that whilst you were undercover you were working as a double agent. Do you agree with that?

Mr. Gates: I do not agree with the term "double agent".

Mr. Clarke: How would you describe it?

Mr. Gates: "Double agent" would mean someone who is... I do not agree with the term, but it was used during the...

Mr. Clarke: How would you describe your role?

Mr. Gates: I was an agent of the State.

Mr. Clarke: An agent of the State. That does not explain your relationship with Dr. Roopnarine and spying on him.

Mr. Gates: Yes. I was an agent of the State, sent to infiltrate the WPA.

Mr. Clarke: So you were working for the Police for pay and the WPA for cause?

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Gates: Say that again.

Mr. Clarke: Would that be accurate to say that you were working for the State for pay and the Working People's Alliance for cause?

Mr. Gates: Yes, cause and better remuneration.

Mr. Clarke: You strongly believed in the Working People's Alliance cause?

Mr. Gates: At the time.

Mr. Clarke: Which aspects did you believe in really? Could you help me in that issue because you kept saying that Dr. Roopnarine was a good man, you believed in their cause?

Mr. Gates: The fight for equality and justice.

Mr. Clarke: Right. Is that it?

Mr. Gates: Basically, a number of others that I cannot recall at this time.

Mr. Clarke: Your belief in their cause was equality and equal rights, is that what you are stating?

Mr. Gates: ...and justice.

Mr. Clarke: And \$1500 a month was it?

Mr. Gates: Yes.

Mr. Clarke: Okay.

Mr. Chairman: That was part of the cause?

Mr. Gates: With every cause these is a...

Mr. Clarke: Sorry?

Mr. Gates: I said that money must be part of the consideration.

Mr. Clarke: You went undercover on the recommendation of "Skip" Roberts, is that correct?

Mr. Gates: Yes. On instructions.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Clarke: Instructions. You were given a salary increase equivalent of a superintendent?

Mr. Gates: Yes, Sir.

Mr. Clarke: Was this approved internally?

Mr. Gates: It had to be.

Mr. Clarke: Was it authorised by the Finance Officer?

Mr. Gates: I do not know, Sir.

Mr. Clarke: Were you ever promoted to Superintendent?

Mr. Gates: I was never issued any document to such effect.

Mr. Clarke: No paper work completed?

Mr. Gates: No, Sir.

Mr. Clarke: You were not gazette either?

Mr. Gates: No, Sir.

Mr. Clarke: Okay. I would just like to ask you a few general questions about your day-to-day duties with Dr. Roopnarine. Where did you go when you were his bodyguard, basically?

Mr. Gates: Well from the WPA's office to the University of Guyana and to several residences.

Mr. Clarke: Mainly charged with his protection?

Mr. Gates: Huh?

Mr. Clarke: Mainly charged with his protection, that was what you were doing?

Mr. Gates: Yes, Sir.

Mr. Clarke: Were you at any meetings that were actually broken up?

Mr. Gates: Yes, Sir.

Mr. Clarke: And your responsibility then was what?

Mr. Gates: My response?

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Clarke: What did you do as his bodyguard when the meeting was broken up?

Mr. Gates: Like I said, I can recall the one at Barr and Alexander Street, in Kitty.

Mr. Clarke: Let us start with one, for example, could you give me what happened then?

Mr. Gates: Well the meeting was invaded by armed thugs from the House of Israel.

Mr. Clarke: Where were you at this point?

Mr. Gates: I was standing next to Dr. Roopnarine.

Mr. Clarke: Where was he?

Mr. Gates: Close to Moses Nagamootoo.

Mr. Clarke: Where was that?

Mr. Gates: Well that was at the Kitty Market Square.

Mr. Clarke: They were more or less conducting these meetings.

Mr. Gates: The meeting.

Mr. Clarke: They would be close to the stage perhaps?

Mr. Gates: Yes, I was close to the stage.

Mr. Clarke: But you were still doing your duties as to the State and reporting on public servants?

Mr. Gates: At that point my function was to bodyguard Dr. Roopnarine and to report on his activities.

Mr. Clarke: But your duty was to the State as well to, is that not correct?

Mr. Gates: Well if I happen to see during the course known public servants who I can recognise then I would include that in my report.

Mr. Clarke: So you would recognise then from perhaps backstage where you were with Dr. Roopnarine?

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Gates: No, I would have seen them in the crowd.

Mr. Clarke: You had a good view of them from backstage.

Mr. Gates: I would not be with Dr. Roopnarine all the time. At certain times I would go and mingle in the crowd.

Mr. Clarke: So you neglected your duties as a bodyguard to go and mingle in the crowd?

Mr. Gates: No. I am covering because I want to know what is going on in the outskirts. If I see a crowd building up and it might be “Rabbi people” I might leave for a brief moment.

Mr. Clarke: So you leave your post as bodyguard to go and mingle?

Mr. Gates: That is not post. I would not call that a post.

Mr. Clarke: Okay, so in potentially violent and hostile situation you would leave the person exposed?

Mr. Gates: No I would never leave in potentially violent situations because if I had done that on that occasion, I would not have been in a position to draw my firearm and back them off.

Mr. Clarke: It was intelligence gathering that you were responsible for at the...

Mr. Gates: Yes.

Mr. Clarke: Did you have any intelligence about when any of the meetings were going to be broken up? Did you know that beforehand?

Mr. Gates: No. Not beforehand. It was a normal thing. Meetings were always...

Mr. Clarke: ...randomly broken up?

Mr. Gates: Yes.

Mr. Clarke: Have you ever given Dr. Roopnarine any advice about acquiring arms and ammunition?

