

Commissioner Paul Slowe: This is just to advise that the Commissioner has secured the services of Mr. Bond who will be the Counsel for the Commission and it is based on advice by the Counsel who were here before, and it ought to seek further guidance. Therefore the service of Mr. Bond and has been provided by the Commission, so what will happen is that Mr. Bond will lead the witnesses and we flow there as with questions the lawyers also of course the Chairman of the Commission can at any stage seek to clarify issues and so on. So that is in terms of housekeeping next thing I want to remind us all about the use of cellphones please put them on vibrate or silence so there is no interruption during the course of the proceedings. I recognize Mr. Hanoman.

Attorney Glenn Hanoman: Good morning sir, thank you for the recognition.

Commissioner Slowe: Good morning.

Mr. Hanoman: (inaudible) should be place on record the Commissioner of Police to apologize (inaudible).

Commissioner Slowe: You made request for some documents, did you receive them?

Mr. Hanoman: Mr. Ram has forward to me (Inaudible)

Commissioner Slowe: I will that you provide the Secretary with your email so that the transcripts all that we have can be sent to you electronically so you can brief yourself on what has taken place and as they are made available as we go on they will be provided to you.

Mr. Hanoman: thank you very much sir, can I enquire when (inaudible)

Commissioner Slowe: Not at this stage no.

Mr. Hanoman: (inaudible) crime file.

Commissioner Slowe: Well I now consider that crime file as exhibit as such because what we did as part of the documents because those are the documents that we provided; the crime file the statements contained in those files one file was provided to the Commission by the Police, and that is what we copied and provided to the Commission, and in addition to that what we have been doing is as the witnesses give their evidence, and the transcripts are prepared we send those to the counsels as well.

Having said that I think we are ready to proceed this morning the witness as indicated on the last occasion the first witness will be the Commission of Police Mr. Seelall Persaud, Orderly can you please call Mr. Persaud.

Commissioner Slowe: Morning Mr. Persaud What do you swear by?

Mr. Seelall Persaud: Good Morning, the Gita.

Commissioner Slowe: Orderly, the evidence that you are about to give shall be the truth, the whole truth and nothing but the truth so help me God.

Mr. Persaud: I do swear.

Commissioner Slowe: Mr. Bond.

Mr. Bond: Thank you Mr. Commissioner, God morning, thanks for being here, we not that we may have a statement from you on record but I will ask you some brief questions and if you feel free to expand feel free sir.

Mr. Bond: Could you please state your name and rank for this Court.

Mr. Persaud: Seelall Persaud the Commissioner of Police.

Mr. Bond: And how long are you Commissioner of Police?

Mr. Persaud: Was appointed acting in 2014 and confirmed Commissioner in 2015

Mr. Bond: Could you list your substantive duties as Commissioner of Police?

Mr. Persaud: (inaudible) of the Guyana Police force.

Mr. Bond: Aware that there was an allegation made by one Andriff Gillard about a plot to assassinate his Excellency

Mr. Persaud: Yes, I am aware.

Mr. Bond: Can you say when you first heard of this allegation?

Mr. Persaud: On the 29 of March 2017.

Mr. Bond: Could you say if anything, did you do after learning of this allegation on the 29 of March 2017?

Mr. Persaud: I learnt of the allegation when a complaint was made by a friend of mine by the name of Imran Khan complain that members of CID Headquarters were at his brother's house, his brother is Nizam Khan, (inaudible) indicated they wanted to search they did not have a warrant and they were not telling him what they want to search for, as a result I called Superintendent Blanhum who is the FCID, and he indicated to me the report of the allegation I immediately called Imran Khan, I told him what the allegation was and advised his brother to cooperate with the police.

Mr. Bond: Could you say what time did Imran Khan call you and inform you the presence of the police?

Mr. Persaud: That would have been sometime in the afternoon sometime after 4 o'clock. If I shall continue

Mr. Bond: Continue sir.

Mr. Persaud: Later on that afternoon I received a call, a missed call from Imran Khan I returned that call and he told me he was arrested at CID Headquarters for disorderly behaviour he indicated to me that he made a complaint that Gillard threatened him and the police was refusing to record his report indicating that they did not hear the threat, the rank who he was talking to did not hear that threat. I immediately called Assistant Superintendent Caesar, who is the Head of the Major Crime Investigation Unit, and was the Unit that was investigating the report and indicated to him that the likelihood of distractions of the focus of his investigations was going to occur if you have both parties in the same base and there is no body who can control it and I advised him that he should get someone senior present while both parties are at CID Headquarters. Recognizing that in location, they would have been open.

Mr. Bond: Continue.

Mr. Persaud: Later that evening I sometime during the night maybe about nine about received another call from Imran Khan indicating that he was on bail, twenty thousand dollars bail and he had no money on his person to pay that bail. I make a call to Assistant Superintendent Blanhum, I did not get through, made a call to Assistant Superintendent Caesar, I did not get through, and then I called Inspector Narine so I got through, I indicated to Inspector Narine what Imran Khan would have told me and he confirmed that, I undertake to him to have Imran Khan report at the Station whenever they want him to report if they can send him on his own cognizance. And he advised that he would do that and he proceeded to brief me on the investigation. In his opinion Gillard was lying and those were the words that he used I asked him if he think so and he outlined to me the time between the incident occur and when it was reported and he indicated to me that Gillard has no justifiable excuse for not reporting the matter before even though there were grievances against Nizam Khan that was reported to officers as Senior Superintendent. I then told him that it is wrong for us to put someone in custody who hasn't done any commit any breach of the law we ought not to be doing that and I would have put him on bail. My involvement in the matter at that time I should say I was on annualized vacation leave, next time I got involved in the matter was on the 3 of April when resumed duty. I deal with a matter I continue to brief the Honourable Minister of Public Security and the National Security Committee on the developments of the investigations until I proceeded on leave on the 22 of this month.

Mr. Bond: Is it your evidence categorically that you did not give the instruction for Nizam Khan to be placed on bail?

Mr. Persaud: On specifically no, and I did not follow up to find out whether that was done or not, however when a Commissioner of Police or a Senior rank make such a suggestion a Junior rank it is the culture of the force that they carry it out.

Mr. Bond: Is it your evidence categorically that you did not give permission for Imran Khan to be place on bail?

Mr. Persaud: No, when I learnt of Imran Khan bail, he was already placed on bail. It is just that he did not have money to pay the bail at the time.

Mr. Bond: Are you aware that a firearm was taken away from Imran Khan?

Mr. Persaud: I am would have been aware subsequently but our procedure is if we arrest anyone and he has a firearm on him, legal or illegal it is taken.

Mr. Bond: Are you aware that he had a firearm on his person at the CID Headquarters?

Mr. Persaud: I am aware not on the day, in question but I know him a long time and I know he carries his firearm with him whenever he is going...

Mr. Bond: Categorically did you give permission for the firearm of Imran Khan returned to him?

Mr. Persaud: No, I had no discussion with anyone about firearm belonging to Imran Khan.

Mr. Bond: Assistant Superintendent Blanhum and Head of MCIU Mr. Caesar discuss this matter with any other senior officer of the Guyana Police Force.

Mr. Persaud: Nope.

Mr. Bond: did you at anytime

Unknown: what was Commissioner's answer?