Mr. Gates: I never gave any advice.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Clarke: It was a need to know basis you operated on with him as well?

Mr. Gates: No.

Mr. Clarke: You mentioned that you held onto ammunition for him on several occasions is that correct?

Mr. Gates: Yes.

Mr. Clarke: Do you remember how many times this was?

Mr. Gates: Two or three times, I cannot remember exactly.

Mr. Clarke: You did not give your opinion about him collecting arms and ammunition?

Mr. Gates: No.

Mr. Clarke: Even though you knew they were loaded and over packed?

Mr. Gates: No.

Mr. Clarke: This is a man that you thought was a good guy, right?

Mr. Gates: Yes.

Mr. Clarke: You also said you absconded from... There was once when you mentioned that you were supposed to give him training for G3 rifle...?

Mr. Gates: Yes.

Mr. Clarke: ...and you absconded from this?

Mr. Gates: Yes.

Mr. Clarke: That was because you thought Dr. Roopnarine was a good guy, and you were standing too close in case the bombs exploded?

Mr. Gates: Yes, Sir.

Mr. Clarke: Okay so it is your own personal safety you were concerned about then as opposed to Dr. Roopnarine?

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Gates: No. No like I said he was a good man.

Mr. Clarke: Okay. You said that the retired Commissioner of Police, Mr. Lewis, is one of the best in the Caribbean and you were handled by him, is that correct?

Mr. Gates: Not the best Commissioner, the best Intelligence Administrator.

Mr. Clarke: One of the best Intelligence Administrator, and you were handled by him?

Mr. Gates: Yes, Sir.

Mr. Clarke: He provided your training?

Mr. Gates: Yes, on the job.

Mr. Clarke: You said you hired other agents in the WPA including the bodyguard of Walter Rodney?

Mr. Gates: Yes, Sir.

Mr. Clarke: Did you question your supervisor about the source of his funding?

Mr. Gates: Yes, I did.

Mr. Clarke: What did he tell you?

Mr. Gates: He said it was coming from the Ministry of National Development.

Mrs. Samuels-Brown: Ministry of National...?

Mr. Gates: Development.

Mrs. Samuels-Brown: Thanks.

Mr. Clarke: You mentioned that you were asked to place two devices; one in the office at Tiger Bay and then another one on his car?

Mr. Gates: Yes.

Mr. Clarke: Do you have any training for this?

Mr. Gates: On the job.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Clarke: On the job training.

Mr. Gates: I received instructions from Mr. Brezhnev as to how to; that was his purpose to offer technical...

Mr. Clarke: How were you to place this device exactly?

Mr. Gates: Like I said the back of it had a magnetic thing so you stick it under the seat on metal at the bottom of the seat.

Mr. Clarke: Under which seat?

Mr. Gates: Dr. Roopnarine's car seat.

Mr. Clarke: Which seat exactly?

Mr. Gates: The driver's seat.

Mr. Clarke: The driver's seat, okay.

Mr. Jairam: Mr. Clarke, I have been listening very carefully to you. I hope you have a theory. Are you testing his credibility?

Mr. Clarke: That is correct.

Mr. Jairam: I see. Okay.

Mr. Clarke: You stated that you met Gregory Smith regularly on weekends, is that correct in your examination?

Mr. Gates: Yes, Sir.

Mr. Clarke: Could you give me the number of times you met him?

Mr. Gates: I cannot recall, it might have been around eight or nine times.

Mr. Clarke: Eight or nine times and you first saw him again in March 1980, middle of March you said 1980?

Mr. Gates: Yes, February/March.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Clarke: Then it was middle of April of 1980 when he discussed the plan of the walkie-talkie bomb with you?

Mr. Gates: Yes, Sir.

Mr. Clarke: Are you aware that there are only seven to eight weekends within that time period.

Mr. Gates: If...?

Mr. Clarke: There are only eight weekends in that period of time.

Mr. Gates: I do not know. I cannot recall how many weekends there were.

Mr. Clarke: I put it to you that you are not being truthful about the amount of times you met Gregory Smith?

Mr. Gates: I am being truthful. I said I cannot recall the exact amount of times. We are talking about 34 years ago.

Mr. Clarke: ...several times.

Mr. Gates: It happened 34 years ago. I cannot recall exactly the amount of times. I said it may have been eight or nine times.

Mrs. Samuels-Brown: I am sorry Counsel; your suggestion is that it was less time than he has indicated to us.

Mr. Clarke: That is correct.

Mrs. Samuels-Brown: Thank you.

Mr. Chairman: But you are not suggesting that he never met him? Your complaint is about the number of times?

Mr. Clarke: That is correct. When you met him, the first time, he told you that he was an agent of the state?

Mr. Gates: Pardon me?

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Mr. Clarke: He told you that he was an agent of the stage?

Mr. Gates: Yes.

Mr. Clarke: Why were you so comfortable revealing to him your position?

Mr. Gates: Because, like I said, it was somebody I knew from way back.

Mr. Clarke: You had not seen him for a very long time.

Mr. Gates: Yes but I saw him in and out. He was somebody whose family I knew well. I knew he was somebody I could have trusted, I could have confided certain things in.

Mr. Clarke: You knew that you could trust him...?

Mr. Gates: Yes.

Mr. Clarke: ...and confide in him. Did you not think that he could possibly be a double agent as well like yourself?

Mr. Gates: He could have been but then there is something called damage control.

Mr. Clarke: Damage control? Would it not be exposing yourself?

Mr. Gates: It would have been his word against mine.

Mr. Clarke: Did you not reveal your position to him a bit too fast?

Mr. Gates: I do not think so. It was necessary.

Mr. Clarke: It was necessary? Why is that?

Mr. Gates: Because I thought it best that we should share intelligence because I knew how the State operated then.

Mr. Clarke: Earlier you said Mr. Lewis is one of the best in the Caribbean in intelligence training?

Mr. Gates: Yes, Sir.

Mr. Clarke: Was this the kind of stuff that he taught you?

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Mr. Gates: He taught me?

Mr. Clarke: Yes, in terms of dealing with covert operations?

Mr. Gates: Well he would give lectures from time to time.

Mr. Clarke: To reveal your status to a past friend?

Mr. Gates: No. He never said that. He never told me to do that.

Mr. Clarke: That was on your own?

Mr. Gates: There are sometimes when you are on the ground you have to make you own decisions for your own personal safety.

Mr. Chairman: That was his judgment?

Mr. Gates: My judgment.

Mr. Clarke: You were not offered any money for that?

Mr. Gates: Offered any money?

Mr. Clarke: Yes.

Mr. Gates: For?

Mr. Clarke: Speaking with Gregory Smith. There was not any potential for financial gain in that situation?

Mr. Gates: No.

Mr. Clarke: Okay.

Mr. Gates: I knew what he was on so I taught it best... We needed to share intelligence as “countrymen”.

Mr. Chairman: You mean “countrymen” as opposed to “town-men”?

Mr. Gates: Yes we were both from the country, from the riverine area so...

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Mr. Clarke: Just one final question, Mr. Gates, you mentioned that you respected Dr. Roopnarine?

Mr. Gates: Yes, Sir.

Mr. Clarke: You admired him?

Mr. Gates: Yes, Sir.

Mr. Clarke: He also paid you handsomely?

Mr. Gates: Yes, Sir.

Mr. Clarke: Why did you not reveal to him your status as a double agent if you were supportive of his cause and if indeed you did think he was a good man?

Mr. Gates: There are a lot of things that I did not do that I was told to do.

Mr. Clarke: Such as?

Mr. Gates: That could have caused harm to him.

14.20hrs

Mr. Clarke: Such as?

Mr. Gates: Many things, like that incidence at the meeting that Rabbi invaded. I was given instructions to back off and let them harm him. I did not.

Mr. Clarke: What did you do?

Mr. Gates: I drew my weapons and if they had come one step further I would have killed all of them.

Mr. Clarke: All of them.

Mr. Gates: I would have shot them between the eyes.

Mr. Clarke: You gave him three shipments or three batches rather of ammunitions that were over packed that could have potentially killed them?

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Mr. Gates: I would have ensured that he did not use them because I had to keep them for a while.

Mr. Clarke: Very well. That concludes my questions, Mr. Chairman.

Mr. Chairman: I take it that all Counsel are now done the cross-examination? Are you likely to be briefed?

Mr. Hanoman: Yes, I think I can complete in about less than 10 minutes.

Mr. Chairman: I am not rushing you. I am just enquiring.

Mr. Jairam: Are we going to deprive him of his sumptuous meal?

Mr. Gates: It will be kept until I get there.

Mr. Chairman: I think we shall finish him in 10 minutes and start a new witness tomorrow.

Mr. Hanoman: In answer to Mr. Williams you had declared that you would share, you would file reports?

Mr. Gates: Yes, Sir.

Mr. Hanoman: In reference to your interactions with Rupert Roopnarine, you would share with your handlers whatever happened between yourself and Roopnarine?

Mr. Gates: Yes, Sir.

Mr. Hanoman: You have also told us that on one occasion you and Dr. Rupert Roopnarine spoke about overthrowing the Government and specifically about taking over the Army Headquarters and arresting Mr. Burnham?

Mr. Gates: Yes, Sir.

Mr. Hanoman: That information was shared with your handlers?

Mr. Gates: Yes, Sir.

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Mr. Hanoman: In the scheme of things at the time you would have expected that that information would have come to the knowledge of both Mr. Norman McLean as well as Mr. Burnham?

Mr. Gates: Yes because as the Commander-in-Chief information should have filtered or pass up to him.

Mr. Hanoman: Just to be specific you said to us that Dr. Rupert Roopnarine as well as Dr. Walter Rodney were spearheading this overthrow where they would focus on Burnham and the Army?

Mr. Gates: Yes, Sir.

Mr. Hanoman: You would have expected that both Burnham and Norman McLean would have concerns about this planned violence against them?

Mr. Gates: Obviously they would.

Mr. Hanoman: The information you were forwarding upwards was that they may potentially come to physical harm?

Mr. Gates: Yes.

Mr. Hanoman: Do you agree that it would be in Norman McLean's and Burnham's interest to try to negate such a threat?

Mr. Gates: I would say "kill or be killed".

Mr. Hanoman: Do you agree with me or not Mr. Gates?

Mr. Gates: Yes, Sir.

Mr. Hanoman: Do you also agree that one method of negating this Walter Rodney threat would be to kill him?

Mr. Gates: Like I said, yes. Kill or be killed.

Mr. Chairman: Would a lawful way of negating the threat?

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Mr. Hanoman: I can ask that if you wish for me to ask.

Mr. Chairman: I am asking you because I take it that the Rule-of-Law did reign or had it been suspended? It seems to me that one other way would have been with that intelligence gathering to have the man arrested and put him before the Court. That is what it seems to me, but you are suggesting that it was the law of the jungle?

Mr. Hanoman: I can develop that issue please, Mr. Chairman. In answer to one of the Lawyers, I cannot recall who, I think Mr. Williams, you had said you had received intelligence reports and it was those intelligence reports that caused you to know about extra-judicial killings by this parallel Death Squad?