Commissioner Slowe: He said, No.

Mr. Bond: From March 29 to April 3 you resumed duty?

Mr. Persaud: Yes.

Mr. Bond: Did you have any discussion with the Acting Commissioner of Police with relation to this matter?

Mr. Persaud: No, I did not.

Mr. Bond: is there a reason for you so not doing?

Mr. Persaud: I didn't see the need to. Also I would say usually when he is having difficulty with any issue he would call for advise and he did not call.

Mr. Bond: You mentioned that Imran Khan you consider him a friend.

Mr. Persaud: Yes, sir.

Mr. Bond: Would you consider Nizam Khan a friend?

Mr. Persaud: No.

Mr. Bond: Does the friendship with Imran Khan extend to other interest business, marital?

Mr. Persaud: No.

Mr. Bond: Is there a business relationship with Nizam Khan?

Mr. Persaud: No, and I don't own a business whether solely or jointly.

Mr. Bond: Would you say that involvement in the matter is solely as a result of your friendship with Mr. Imran Khan?

Mr. Persaud: No, I would normally when I on leave otherwise entertain complaints from members of the public all unprofessional behaviour by members of the Guyana Police Force, on information that they can provide that can assist the Guyana Police Force in their operations and I will usually pass that on. At all times, pass that on.

Mr. Bond: You would say that your involvement in the matter rendered some assistance to Mr. Imran Khan.

Mr. Persaud: In-terms of going off on bail and you know on his own recognizance yes, but the force has a policy that as a general rule no one should be place in custody for minor offenses they should be processed and released whether on cash or on their own recognizance.

Mr. Bond: Is that policy extended to matters such as treason and murder, which are considered un bail able?

Mr. Persaud: Treason and murder are not minor offences so, no.

Mr. Bond: Would you therefore then conclude that the matter granting bail to Imran, to Nizam Khan especially (Inaudible) on that policy?

Mr. Persaud: No, not at all. I made I gave my opinion to Inspector Narine I think the opinion was my judgment was sounded and I think it is still sound now.

Mr. Bond: You once said I think a news clip that the allegation was hardly one of Treason; do you still hold that view today?

Mr. Persaud: Yes, my understanding of the law is that incited more that involves a head of State can have wider implications which will include Treason.

Mr. Bond: Do you consider it normal in the course of policing that a person who is arrested on allegation of Treason granted bail within a seventy two (72) hour period?

Mr. Persaud: You see granting on the offence is a major consideration for bail but is not the only consideration as a matter of fact the principle enshrined in our Standing Orders that deal with bail indicates that no one should be in custody a moment longer that is absolutely necessary.

Mr. Bond: At the time of the granting of bail to Nizam Khan were you aware that investigations were incomplete?

Mr. Persaud: Yes, and that's why we grant bail because for those very reason...

Mr. Bond: Because investigations were incomplete?

Mr. Persaud: Yes.

Mr. Bond: Could you give us a brief on the normal protocol in dealing with serious offences such as Treason, is there a protocol in dealing with such a...

Mr. Persaud: We have a Standing Order #64 that deals with the investigation of crime and while it did not speak of specifically to Treason it outlines the procedure which indicates there should be team work between the Crime Chief and the Divisional Commander it indicates that certain key officers of the Force must be informed and what is not in that Standing order but has been a general practice is that the work closely with legal advice so it use to be at the DPP Chambers in the pass alone now is the Police Legal Advisor and usually all the serious investigations there is very close consultation maybe daily maybe several times a day with the Police Legal Advisor and that is in between the times that the entire file is submitted for legal advice.

Mr. Bond: Are you aware that officer of the Guyana Police Force and I there say Mr. Narine and Mr. Caesar gave evidence that instructions to grant Nizam Khan bail came directly from you?

Mr. Persaud: I read press reports that Inspector Narine said that and I read press quotes that ASP Caesar said that he was informed by Inspector Narine that that is the case.

Mr. Bond: Do you find it strange that the person that you called Inspector Narine would say that you gave the order for Mr. Khan to be granted bail?

Mr. Persaud: I do find it strange that we do have culture when suggests are made to junior rank if he gets instructions so I did not give specific instructions to put him on bail if he take that what I said to him instruction I wouldn't be surprised.

Mr. Bond: You knew from your evidence that your suggestions to the junior rank would result in him believing those to be your instructions?

Mr. Persaud: No, as a matter of fact, my expectation was that he would factor that into his own judgment and which he could make a decision or consult with his functional theories.

Mr. Bond: It is your evidence that you attempt to call both Mr. Blanhum and Mr. Caesar but to no avail?

Mr. Persaud: Yeah, their cell phones went to voice mail.

Mr. Bond: Could you say how many times you tried to get them?

Mr. Persaud: One each.

Mr. Bond: One each. Did you try to get them on both cellular phones and landline phones?

Mr. Persaud: No, one call each to cell phones.

Mr. Bond: Cell phones. Would you consider that enough in the circumstances given the nature of the offence, the word you use gravity would you consider a simply single cellphone call to both their mobile numbers as enough?

Mr. Persaud: The offence to which I speak of is not a serious offence it is one for disorderly behaviour and yes I would usually get the most senior person in charge and I speak with Commanders and Divisional Branch Commanders all the time on all issues and when I don't get them then I go to this is a minor decision to send a man on his own recognizance instead of a cash bail.

Mr. Bond: For Nizam Khan however, the granting bail for Nizam Khan is on record too that your involvement went more beyond of a suggestion for Nizam Khan to be granted bail for on the allegation of, you deemed it treasonous

Mr. Persaud: Well I can only tell you what know of the matter.

Mr. Bond: Again, I will come back to Nizam Khan, instructions granting Khan bail you said that did not come from you?

Mr. Persaud: I made a suggestion I gave an opinion.

Mr. Bond: Did you attempt to reach Mr. Blanhum and Mr. Caesar on Nizam Khan for the allegation of Treason, (inaudible) your own words?

Mr. Persaud: No, I did not. I was making a suggestion an opinion.

Mr. Bond: Do you a reason for not contacting two Senior Officers not contacting them with relation to suggestions to Inspector Narine.

Mr. Persaud: No, my intention wasn't an outcome of whether Nizam Khan got bail or not was to give an opinion on the issue of bail. I had no intention to ensure that he go on bail and no concern whether he go on bail at that time or not, I had a concern with how a policy of the Force was being implemented.

Mr. Bond: (inaudible) the different roles and this flexibility of the Guyana Police Force to properly conduct an investigation while the suspect is in custody, for example the suspect could afforded food, telephone call, even a shower, did you perceive some harm to Nizam Khan whilst in custody of the Guyana Police Force and for some reason other reason while you suggested bail to Inspector Narine?

Mr. Persaud: I don't know that the judgment speaks to shower and stuff, but no, it was the principle that we use to address bail that no none should be in custody a moment longer that is absolutely necessary, and my opinion to him was in that regard.

Mr. Bond: I understand the policy but I am trying to address Imran another aspect of persons be kept in custody. And the judges do speak to the comfort of a prisoner.

Mr. Persaud: Yeah, I didn't say shower.