Mr. Gates: Yes, Sir.

Mr. Hanoman: As a matter of fact would it be correct to say that some of the persons on whom you had prepared intelligence reports were later killed by this parallel Death Squad?

Mr. Gates: Yes, Sir.

Mr. Hanoman: Do you then agree with me that on occasion your intelligence reports would lead to extra-judicial killings?

Mr. Gates: Yes, Sir.

Mr. Hanoman: In the same way, this intelligence that Walter Rodney might have been physically harm Burnham and to take over the Army you would not be surprised that it would have ended in extra-judicial killing of Walter Rodney?

Mr. Gates: No, I was not surprised when he died because even if he did not die at the hands of Gregory Smith I knew as a man on the ground that Burnham was faced with a situation where he either got rid of this guy or accept defeat.

Mr. Hanoman: To reuse the phrase that the Chairman has used “at that time it was the law of the jungle”.

Mr. Gates: Yes.

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Mr. Hanoman: And because of the information you fed upwards, you feel that both Norman McLean and Burnham might have had a motive to kill Walter Rodney?

Mr. Gates: Yes, including Laurie Lewis.

Mr. Hanoman: Not forgetting Mr. Laurie Lewis.

Mr. Chairman: Since he is into name calling, what about “Skip” Roberts?

Mr. Gates: Yes and “Skip” Roberts. I reported to Laurie Lewis through “Chico”, but they were all involved because we referred to them as the “three wise men”. They were the three closest persons to the then leader.

Mr. Chairman: Which leader?

Mr. Gates: Mr. Burnham.

Mr. Chairman: Who were the three closest persons?

Mr. Gates: We used to call them the three wise men – Norman McLean, “Skip” Roberts and Laurie Lewis.

Mr. Chairman: Go ahead.

Mr. Hanoman: Some surprise has been expressed that our readiness to share information with Gregory Smith very early when you met him, would you say...?

Mr. Chairman: Are you sure that was not thoroughly explored by three persons so far? Do you have anything new?

Mr. Hanoman: I am not sure if it is new...

Mr. Chairman: Okay, go ahead.

Mr. Hanoman: Would it be clear for me to suggest that this sharing with this sort of information with Gregory Smith was motivated by concerns for your joint safety *vis-à-vis* the deadly State apparatus?

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Mr. Gates: Yes, I knew it was based on joint concern because I knew what was happening at the time and both of us could have fall prey to that kind of thing.

Mr. Hanoman: Mr. Harmon had averted your attention to the third page of your witness statement and I believe he was questioning you on the type of device that was expected to have been given to Rodney and whether in fact it was expressed what type of device it was. Is it not correct that you had given evidence earlier, and I am referring here please to page 72 of the Friday 6th June, 2014 Verbatim Report...

Mr. Chairman: Read it, please.

Mr. Hanoman: In answer to a question by me, did you say... I am looking at around the middle of the page. You were referring to Gregory Smith and you said to me when I asked you if it was all that he told you and you said to me "No. He [meaning Gregory Smith] said that his superior said that he would use the opportunity rather than him delivering a walkie-talkie they would deliver an explosive device" Do you agree that you had earlier said that?

Mr. Gates: Yes, Sir.

Mr. Hanoman: You maintain that in your discussions with Smith, Smith was fully aware that the device that he was going to give to Walter Rodney was an explosive device as opposed to a walkie-talkie?

Mr. Gates: Yes, Sir.

Mr. Hanoman: You wish to maintain that this the truth?

Mr. Gates: Yes, Sir.

Mr. Hanoman: The full details of the methodology by which Gregory Smith would plant this bomb or this explosive device on Walter Rodney was during the parade meeting at the Parade Ground?

Mr. Gates: Yes, Sir.

Mr. Hanoman: This is the last meeting you would have had with Gregory Smith?

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Mr. Gates: Yes, Sir.

Mr. Hanoman: Did you ever warn Dr. Roopnarine or any other member of the WPA that there was a plan to kill any of them?

Mr. Gates: Yes, from time to time I would tell him that he has to be very careful.

Mr. Hanoman: Tell who?

Mr. Gates: Dr. Roopnarine.

Mr. Hanoman: Did you ever tell Dr. Roopnarine that anyone else in the WPA might also be in danger?

Mr. Gates: I think I indicated it once, if I can recall.

Mr. Chairman: By name or just generally?

Mr. Gates: No, Walter Rodney was the prime target.

Mr. Hanoman: You mentioned to Dr. Roopnarine that Dr. Walter Rodney was a prime target of whom?

Mr. Gates: The Government.

Mr. Hanoman: ...of the Government. In other words he was marked for death by the Government?

Mr. Gates: Marked for hell... Death.

Mr. Jairam: "Death" may not mean "hell".

Mr. Gates: You go to hell after you die.

Mr. Hanoman: Even a man like Dr. Walter Rodney?

Mr. Chairman: You do not know about heaven, only hell? [*Laughter*]. Are you finished, Counsel?

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Mr. Hanoman: Yes, please.

Mr. Chairman: We had a long day and...

Mr. Pilgrim: Mr. Chairman, I wonder if, with your leave, I can clarify one point. I hope not to be long at all.

Mr. Chairman: Yes, certainly.

Mr. Pilgrim: Sir, I just wonder if you can indicate, is it correct to say that you never spoke to Dr. Walter Rodney about amassing any ammunition or anything of that kind?

14.35hrs

Mr. Gates: No, I never had any personal ... I say him, said hi or hello, I never ...

Mr. Pilgrim : You never had any such conversation with him. Thank you, Mr. Chairman.

Mr. Chairman: Thank you. Fellow Commissioner Jairam.

Mr. Jairam: In answer today to Mr. Williams, you readily agreed and he had put to you said, I would agree that the security forces had a right to defend the State by such a plan. Well, by what means? Any means necessary? Or by ...

Mr. Gates: Any means necessary.

Mr. Jairam: So, there were no Laws in Guyana?

Mr. Gates: It was clear, Sir, that Walter Rodney was a serious threat to the Administration.

Mr. Jairam: But in your training as a police officer, were you not trained to detect and apprehend and bring to justice persons who may contravene the Law of the Land?

Mr. Gates: Yes, but I often heard my senior officers remark that no prison can hold Walter Rodney; no prison can hold WPA leaders.

Mr. Jairam: So what? You all were indoctrinated with the thinking that Walter Rodney was someone who had to be eliminated at all costs?

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Mr. Gates: It might be wrong to say it, but I really do not think that Burnham had a choice.

Mr. Jairam: Sorry?

Mr. Gates: I do not think Burnham had a choice.

Mr. Chairman: Had a what?

Mr. Gates: Choice.

Mrs. Samuels-Brown: Had a choice.

Mr. Jairam: You also agreed with Mr. Williams, you said, “I would agree that the burning down of the Office of the General Secretary and the Ministry of National Development was in furtherance of such a plan.” He was asking of the plan to overthrow the Government.

Mr. Gates: Yes, Sir.

Mr. Jairam: Are you aware that four persons were charged with the arson of that alleged burning down?

Mr. Gates: Yes, Sir.

Mr. Jairam: And what happened to the case?

Mr. Gates: No one was convicted, there was not sufficient evidence.

Mr. Jairam: No sufficient evidence?

Mr. Gates: No, Sir.

Mr. Jairam: One last area which intrigues me. During your stint as a Policeman, remember we have evidence of the paramountcy of the party and I think Mr. Eusi Kwayana testified and said it was a common feature at the Congress of the PNC where heads of the Armed Forces would go and swear their allegiance.

Mr. Gates: Yes, Sir.

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Mr. Jairam: My question to you, were you aware of any Head of the Armed Forces going to the Congress and swearing allegiance to the party?

Mr. Gates: Well, I can speak for “Skip” Roberts and Laurie Lewis.

Mr. Jairam: “Skip” Roberts and Laurie Lewis?

Mr. Gates: Yes.

Mr. Jairam: Those are the only two you know of?

Mr. Gates: Yes, I heard about other, but like I said, I know of the two.

Mr. Jairam: No others?

Mr. Gates: No, I heard of Norman McLean ...

Mr. Jairam: No, I do not want what you heard ... you know of two?

Mr. Gates: Yes.

Mr. Jairam: That is it?

Mr. Gates: Yes, Sir.

Mr. Chairman: And when did that swearing take place?

Mr. Gates: I really cannot recall, it was sometime during that period.

Mr. Chairman: Now, I just want you to clarify one thing. This notion that no prison can hold Rodney, was that a personal view or that was the view on the grounds?

Mr. Gates: No, based on intelligence reports, Walter Rodney commanded the ... he was very influential and he had a lot of followers. It was also felt that he had infiltrated the Police, the Army and I am talking about the very top officers. It was a known fact that he had infiltrated the Police Special Branch and that he was getting information and that he was receiving intelligence from Mr. James Mentore. So because of that and the ground support that he had, it was felt that if

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he was to be arrested and imprisoned, there would be civil disturbances and there would be burning down of buildings, you know. It was serious times.

Mr. Chairman: But he was earlier arrested and there was no burning down of buildings.

Mr. Gates: No, he was arrested, but he did not spend long in there.

Mr. Jairam: And he eventually died.

Mr. Gates: Yes, he eventually died.

Mr. Jairam: And was there burning down of buildings and resurrection and so on?

Mr. Gates: No.

Mr. Jairam: Insurrection, sorry.

Mr. Gates: No because you cut the head off and ... imprisonment is different to, you know, because he could have still communicated to the masses, but the other leaders as we call it they weak out and they just pulled into their shell.

Mrs. Samuels-Brown: May I?

Mr. Chairman: Yes. Commissioner Mrs. Samuels-Brown.

Mrs. Samuels-Brown: Thank you, Mr. Chairman. Just to follow up on a question asked by the fellow Commissioner Jairam, in relation to two Leaders who you say swore allegiance to the PNC party, you said that you were aware but how did you become aware?

Mr. Gates: Because, like I said ... Mr. Williams was trying to say that I was too small to ...

Mrs. Samuels-Brown: No, Sir, how did you become aware that the persons you referred to "Skip" Roberts and Laurie Lewis swore allegiance to the PNC at their conferences?

Mr. Gates: There was a function at the CID Headquarters and it was coming on to a Christmas time ... there was some ... I cannot remember exactly what the occasion was, but "Skip" was drinking and we were all taking a drink and "Skip" was saying, "Well you know I have to go this afternoon to swear allegiance to the President," and he was discussing with us that there are

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times when you have to do things that you do not want to do, or that you do not believe in, but because of your job, you have to do it.

Mrs. Samuels-Brown: So, you say this based on what you say “Skip” Roberts said.

Mr. Gates: A conversation, yes.

Mrs. Samuels-Brown: What about the other person you mentioned? How did you so become aware in relation to him?

Mr. Gates: He told us that himself and Laurie, because they were very close. Himself and Laurie Lewis were going there.

Mrs. Samuels-Brown: Okay. So, you are basing what you said about Laurie Lewis on what “Skip” Roberts said.

Mr. Gates: That was said to us in the gathering.