Mr. Bond: It did speak to basically he is entitled to a shower trust me. The Guyana Police Force I think you would agree was capable of keeping Nizam Khan safely and in good health beyond twenty four (24)hours would you agree?

Mr. Persaud: All prisoners.

Mr. Bond: All prisoners. So there was no in your mind being the head of the Institution there was no threat to Nizam Khan whilst in custody and then you suggested that he be put on bail?

Mr. Persaud: That wasn't my consideration and yes, I know beyond the normal there is no threat to anyone in custody all things being equal.

Mr. Bond: Therefore, would you think that the statements the investigations the searches at that stage when you got involved in the matter on the 29th did you feel as the former **Crime Chief** that sufficient investigation was done at that moment you suggest to Narine that bail may be granted to Nizam Khan?

Mr. Persaud: For consideration of bail, yeah I think they had there was sufficient information, searches I don't know the quality and extent of searches that wasn't discussed it was the contents of Gillard statement and the contents of Nizam Khan statement information contained in those two statements were sufficient to make a decision on bail.

Mr. Bond: As Crime Chief, while you were crime chief could you remember the year or years you were the substantive Crime Chief with the Guyana Police Force?

Mr. Persaud: The year 2007, I acted for a while and then confirmed in 2008 and that would have been up to the 2014.

Mr. Bond: Would you find it strange as a Crime Chief if the then Commissioner of Police would have instructed, suggested to a junior rank, one of your junior ranks a question of bail and he carried out the suggestion

Mr. Persaud: All the Commissioners with the exception of Commissioner Barker and Commissioner Raghubir would have called me as a junior officer working in the Force on several issues including bail.

Mr. Bond: Again.

Mr. Persaud: Not as crime chief, I was a junior rank then,

Mr. Bond: I am saying as a Crime Chief while you were a Crime Chief from 2007 to 2014 did it ever would you consider it normal if you are sitting as crime chief, assistant commissioner in charge of crime that the Commissioner the substantive Commissioner called one of your junior ranks on a question of bail for a suspect would you carry out those instructions?

Mr. Persaud: I wouldn't find it unusual.

Mr. Bond: You would not find it unusual.

Mr. Persaud: No.

Mr. Bond: You wouldn't mind that the Commissioner of Police would undermine whatever authority you have?

Mr. Persaud: But the Commissioner is in charge of Superintendents of the Force. That is a constitutional function to perform.

Mr. Bond: Could you describe your friendship with Mr. Imran Khan?

Mr. Persaud: It is like am, not unlike any of the other friendship that I have.

Mr. Bond: If he a friend that you have had for one year could you describe the length of...

Mr. Persaud: I know him in 2004 when I was appointed the Divisional Detective Officer in 'A' Division, I got to know him through work and he became my friend and remained my friend since.

Mr. Bond: And Nizam Khan you said is not your friend but...

Mr. Persaud: No but...

Mr. Bond: How long have you known Nizam Khan?

Mr. Persaud: About the same time, but they might be sometime a year or two years pass and I didn't speak to Nizam Khan nor see him. That is quite unlike Imran Khan.

Mr. Bond: In your evidence, you made just two phone calls, well Mr. Khan made a phone call to you twice.

Mr. Persaud: Yes.

Mr. Bond: In the morning and in the evening?

Mr. Persaud: Yes.

Mr. Bond: Could you say how many times you called Imran Khan?

Mr. Persaud: There were three actually.

Mr. Bond: Three calls he made to you.

Mr. Persaud: One was miscalled call.

Mr. Bond: And could you say how many times you called Imran Khan on the said day?

Mr. Persaud: One.

Mr. Bond: Once you called him.

Mr. Persaud: Yeah. I returned the missed call.

Mr. Bond: Is it true or are you aware that one of the witnesses, between March 29 and April 3 did you review that statements of Gillard, Nizam Khan, investigating ranks, did you review any of those statements?

Mr. Persaud: I had no further involvement in the matter until after on April 23.

Mr. Bond: When you say that what Gillard statement was it, the weight you put on Gillard statement was not from seeing it for yourself?

Mr. Persaud: No. from what Inspector Narine told me.

Mr. Bond: Inspector Narine related to you what Gillard said?

Mr. Persaud: Yes.

Mr. Bond: Did he read the statement to you over the phone?

Mr. Persaud: No.

Mr. Bond: He paraphrase the statement to you.

Mr. Persaud: No.

Mr. Bond: Did he give you his opinion of the statement?

Mr. Persaud: He gave me, well what he understand to contain in the statement the issues that he understand that contain in the statement.

Mr. Bond: And based on what Mr. Narine told you, you formed your opinion that it was much but nothing .

Mr. Persaud: No that there were serious credibility issues I don't know if it means the same thing but they were serious credibility issues.

Mr. Bond: And after April 3 after you resumed did, you review the statements?

Mr. Persaud: Yeah, I did at some stage but not initially, I was made aware that the NSC was asking for an interim report in the matter and the first report I read would have been sometime April 3 or there about written by Senior Superintendent Blanhum.

Mr. Bond: You said on record that you are aware that Imran Khan had a license firearm are you aware of the caliber of the firearm?

Mr. Persaud: Yeah, through the press report it said .45 hand gun.

Mr. Bond: .45.

Mr. Persaud: I think pistol. I am not sure if the press report said pistol but I think he had a .45 pistol.

Mr. Bond: Did you approve of his application for the pistol?

Mr. Persaud: Nope. I approved of a grade from a 9mm to a .45

Mr. Bond: Could you say in what year you approved the upgrade from a 9mm to a .45?

Mr. Persaud: I can't recall it but it was during my tenure as Commissioner would have been 2014 and I know it's not between 2014 and last year.

Mr. Bond: Does Mr. Imran Khan have a license for a rifle?

Mr. Persaud: Yes.

Mr. Bond: Could you say what make and caliber of rifle?

Mr. Persaud: No, I can't say that.

Mr. Bond: Did you approve his application for the rifle?

Mr. Persaud: There is procedures for firearm and those procedures were adapted, yes.

Mr. Bond: Could you tell us what is far as you being his friend from 2004 what is the nature of business if any that Mr. Imran Khan conducts?

Mr. Persaud: Yeah, I am aware of quite a few businesses that he owns and operates a vehicle spare parts store real estate, mining at least those three I called.

Mr. Bond: He upgrade between 9mm and a .45 could you recall the justification given for the upgrade.

Mr. Persaud: Yeah he is a miner transporting what I consider large quantities of gold from his mines to place that he sells.

Mr. Bond: But you wouldn't consider a 9mm a very powerful handgun?

Mr. Persaud: It is all firearms very powerful they are all fatal.

Mr. Bond: And the .45 what distinguishes that from a 9mm?

Mr. Persaud: It is more powerful.

Mr. Bond: More powerful and could recall the grounds for the application for the rifle?

Mr. Persaud: No, I can't recall.

Mr. Bond: You can't recall. Are you aware of any other applications by Mr. Imran Khan for any other special type or special need of firearm or ammunition?

Mr. Persaud: Not off hand.

Mr. Bond: Not off hand. Thank you Mr. Seelall.

Commissioner Slowe: Mr. Hanoman.

Mr. Hanoman: I prefer to go last.

Commissioner Slowe: You prefer to go last.

Mr. Hanoman: (Inaudible) after ...

Commissioner Slowe: Call it damage control right. Mr. Cheong seeing that you representing the interest of the force would you like to go now?

Mr. Cheong: Decline.

Commissioner Slowe: Decline, Mr. Ram. Apparently, Mr. Ram's mind is not working today

Mr. Ram: All right, I will use Mr Hanoman's mic, thank you Chairman, Morning Mr. Persaud

Mr. Persaud: Morning.

Mr. Ram: As over the period 2004 to 2017 that you been known Mr. Imran Khan, are you aware of any illegalities committed by him?

Mr. Persaud: No.

Mr. Ram: The Police has no record of any complaints.

Mr. Persaud: That I am aware of.

Mr. Ram: And no charge.

Mr. Persaud: None that I am aware of.

Mr. Ram: Thank you sir. Can you indicate whether you were the person who as senior police officer in whatever capacity recommended the granting of an initial firearm license to Mr. Imran Khan?

Mr. Persaud: No. When I knew Imran Khan when I met him for the first time in 2004 he was already a license firearm holder.

Mr. Ram: And therefore, you had no absolute role in issuing of license?

Mr. Persaud: I had no role in issuing of firearm license then.

Mr. Ram: (inaudible) thank you sir. Can you very brief I think the chairperson know the answer he is gunman in every sense of the word.

Commissioner Slowe: Well thanks for that classification sir in every sense of the word.

Mr. Ram: The distention between a 9mm and .45. Explain what a .45 really means to me.

Mr. Persaud: It is the caliber of the firearm and so a .45 is bigger caliber than a .32.

Mr. Ram: In terms of size how longer...

Mr. Persaud: I don't think it matters much, I think there are .45 and 9mm with the same size.

Mr. Ram: The same size.

Mr. Persaud: In terms of physical description length and stuff.

Mr. Ram: Does either a 9mm or a .45 have any of the characteristics of a machine gun?

Mr. Persaud: I would consider a machine gun being fully automatic but a pistol you have to squeeze the trigger to get off every round which means that it's not automatic.

Mr. Ram: So it wouldn't be described as a long black gun. A .45 as a long gun?

Mr. Persaud: Pistols are handguns long guns are shot or rifles.

Mr. Ram: Commissioner I have no further questions of this witness.

Commissioner Slowe: Mr. Peters.

Mr. Pieters: Yes, sir...

Commissioner Slowe: I ask that you step across or move the mic across so that we can have the transcript properly recorded. The questions properly recorded for the transcript.

Mr. Pieters: Good morning Commissioner.

Mr. Persaud: Morning Counselor.

Mr. Pieters: I am Selwyn Peters I represent the interest of a young reporter Mr. Travis Chase who is also in the Courtroom and I have some questions for you.

Mr. Persaud: Sure.

Mr. Pieters: Now Mr. Commissioner I understand that you were, sworn in as a Police Officer on October 15 1984.

Mr. Persaud: That is correct.

Mr. Pieters: And you are an internationally trained officer as well in terms of experience and education?

Mr. Persaud: That is correct.

Mr. Pieters: And that you went to Harvard University?

Mr. Persaud: That is correct.

Mr. Pieters: What did you do at Harvard University>

Mr. Persaud: A course executive education in National and International Security.

Mr. Pieters: And have you had training as well in other police organisations?

Mr. Persaud: Yes, I did the FBI National Academy at the FBI Academy in Virginia USA, and I did Senior Investigating in Officers Course by the Scottish Police I did several drug investigation course by many conducted by many countries around the world.

Mr. Pieters: And Mr. Bond touched the issue you were the **DCLE** at some point in time.

Mr. Persaud: Yes.

Mr. Pieters: And let me go back to when you were sworn in as a constable because I think no police would ever forget the oath that they take to become a Constable when they take that office, so let's take a look at Oaths and Mr. Chairman, may I approach the witness?

Commissioner Slowe: Please do, yeah.

Mr. Pieters: I want you to read that Oath that you took on October 15 1984.

Mr. Persaud: Reading a document that says, I Seelall Persaud it would have been then, still is do swear that I will and truly serve the state of Guyana in the office then it would have been constable and in several office in the police force as I may at any time

here after be appointed to without fair or favour, affection, malice or ill will and that I will cause the public peace to be kept and preserve by preventing in the utmost of my power all offences against the same. And that i will and that while I continue to hold any office in the Force I will obey all the orders of persons placed in authority over me, subject myself to all acts and regulations relating to the police, and I will to the best of my skill and knowledge discharge all the duties of my office faithfully according to law so help me God.

Mr. Pieters: Now Mr. Commissioner let me ask you this, this Oath of Office that you took and most of us that sits around here took, you would have would you have taken this oath of office at any other point in your career? A part from swearing.

Mr. Persaud: The same oath of office, No.

Mr. Pieters: Would you have taken this Oath of Office when you were sworn in as Commissioner of Police?

Mr. Persaud: There is a slight difference.

Mr. Pieters: The wordings are the same the office different.

Mr. Persaud: And I think there is a difference in the wording, as well I do not recall this (inaudible)

Mr. Pieters: Well this is the oath of office that is itched in your memory.

Mr. Persaud: Yes.

Mr. Pieters: And so this is the day that you were sworn in as Policeman?

Mr. Persaud: Yes.

Mr. Pieters: Good. All right let's talk about Travis Chase for a moment. Are you aware that Mr. Chase gave evidence before this Commission?

Mr. Persaud: I read it in the News.

Mr. Pieters: Are you aware that Mr. Chase said that he is of the view that the police was not investigating this matter with the desired alacrity based on interviews he conduct with Andriff Gillard?

Mr. Persaud: Not very clear, I know that there were words to that effect but Gillard's view or Chase view I am not so sure, but I did read something of this...

Mr. Pieters: Well police lawyer ask him

Mr. Persaud: Okay.

Mr. Pieters: The Lawyer Mr. Cheong who of course hired, was it you who hired Mr. Cheong?

Mr. Persaud: Yes. Yes.

Mr. Pieters: Yes, well Mr. Cheong asked those questions that he can distinguish whether the views were Mr. Chase's views or Mr. Gillard's ...

Mr. Persaud: I am not denying that you ask me if I was aware...

Mr. Pieters: Yes, well you answered my question.

Mr. Persaud: Yes.

Mr. Pieters: Are you aware that David Ramnarine Assistant Commissioner of Police came before this Commission on Friday?

Mr. Persaud: I read that in the news as well.

Mr. Pieters: Yeah, and are you aware that Mr. Ramnarine views are the same as Mr. Chase that the Police investigation of this matter was poor?

Mr. Persaud: He said it was improper that is what I read I wasn't here

Mr. Pieters: Well whatever words he used he questioned the credibility of the investigation or the integrity of the investigation conducted by the Guyana Police Force that you head.

Mr. Persaud: Yeah, unfortunately he only did that here not during the course of the investigation prior to.

Mr. Pieters: Well let me ask you this, are you of the same view that Mr. Ramnarine took that the quality of the investigation was poor and its integrity is compromised?

Mr. Persaud: Not at all, quite contrary I think a proper investigation was done.

Mr. Pieters: Are you aware that Travis Chase as well testified at the (inaudible) let me finish my question.