Mrs. Samuels-Brown: Alright, thank you very much. This book, could it be produced please? This book which is noted as being written by one William Gregory Smith and R. Wagner, if that is how it is pronounced. Could the witness be shown page 18 of the book please? You see a photograph there, Sir?

Mr. Gates: Yes.

Mrs. Samuels-Brown: On page 18, do you recognise the person at page 18?

Mr. Gates: Yes, Ma’am.

Mrs. Samuels-Brown: Who is it?

Mr. Gates: Gregory Smith.

Mrs. Samuels-Brown: Thank you very much. Just hold the book there for me. Do you have this extract from the *Catholic Standard* of Sunday 7th August, 1980? Okay, I do have a copy and I apologise to Counsel. Could you show it to Counsel, please? It was actually given to me, but I should have alerted you. I meant to. Thank you. Could you now show it to the witness?

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Mr. Pilgrim: *Catholic Standard?*

Mrs. Samuels-Brown: 7th August, 1980. Do you see a photograph on that page being handed to you with an extract from the *Catholic Standard* of 7th August, 1980, I believe?

Mr. Gates: Yes.

Mrs. Samuels-Brown: Who is the photograph of?

Mr. Gates: Gregory Smith.

Mrs. Samuels-Brown: Thank you, in your earlier evidence, you had said when you saw Mr. Smith he had high grown hair on his head.

Mr. Gates: Yes, an afro.

Mrs. Samuels-Brown: and there were hair on his face. A small afro.

Mr. Gates: Yes, Ma'am.

Mrs. Samuels-Brown: Do any of the photographs you see there come close to or represent the Gregory Smith you saw on that first occasion?

Mr. Gates: This one with the beard.

Mrs. Samuels-Brown: The one in the *Catholic Standard*?

Mr. Gates: Yes, Ma'am.

Mrs. Samuels-Brown: Thank you very much. I am going to ask if that document could go into evidence as AGR 5 thank you. At that time you say, he said that he was still a serving member...

Secretary to the Commission [Ms. Nicola Pierre]: ARG 5.

Mrs. Samuels-Brown: ARG 5

Mr. Gates: Yes a serving member.

Mrs. Samuels-Brown: And you say that he was still a serving member of the Army?

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Mr. Gates: Yes, Madame.

Mrs. Samuels-Brown: According to him. I am going to ask you to go to the back of the book, perhaps I should find it because these pages are not numbered, could I get the book back please? I am referring the witness to the appendices which occur at the back of the book referred to earlier which comes after page 149. The second page of the appendices being shown to the witness ... could you show it to Counsel first please? The page being shown to the witness comes after page 149, it is the second page or the third page of the appendices. Do you see a document there Sir, which appears to be a reproduction of a passport?

Mr. Gates: Yes, Ma'am.

Mrs. Samuels-Brown: A Guyanese issued passport?

Mr. Gates: Yes, Ma'am.

Mrs. Samuels-Brown: And do you see the date on it? 5th July, 1980?

Mr. Gates: On the passport document?

Mrs. Samuels-Brown: Stamped on the face of the passport? Just stamped.

Mr. Gates: Yes, Ma'am.

Mrs. Samuels-Brown: Thank you. Do you see photographs there being a representation of anyone you recognise?

Mr. Gates: Yes, the one at the bottom seems to be ...

Mrs. Samuels-Brown: Seems to be whom?

Mr. Gates: Gregory Smith.

Mrs. Samuels-Brown: Thank you. What is the name that is endorsed there? As the name of the bearer of the passport? It is Mr. Cyril ...

Mr. Jairam: Johnson.

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Mrs. Samuels-Brown: Cyril something.

Mr. Gates: Cyril Johnson.

Mrs. Samuels-Brown: Cyril Milton Johnson.

Mr. Gates: Milton Johnson.

Mrs. Samuels-Brown: Right, thank you very much, sir.

Mr. Chairman: But who is he? Do we know?

Mrs. Samuels-Brown: No but it is the same passport, the photograph of ...

Mr. Gates: The one at the top is a younger ...

Mrs. Samuels-Brown: Yes and for that same reproduction of what is supposed to be a Guyanese passport, the passport of Cyril Milton Johnson with the photographs of Gregory Smith attached to it; the occupation given of the person is carpenter. Am I correct?

Mr. Gates: Yes, Ma'am.

Mrs. Samuels-Brown: Thank you. Could you please turn the page for me? Am I correct that on the next page there is another document with a photograph resembling that of Gregory Smith?

Mr. Gates: Yes, Ma'am.

Mrs. Samuels-Brown: And it appears to be in another language, am I correct?

Mr. Gates: It seems so.

Mrs. Samuels-Brown: You probably recognise the language better than I do being a Guyanese yourself. Do you recognise it at all? It is either a "yes" or a "no".

Mr. Gates: Cyril Johnson.

Mrs. Samuels-Brown: You do not recognise it?

Mr. Gates: No.

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Mrs. Samuels-Brown: Okay, look to the section of the page which is to the extreme left, do you see marked, the first name there is Johnson, at the top of the page?

Mr. Gates: Yes, Johnson.

Mrs. Samuels-Brown: And under that Cyril Milton?

Mr. Gates: Cyril Milton.

Mrs. Samuels-Brown: And under that Georgetown, Guyana?

Mr. Gates: Yes, Georgetown, Guyana.

Mrs. Samuels-Brown: And beside that nationality, l-i-t-e Guyanese?

Mr. Gates: Guyanese.

Mrs. Samuels-Brown: And under that profession electronic 10?

Mr. Gates: Electronic.

Mrs. Samuels-Brown: And that is where you see the picture of the person you recognise to be Gregory Smith?

Mr. Gates: Yes, Ma'am.

Mrs. Samuels-Brown: Thank you very much. There is no date stamp there that I can pick up. Alright, I just wanted you to go through that exercise. Could the book and the other document be taken back from him? Sir, in your evidence, you referred to Brezhnev being described as a consultant to the Guyanese Police Force? Do you remember?

Mr. Gates: Yes, Madame.

Mrs. Samuels-Brown: Did this gentleman ever refer in discussions with you to other members of the Guyana Police Force?

Mr. Gates: I asked him once if he knew Gregory. He said, "Oh, yes, the Army guy".

Mrs. Samuels-Brown: Okay, thank you.

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Mr. Gates: I did not ask anything further.

Mrs. Samuels-Brown: You did not ask about any police officers?

Mr. Gates: No.

Mrs. Samuels-Brown: Okay.

Mr. Gates: He knew “Chico” Chichester because he was there a few times.

Mrs. Samuels-Brown: But apart from yourself and “Chica” meeting with him no reference was made to any other serving members of the Guyana Police Force?

Mr. Gates: No, well Laurie Lewis, “Skip” Roberts, he knew them.

Mrs. Samuels-Brown: Those references were made?

Mr. Gates: To “Skip” Roberts.

15.03hrs

Mrs. Samuels-Brown: Thank you. You said you were paid a monthly stipend by Dr. Roopnarine of \$1500?

Mr. Gates: Yes, Your Worship.

Mrs. Samuels-Brown: Up to when did that continue?

Mr. Gates: I think up to the time I absconded and went into hiding.

Mrs. Samuels-Brown: Okay, thank you. When you came back, did you have any further contact with Dr. Roopnarine?

Mr. Gates: No, I did not.

Mrs. Samuels-Brown: You did not meet him up on the road, any questions asked, any discussions had?

Mr. Gates: I think years after.

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Mrs. Samuels-Brown: Many years later? Okay. After the event of the 13th June, 1980, did you ever see Gregory Smith again?

Mr. Gates: No, I have never seen him.

Mrs. Samuels-Brown: In your evidence today, when you were asked about the 20 to 30 people who you said died during your incumbency at the hands of the Death Squad, you told us that they would be taken to the headquarters until they died and then taken to the hospital.

Mr. Gates: It was a normal... I would not say it was a policy. It was instruction from Mr. Roberts that if a person was shot in Albouystown – that is one of the depressed communities – they should be taken to the CID Headquarters and kept in the vehicle until they were dead, then take them to the hospital.

Mrs. Samuels-Brown: But you started to say something else and you did not continue. You said you would go to the hospital with them, sometimes, and on those occasions you would “do certain things”. What are the certain things you would do?

Mr. Gates: I can remember one instance. I cannot remember the name of the criminal, but he was known by the name of “Crapaud”, C-R-A-P-A-U-D. He was shot about five times in Albouystown, taken to CID Headquarters, kept there for about two hours and then taken to the hospital. This guy miraculously survived. I was asked by my officer, Mr. London, because a lot of persons from the Albouystown area were going to the hospital and issuing threats and stuff like that... I was asked to go there and to listen to what the persons were saying and to report back. I was told to remain there until about 23:00hrs and it was on Old Year’s Night. There was the regular guard guarding the prisoner because he was handcuffed to the bed and at about 22:00hrs... No, I asked Sergeant Andrews, who was a frequent visitor to the... to see if the guy was... I asked him, “Can I leave at 10:30/11:00 because I promised to take my wife to an Old Year’s Night party.” He said, “You will go home at 10:00”. At 22:00hrs the nurse left her desk to go somewhere and I saw a shadow crouching coming and Sergeant Andrews came up to the bed –the guy was taking saline – and I saw him take an injection needle and injected something into the saline bottle. Whatever he injected started bubbling going down the tube and the guy just made like this and he died.

WALTER RODNEY COMMISSION OF INQUIRY

Mrs. Samuels-Brown: Okay. So that is what you saw Sergeant Andrews do?

Mr. Gates: Yes, Madam.

Mrs. Samuels-Brown: But I was really asking you if there were any particular tasks which you carried out in relation to...

Mr. Gates: Like I said, on many occasions when they brought them to CID Headquarters the intelligence person would escort the body to the hospital.

Mrs. Samuels-Brown: Oh, Thank you.

Mr. Gates: To get a report from the doctor saying if he is dead on arrival, if he is admitted...

Mrs. Samuels-Brown: Okay, thank you very much. Having regard – and I say this for the benefit of Counsel – to Terms of Reference (iv), I will ask you this question: In your contact with Dr. Roopnarine and your travels with him did you come in contact with any members of the Leadership of the PPP, People's Progressive Party?

Mr. Gates: Only at one meeting, the one at Barr and Alexander Streets, Kitty, Mr. Moses Nagamoottoo.

Mrs. Samuels-Brown: Did you report on the presence of this PPP member as part of your general reporting activities?

Mr. Gates: Yes, I did.

Mrs. Samuels-Brown: You referred to that one meeting where you saw that one member of the PPP, but tell me, did you see Dr. Roopnarine in contact, or any other WPA member, with other PPP members whether it be at a... not a formal meeting but in any other context?

Mr. Gates: No, I cannot recall.

Mrs. Samuels-Brown: Thank you. I think the question I wanted to ask about *[Inaudible]* has been covered, so I have no other questions, Mr. Chairman, Thank you.