Mr. Persaud: I'm sorry.

Mr. Pieters: At the prodding of Mr. Cheong that there was a cover up in the investigation that was being done, are you aware of that?

Mr. Persaud: I am not aware that he said that. And I am not aware also of any fact that was provided to this Commission about a cover up in the investigation.

Mr. Pieters: Well I am here to show that Mr. Chase does not have any ill will towards the police nor any axe to grind with them but it's rather inconsonant with that of others. So let me ask you this do you know Mr. Chase?

Mr. Persaud: Yes.

Mr. Pieters: How long have you known Mr. Chase?

Mr. Persaud: Not very long, I know that the police force played a cricket match against the media he played in that match and I would have heard him in the force we never had personally introduction or any...

Mr. Pieters: All right, now let me ask you this and let me finish the question then you answer. Will you describe your knowledge of Mr. Chase or knowing him as very well, well or not so well?

Mr. Persaud: That is not my job and I don't do that I don't know him as a person.

Mr. Pieters: No, you have answered my questions, I ask you the questions and you answer it.

Mr. Persaud: My answer is that I do not do that...

Mr. Pieters: Do you know Mr. Chase very well, well not so well or not at all.

Mr. Persaud: I know him not very well or not so well.

Mr. Pieters: All right, you have answered my question.

Mr. Persaud: Yeah.

Mr. Pieters: And you would know Mr. Chase from covering matters whether it's in your conference room or at police related events?

Mr. Persaud: I see him around, yes.

Mr. Pieters: Yes, and he would ask you questions during interviews from time to time?

Mr. Persaud: I don't think there were many as a matter of fact I don't recall any at this moment.

Mr. Pieters: right, well you have stigmata Chase's ...

Mr. Persaud: He was amount groups of persons that would have asked questions, groups of reporters that would have asked questions, yes.

Mr. Pieters: All right but you see Mr. Chase work when you watch television or if you read it through briefings?

Mr. Persaud: No, I would probably hear it from time to time issues, I have never seen his work.

Mr. Pieters: All right, you have never seen his work?

Mr. Persaud: No.

Mr. Pieters: Have you ever had cause to question any of his work?

Mr. Persaud: No.

Mr. Pieters: You have never had cause to question his work.

Mr. Persaud: No.

Mr. Pieters: Has my client ever given you cause to distrust any reporting that he has made on any issue government, policing in Guyana?

Mr. Persaud: Just repeat that question please.

Mr. Pieters: in terms of my clients role as a reporter has he ever given you cause to distrust anything that he has reported through HGPTV Nighty News or any other Agencies that he worked with.

Mr. Persaud: All I can say is that I have never cause an investigation into anything that he would have said in the pass...

Mr. Pieters: So the answer is no?

Mr. Persaud: If yes, no.

Mr. Pieters: When did you become aware that Mr. Chase recorded an interview with Mr. Gillard?

Mr. Persaud: I heard about an interview being aired sometime maybe shortly after he ...

Mr. Pieters: When was that?

Mr. Persaud: I can't recall.

Mr. Pieters: Who advised you?

Mr. Persaud: I can't recall either.

Mr. Pieters: Mr. Commissioner let me ask you this, you are the Commissioner of Police

Mr. Persaud: Yep.

Mr. Pieters: And all police officers are issued with pocket books?

Mr. Persaud: That one task is a stage of the force, yes.

Mr. Pieters: Yes. I don't know you may have a different name you call it, do you still call it pocket books?

Mr. Persaud: There were a lot of times when we didn't have those issues so you...

Mr. Pieters: the police officers that came here before Commissioner Slowe some of them came with their pocket books.

Mr. Persaud: Yeah, the force is far better now than some periods when I served.

Mr. Pieters: Yes, I appreciate that, but let me ask you this Mr. Commissioner do you have a pocket book?

Mr. Persaud: No.

Mr. Pieters: How do you record entries of issues that are brought to your attention by Officers?

Mr. Persaud: Its filtered if there is a need to record I do record.

Mr. Pieters: Do you have a bagman or an orderly?

Mr. Persaud: No. I have a personal assistant, and I have a secretary and a secretariat that assists the office of the Commissioner.

Mr. Pieters: Right, well who records, if you don't take a contemporaneous recording which is what your job is as a policeman, you are a policeman regardless if you are a Commissioner or Constable, right?

Mr. Persaud: Yes.

Mr. Pieters: And you are supposed to take contemporaneous notes, aren't you?

Mr. Persaud: On matters that are investigating on matters of interest, yes.

Mr. Pieters: And matters that are brought to your attention in your office as a police officer isn't that the case?

Mr. Persaud: No it's not the case.

Mr. Pieters: Well I am going to suggest to you that it is.

Mr. Persaud: And I will tell you that it is not the case and it is not the case that is not necessary.

Mr. Pieters: Did you take any notes in respect to these matters touching in the assassination plot against the President of the Cooperative Republic of Guyana?

Mr. Persaud: No I didn't.

Mr. Pieters: Why didn't you take notes?

Mr. Persaud: It was not necessary.

Mr. Pieters: I am going to suggest to you that it was.

Mr. Persaud: I am going to continue to say that it was not.

Mr. Pieters: I am going to suggest to you that it was neglect of duty for you not to take notes of an important issues such as this.

Mr. Persaud: I will totally deny that.

Mr. Pieters: Would you said that you know the date when you were advised that Mr. Chase did an interview with Gillard?

Mr. Persaud: No, it was of no interest to me.

Mr. Pieters: It was of no interest to you and we gone get to that.

Mr. Persaud: Yes.

Mr. Pieters: You would not have known, are you in contact with Sydney James?

Mr. Persaud: Sydney James Heads a Unit of the Force, and he reports to the Commissioner in that area.

Mr. Pieters: And did Mr. James speak to you about the DVD that Travis Chase handed over to him of an interview with Gillard?

Mr. Persaud: I am not aware of a DVD except what I read in the news recently when Assistant Commissioner Ramnarine gave evidence.

Mr. Pieters: Let me say this to you, you are telling this Commission, let me ask you this before I ask you that. You came back from leave when?

Mr. Persaud: On the 3 of April.

Mr. Pieters: And when you came back from leave Deputy Commissioner Ramnarine testified that you asked for the file to come to you including the briefing notes that would have been given to the President?

Mr. Persaud: If he said that it is not true.

Mr. Pieters: Well let me ask you this.

Mr. Persaud: I did ask he said that National Security Committee is requesting an interim report and he is preparing one so i told him to send it over and I simultaneously ask Senior Superintendent Blanhum to prepare the report because I think that the report of the person involved in the investigation would have been the best report to send to that the National Security Committee.

Mr. Pieters: And was the report transmitted under your hand or signature?

Mr. Persaud: I sent the report with cover minute from me the report went with Mr. Blanhum's signature.

Mr. Pieters: Right, but you transmitted with covering memo.

Mr. Persaud: Yes.

Mr. Pieters: And you would have brief the National Security Committee.

Mr. Persaud: Every week on the development of this, but during the period between when I resumed and proceed on leave I was away on three occasions for the periods of one week.

Mr. Pieters: Right, and you took notes due diligence to review that file including the contents of that file prior to sending over that memo?

Mr. Persaud: The memo was sent on the day that I resumed duty no I did not review file. I didn't find it necessary.

Mr. Pieters: You didn't find it necessary, this is serious matter involving the life of a President of a country.

Mr. Persaud: Yeah, we have very competent officers dealing with it.

Mr. Pieters: But your job is to ensure that...

Mr. Persaud: My job is not to investigate my job is to ensure proper investigations are done.

Mr. Pieters: And how can you ensure that proper investigations are done if you don't review the file?

Mr. Persaud: I monitor I give advice I know that in this particular matter they were almost every day in contact with the Police Legal Advisor who is a former Appeal Court Judge, a retired Appeal Court Judge.

Mr. Pieters: You conducted an interview with Leroy Smith on April 21 2017?

Mr. Persaud: I did an interview with him I don't remember dates.

Mr. Pieters: You don't remember the date I sent that recurrence so that you could review in preparation for today.

Mr. Persaud: I did see that.

Mr. Pieters: You did an interview with Leroy Smith on the 21 of April 2017

Mr. Persaud: I am not denying.

Mr. Pieters: Yes or no?

Mr. Persaud: I don't know the date.

Mr. Pieters: You don't know the date? I put the date to you. Yes or no?

Mr. Persaud: I don't know, you are asking me to rely on your word and I am not prepared to do that.

Mr. Pieters: I sent you the interview so that you can record it before you testify today.

Mr. Persaud: I don't know that you sent me the interview either.

Mr. Pieters: Through your lawyer.

Mr. Persaud: My lawyer sent me a recording, I looked at the recording, I recall the recording, I don't anything about date there.

Mr. Pieters: Well let us talk about the recording. You know this is not a laughing matter commissioner; there is nothing to smile about in the witness box.

Mr. Persaud: I am sorry if I upset you, I can only be me.

Mr. Pieters: You are not upsetting me, I am just telling you that there is nothing to be smiling about in that witness box.

Mr. Persaud: Life is good.

Mr. Pieters: Same here bro.

Mr. Persaud: So we should smile.

Mr. Pieters: You ,when you were interviewed you testified that you were aware that Mr. Chase did an interview and I am putting it to you that on the date that Mr. Chase did that interview, he turned that recording over to Sydney James, the head of SOCU and Brian Joseph, the head of the Presidential Secretariat.

Mr. Persaud: I wouldn't deny, I can't deny that.

Mr. Pieters: Right, you can't deny that, so it was in the possession, in the knowledge and the control of the police as of the date that Mr. Chase did that interview.

Mr. Persaud: I would deny , I have no such information.

Mr. Pieters: You did the interview with Mr. Smith, you told Leroy Smith and the entire Guyanese public that Mr. Smith... Mr. Travis Chase did not turn that DVD over to the police or advise the police of the interview with Gillard.Were you mistaken or were you lying?

Mr. Persaud: I don't think I ever said that.

Mr. Pieters: You said that. Do we have the facility to play that interview?

Commissioner Slowe: Yes, I think we do.

Mr. Pieters: Can we have that interview played Mr. Commissioner.

Commissioner Slowe: Sure.

Electronic Evidence -Recording being played of interview (inaudible)

Mr. Pieters: Commissioner Slowe thank you for your indulgent in having that video played and arranging the facilities to have it played.

Commissioner Slowe: You are welcome.

Mr. Pieters: Mr. Commissioner now that you have seen (Commissioner of Police because we have two commissioners in the room) the video, has that video refreshed your memory in terms of the interview that you conducted?

Mr. Persaud: Yes it did.

Mr. Pieters: When you made those comments to Mr. Leroy Smith to the effect that Mr. Chase did not bring the tape to the attention of the police, was you lying?

Mr. Persaud: No it wasn't.

Mr. Pieters: Were you...May I suggest that you were.

Mr. Persaud: No I wasn't.

Mr. Pieters: The video was already in the possession of the police.

Mr. Persaud: I was not aware of it.

Mr. Pieters: So were you (inaudible)

Mr. Persaud: I was not... In all the reports that were submitted, with me and this matter both oral and written reports that (inaudible) was never made.

Mr. Pieters: You see that's the problem because I questioned you when you were supposed to transmit that message to the National Security Committee, I asked you specifically whether you asked for the file to review the entire file and you said, "Oh that is not my function". That is what your evidence was a few minutes ago.

Mr. Persaud: Yes it was. I...

Mr. Pieters: I will suggest to you that you were willfully glad, you didn't want to know what was in that file.

Mr. Persaud: That is not true, I am really not even sure that there is anything regarding that tape was in there.

Mr. Pieters: It was. Look Assistant Commissioner of Police Ramnarine testified that he received the DVD and a memo from assistant commissioner James, and he transmitted this memo together with the DVD to Senior Superintendent Mr. Blanhum.

Commissioner Seelall: (inaudible)

Mr. Pieters: Ramnarine suggested to you that it was part of the investigation, wasn't it?

Mr. Persaud: I don't know that...

Mr. Pieters: You spoke about credibility being an issue.

Mr. Persaud: Yes.

Mr. Pieters: And that would have been a part of the issue of testing credibility.

Mr. Persaud: Let me go back this way, if Gillard said anything there that he didn't say to the police, that would have been additional information, if he said the same thing that was said to the police, then they already have that, the tape becomes irrelevant.

Mr. Pieters: You get a chance to walk back on your comments that you made about Travis Chase of HGTV Nightly News. You will apologize to him.

Mr. Persaud: I will apologize to him. I was not aware until this inquiry started when I made those remarks, it totally wasn't and if you were there, you would not say that you did that either and I would have apologized even there.

Mr. Pieters: I don't think that was an apology, you haven't apologized for the first information that was put to the public ...

Commissioner Slowe: Well let me...Mr. Hanomon before you speak, I don't think this is the forum for that and please Mr. Pieters please continue with the questions.

Mr. Pieters: Yes. Thank you very much. Let us think about Ramnarine now and I am going to talk to you... Do you have your police Act with you?

Mr. Persaud: No.

Mr. Pieters: So I am going to pass the Police Act to you. Section 6.1 of the Police Act... And I apologize Mr. Commissioner of Police because I realized...You explained to me earlier that you needed your glasses. Do you have your glasses in your vehicle?

Mr. Persaud: No I don't.

Mr. Pieters: Can you send your driver to get it?

Mr. Persaud: If this is all that I have to read then we can continue.

Mr. Pieters: Okay very well. Section 6.1 speaks about the role of the Commissioner of Police. Would you agree?

Mr. Persaud: Yes.

Mr. Pieters: Section 7.1 speaks about the role of the Deputy Commissioner.

Mr. Persaud: Yes.

Mr. Pieters: And section 8.1 Speaks about the roles of Assistant Commissioners.

Mr. Persaud: Yes.

Mr. Pieters: Right. In terms of the hierarchy of the force, tell us who is the number one, number two, and numbers three in the force as it stands on March 29, 2017.

Mr. Persaud: The seniority would be Deputy commissioner of Police number one, Assistant Commissioner Ramnarine number two and I think Assistant Commissioner Griffith number would have been number three, at the time I also believe think he was pre retirement leave and that would mean...We have Assistant Commissioner Joseph, who is also on pre-retirement leave I am not sure if he has retired yet if he hasn't then he would have been the next person and that is number four, then number five Assistant

Commissioner Hickens. Given that those two officers were on pre-retirement leave in their functional capacity would have been Assistant Commissioner Hickens at number three.