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Mr. Chairman: Thank you. I am going to conclude by asking you to refer to page 3 of your statement, at the very bottom, five or six lines from the bottom. “At the Norman McLean/Laurie Lewis meeting, he was told that when Rodney dies by the device, he would be given one million dollars and a safe trip to a foreign country, with his wife and child” that was referring to Smith.

Mr. Gates: Yes, Sir.

Mr. Chairman: That is referring to Smith?

Mr. Gates: Yes, Sir.

Mr. Chairman: And you continued, “I advised him against going down that road since I knew from experience with Special Squad that persons carrying out acts of such magnitude and, equally, persons who had betrayed the Burnham Government had been killed. He told me he would give it some thought.” Who are some of these people that you recalled who had carried out acts of such magnitude or betrayed the Burnham Government that had been killed?

Mr. Gates: Well, offhand, I can remember a Dr. Denbow who, I understand, invoked the wrath of Mr. Burnham and he was found somewhere floating in the Demerara River. I cannot remember the year or the time. I was also told several stories by my officer, Mr. London about persons who were deemed threats to national security or persons who, as he referred to as, “crossed the line” by betraying the Government of the day.

Mr. Chairman: Yes, but you are not answering the question. Who were some of these people?

Mr. Gates: Like I said, I can only recall one person, Dr. Denbow, and I was told of stories of other persons. Whenever we had an instruction class my officer, Mr. London, would tell us, “well look, if you betrayed the State, this is what would likely happen to you.” and it happened to other persons in the past. He never gave names, but we believed him.

Mr. Chairman: Okay, but on page 4, “sometime around mid-June, 1980”, that is in the middle of the page...

Mr. Gates: Yes, Sir.

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Mr. Chairman: I take you about four lines down. “For the next three days...” I think this is after Rodney died.

Mr. Gates: Yes, Sir.

Mr. Chairman: “...I noticed the army’s helicopter passing over my area. Gregory’s cousin, Desmond Smith, told me that Gregory had arrived the day before and he appeared to be very nervous and he told him that the Government was looking for him to kill him. Do you see that?

Mr. Gates: Yes, Sir.

Mr. Chairman: So, what you are telling us is that after Rodney died the Government was looking for Gregory Smith to kill him?

Mr. Gates: Yes, that is probably because they did not trust him.

Mr. Chairman: Now, before you get there, what was the source of that information that you gave here? What was the source of your knowledge? How did you know that? Was that a dream?

Mr. Gates: No, it was told to me by Desmond Smith.

Mr. Chairman: That was told to you by Desmond Smith?

Mr. Gates: Yes, Sir.

Mr. Chairman: And who was Desmond Smith, remind us?

Mr. Gates: He was referring to Gregory Smith. He said Gregory told him.

Mr. Chairman: He was Gregory’s cousin?

Mr. Gates: Yes, Sir.

Mr. Chairman: What is your understanding of why they would have been looking for him to kill him; because dead men tell no tales?

Mr. Gates: Dead men tell no tales, especially if the administration feels if he was arrested... The normal Police Force would not know or they would not be given certain instructions as to the

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role the guy played for the Government so if he was arrested or the press gets a hold of him he might have said things so the best thing would be to...

Mr. Chairman: Okay, that expression “Dead Men tell no tales” which of the great westerns did that come from? Do you recall? I was trying to recall a few days ago and could not remember. Was it the *O.K. Corral*? Which one was that from, ‘dead men tell no tales’?

Mr. Gates: I cannot recall, Sir, I know of the...

Mr. Chairman: Very well, Sir. I think that Mr. Pilgrim is smiling that he has knowledge suggesting as to which one. Yes, I think that fellow Commissioner...

Mrs. Samuels-Brown: Thank you very much. I am so sorry to detain you further, Sir...

Mr. Gates: No problem.

Mrs. Samuels-Brown: ...but if you could go to the last photograph in the book allegedly written by Gregory Smith and another; on that page there are photographs of six persons. Do you recognise any of them? [*Inaudible*] Yes, the last page in the book. I know it is many years later but just tell us if you recognise any of them.

Mr. Gates: One of them resembles a guy by the name of London, not Ulrich London, “Blackie” London... I cannot recognise...

Mrs. Samuels-Brown: Which one of them? You are pointing to the second set of photographs to the left...

Mr. Gates: Yes, Ma’am.

Mrs. Samuels-Brown: ...and you are saying that the photo there seems to resemble whom?

Mr. Gates: A guy by the name of “Blackie” London.

Mrs. Samuels-Brown: Blackie London?

Mr. Gates: Yes.

Mrs. Samuels-Brown: In what context did you know this gentleman?

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Mr. Gates: Pardon me?

Mrs. Samuels-Brown: In what context did you know him?

Mr. Gates: He was shot and killed by the police.

Mrs. Samuels-Brown: Okay. In about what year, before you became acquainted and associated with...?

Mr. Gates: After I had left the Force.

Mrs. Samuels-Brown: So, it would have been after 1980?

Mr. Gates: Yes. Long after.

Mrs. Samuels-Brown: Alright. Thank you very much. For the records, these photos are on a page headed "These are some of the Alleged WPA Operators." Thank you very much, Mr. Chairman.

Mr. Chairman: You have spent a long time on the witness stand, Mr. Gates. We want to thank you...

Mr. Gates: Okay, Sir.

Mr. Chairman: ...for what have been three or four days of testimony. You seem to have held up well as though you are looking forward to more days?

Mr. Gates: Yes, Sir.

[Laughter]

Mr. Chairman: I am afraid we have come to the end with you, so thanks very much again. I think, Commission Counsel, unless you have anything more to tell us now, we will stand adjourned until tomorrow, at 09:30hrs.

Adjourned Accordingly at 15.03hrs