Mr. Pieters: Okay let's say number one and number two, would you agree that Assistant Commissioner Ramnarine was the functional Deputy Commissioner, given that he was number two, he was he acting in the position as a Deputy Commissioner?

Mr. Persaud: No, Deputy Commissioner is a rank, and it s a rank that is appointed by the President, so there is no one holding the rank as Deputy Commissioner.

Mr. Pieters: Is there anyone acting in the capacity, unofficial line or however you determine?

Mr. Persaud: There is no acting in the public service when you act you get payment, an allowance for that acting, and no one has received that allowance, so no one has been acting.

Mr. Pieters: Alright, let's clarify the structure, you are the Commissioner of police and you are a constitutionally appointed position.

Mr. Persaud: Yes.

Mr. Pieters: You testified the Mr. Ramnarine is your number two.

Mr. Persaud: Yes.

Mr. Pieters: And now you tell the panel, sorry, you tell the Commissioner, sent that is a single member panel, you tell the commissioner what are the functions that you see it of David Ramnarine.

Mr. Persaud: His functions as the Assistant Commissioner in charge of Administration of the force and while I am away he assume duties of the commissioner as well.

Mr. Pieters: So apart from that, what is the process that takes place when you go on leave and Assistant Commissioner Ramnarine assumes your role.

Mr. Persaud: There is a letter from the Minister approving leave and that same letter will indicate that Assistant Commissioner Ramnarine will act.

Mr. Pieters: And whose decision is it that Ramnarine will act?

Mr. Persaud: The Minister of Public Security, I don't know if it goes further than that in the Government structure.

Mr. Pieters: You apply for leave, don't you?

Mr. Persaud: Yes.

Mr. Pieters: And when you apply for leave would you say to the personnel officer within the Ministry of Public security...That's the person to whom your correspondence will go, correct?

Mr. Persaud: Who is that?

Mr. Pieters: The personnel officer within the Ministry of Public Security

Mr. Persaud: Memos from the police force will go either to the Minister or Permanent Secretary.

Mr. Pieters: Alright so when you apply for leave we can agree that the Permanent Secretary has operational control of that Ministry.

Mr. Persaud: Yes, and those applications will go to the permanent secretary.

Mr. Pieters: Alright let's deal the operational aspect because the Minister is policy, he doesn't run the police force.

Mr. Persaud: Those clear distinctions don't happen in practice.

Mr. Pieters: In Guyana. Well, I practice in other jurisdictions, let's make that distinction clear. Alright, so you said that if you apply for leave, you will have to send your correspondence to the Ministry of Public Security, yes?

Mr. Persaud: Yes.

Mr. Pieters: You will have to answer because it is being recorded, so you have to have an articulated answer.

Mr. Persaud: Yes.

Mr. Pieters: When you apply you would say who would assume your functions when you leave, wouldn't you?

Mr. Persaud: I did that on the last occasion and the occasion prior to that I didn't.

Mr. Pieters: Alright, let me ask you this, has Mr. Ramnarine ever given you cause to doubt his suitability to act on the appointment of Commissioner when you take off on leave, whether it is short leave or long leave?

Mr. Persaud: If I could not answer that question.

Mr. Pieters: You have to answer my questions.

Commissioner Slowe: Well let me say this, the Act provides for you not answer questions on the grounds if you are likely to incriminate yourself, are you suggesting that the answer will incriminate you?

Mr. Persaud: No.

Commissioner Slowe: Well in which case you are obliged to answer.

Mr. Persaud: Yes, the...Just give me back the question again, please.

Mr. Pieters: Has Mr. Ramnarine ever given you cause to doubt his suitability to Act in the appointment of Commissioner when you proceeded on leave whatever the form the leave takes?

Mr. Persaud: The suitability to act will be the next most senior officer and no, he was the most senior officer.

Mr. Pieters: So he didn't give you any cause to doubt his suitability to act in your position?

Mr. Persaud: Given that he is the next most Senior officer. It's the only consideration.

Mr. Pieters: Well personally have you ever had cause to doubt his suitability to act in your position?

Mr. Persaud: The qualification for that is that he is the next most senior officer, I have no doubt that he was the next most senior officer.

Mr. Pieters: Well that your answer, you had two chances to say what you need to say. Did you have any reason to doubt Mr. Ramnarine professional judgment and as a result discredit his assessment of the investigation as he testified in public on Friday, given your answer that you just gave?

Commissioner Seelall: I know of in the press that he said ,persons for lesser offences are placed in custody for 72 hours ,that is a huge lack of conceptual skills ,the issue there is not premised only on the gravity of offence, there are a number of other issues, as a matter of fact, the very principle that is bail, in the standing order is that no one shall remain in custody a moment longer than is absolutely necessary. So his concept on the issue of bail is heavily flawed.

Mr. Pieters: Have you ever expressed to any of your superiors functionally, whether it a permanent secretary or Minister any concerns about Mr. Ramnarine to act in your position during the period that you have been on temporary absence?

Mr. Persaud: I will have to be consulted.

Mr. Pieters: You don't have to be consulted to know what your opinions are. Have you ever done that?

Mr. Persaud: No I Haven't but I made known to the Minister matters that were sent for investigation or what I thought was the unprofessional behavior of Mr. Ramnarine and I also copied some of the letters to the police service commission.

Mr. Pieters: But did you take any steps, in any aspect of what you would have termed unprofessional behaviors.

Mr. Persaud: Well those are steps of the disciplinary process that I initiated.

Mr. Pieters: But you were confident to give him to run the force for the one hundred and...

Mr. Persaud: If it...

Mr. Pieters: Excuse me let me finish my question. You were confident to leave him to run the force during the 125 days you were currently on leave.

Mr. Persaud: It wasn't my decision and I never addressed who should run the Force.

Mr. Pieters: We already heard evidence when you were examined by Mr. Bond that you know Imran Khan but you don't know Nizam Khan.

Mr. Persaud: I did not say that I said I know him but we are not friends.

Mr. Pieters: Oh I see, very well, thanks for that clarification. Well, let's do some degree of friendship now. Would you describe your knowledge of Imran Khan as very well, well or not so well?

Mr. Persaud: Very well.

Mr. Pieters: You already know that Nizam Khan is alleged to have ordered the assassination of the President, of the Republic and the Commander and Chief.

Mr. Persaud: I am aware of such a report being made to the Police.

Mr. Pieters: You described your knowledge of Nizam Khan as well, very well or not so well?

Mr. Persaud: Not so well.

Mr. Pieters: So you would say that your knowledge of Nizam Khan is in the same category of Travis Chase.

Mr. Persaud: No, I know Imran Khan a little bit more. Those are very broad categories that you gave , you have to recognize that.

Mr. Pieters: Well you make the fine distinction for the panel, you have the opportunity to that. To make that fine distinction. The panel is listening to you.

Mr. Persaud: I know Nizam Khan since 2014, and we have met on far more occasions than Travis Chase, whom I have only know recently, and briefly at these press conferences.

Mr. Pieters: Have you been to Nizam Khan's home?

Mr. Persaud: No.

Mr. Pieters: Have you been to his places of business?

Mr. Persaud: No.

Mr. Pieters: Has he came to the Commissioner's Office?

Mr. Persaud: No.

Mr. Pieters: Has he came to any function in respect to the commissioner of Police?

Mr. Persaud: No.

Mr. Pieters: Or the Guyana Police Force?

Mr. Persaud: No.

Mr. Pieters: How about Imran Khan, let's talk about him. Has he been to the Commissioner's office?

Mr. Persaud: Yes.

Mr. Pieters: Has he been to the Commissioner's Home?

Mr. Persaud: No.

Mr. Pieters: Have you been to Imran Khan's home?

Mr. Persaud: No.

Mr. Pieters: Have you been to Imran Khan's places of business?

Mr. Persaud: No.

Mr. Pieters: And you said that you know Imran Khan very well.

Mr. Persaud: Yes.

Mr. Pieters: You said that you and Imran Khan are friends.

Mr. Persaud: Yes.

Mr. Pieters: And you are telling the panel that you have never gone to Imran Khan's home.

Mr. Persaud: No...Yes, I am telling the panel that.

Mr. Pieters: Are you telling the panel that Imran Khan never came to your home?

Mr. Persaud: Yes I am telling the panel that.

Mr. Pieters: What kind of friendship you have man?

Mr. Persaud: Well we are all different.

Mr. Pieters: So you already testified that you were informed on March 29th,2017 of the alleged plot.

Mr. Persaud: Yes.

Mr. Pieters: And is it your evidence that the first time you knew about the plot was by Imran Khan who contacted you?

Mr. Persaud: By Senior Superintendent Blanhum. Imran Khan made a complaint to me and based on the complaint I contacted senior superintendent Blanhum the allegation made against Nizam Khan.

Mr. Pieters: Okay sorry, so Imran called you and made the complaint?

Mr. Persaud: Yes.

Mr. Pieters: And that was the first point of contact then, and then you contacted Blanhum in the chronology.

Mr. Persaud: I don't know what you mean by point of contact.

Mr. Pieters: Alright let us go through it slow.

Mr. Persaud: Yes.

Mr. Pieters: You just testified that you received a complaint, correct?

Mr. Persaud: Yes.

Mr. Pieters: And when you received the complaint, you contacted Senior Superintendent Blahnum, correct?

Mr. Persaud: Yes.

Mr. Pieters: And when you contacted Senior Superintendent Blahnum, he told you of the alleged plot.

Mr. Persaud: Yes.

Mr. Pieters: Right, so Imran Khan was the first person that contacted you, then you contacted Blahnum.

Mr. Persaud: Imran Khan did not contact me about a plot. Imran Khan contacted me with a complaint that the Police wanted to search his brother house, and they were not telling him what they want to search for.

Mr. Pieters: Right it's all connected to the same series of events, the same chain.

Mr. Persaud: Mine is a little bit different from yours Mr. Pieters.

Mr. Pieters: For awhile commissioner. Anyway, he contacted you, you contacted Blahnum.

Mr. Persaud: Yes.

Mr. Pieters: Blahnum told you about the information he had received, and what did you do next?

Mr. Persaud: I called Imran Khan, I told him what the allegation was, and encouraged him to have his brother cooperate with the police.

Mr. Pieters: Were you on leave at the time this all took place?

Mr. Persaud: Yes.

Mr. Pieters: And we already established that Assistant Commissioner Ramnarine was acting in your stead at the material point in time.

Mr. Persaud: Yes.

Mr. Pieters: Let me ask you this, would he have been allowed to proceed if there was no officer with the competent to command the force in your absence?

Mr. Persaud: That is not an issue that I have to deal with. And I already addressed that.

Mr. Pieters: You already said you had no issues with Ramnarine's suitability to act in your stead.

Mr. Persaud: I said I never addressed it, it is not an issue that I should address.

Mr. Pieters: I am going to suggest to you that the Government would not have allowed you to go on leave if there was no one to perform the functions of Commissioner in your absence. Agree or disagree?

Mr. Persaud: You know, I want to use this explanation, I was supposed to proceed on leave on the 10th of July this year, The prisons had (inaudible) on the 9th and I was told I couldn't go on leave.

Mr. Pieters: The entire force was in line, wasn't it?

Mr. Persaud: Oh you didn't in line the force?

Mr. Persaud: Nope, there were just two units of the force that was in line.

Mr. Pieters: But that's your order, whether the force is inline or not. And you are saying you didn't inline the police force.

Mr. Persaud: Of course I didn't.

Mr. Pieters: And even with the escape of prisoners?

Mr. Persaud: No there is no need to.

Selwyn Pieters: And there was no need to because?

Mr. Persaud: There was no need to.

Mr. Pieters: You have to answer that question, there was no need to inline the force when you have dangerous criminals escaped, because...

Mr. Persaud: Yes because we have a very strong intelligence apparatus and I had a lot of confidence that it would have pointed us to where those persons were and have them recaptured.

Mr. Pieters: So where is Varswyck?

Mr. Persaud: He in Guyana, I think. I don't know.

Mr. Pieters: You have a strong intelligence operation, tell us.

Mr. Persaud: They probably know, the force probably knows, I don't, I am on leave.

Mr. Pieters: Right so you are on leave.

Mr. Persaud: And strong intelligence doesn't mean that you see everything, Mr. Pieters. There is always gaps in intelligence, all the time by the best units in the world.

Mr. Pieters: Mr. Commissioner, did you make contact with Deputy...Well Acting commissioner of police Ramnarine on March 29th of 2017?

Mr. Persaud: No.

Mr. Pieters: Why not.

Mr. Persaud: I didn't see the need to.

Mr. Pieters: Did you make contact with him on the 30th?

Mr. Persaud: No.

Mr. Pieters: When was the first time you made contact with Ramnarine?

Mr. Persaud: On the 3rd of April when I resumed duties.

Mr. Pieters: You need to explain to the panel why is it you saw no need to make contact with a person that was acting in your command during this material time.

Mr. Persaud: Because I have a lot of confidence in the officers dealing with the investigation, highly competent officers.

Mr. Pieters: But you wouldn't you put a personal courtesy for you to interact as well with the person acting in your stead.

Mr. Persaud: I don't waste people time if I don't have a need to I wouldn't do it.

Mr. Pieters: So you would have considered that a waste of time.

Mr. Persaud: I have no need to, that is what I am saying, when I have no need to, them putting effort into no need is a waste of time.

Mr. Pieters: Well let me ask you this before I ask you the next question. What is the formal hand over the process that takes place when you go on leave, from you to Ramnarine?

Mr. Persaud: A briefing on matters that I think the Commissioner needs to follow up on, follow through on and similarity when I return to the office I get a briefing.

Mr. Pieters: And when would you have briefed Mr. Ramnarine prior to your leave in...I think it was the end of February you went on leave.

Mr. Persaud: It is normally done in the week before I proceeded.

Mr. Pieters: Would you have memoed him?

Mr. Persaud: Well no, there were oral briefs.

Mr. Pieters: They were oral briefs, there was no note taker taking notes?

Mr. Persaud: No.

Mr. Pieters: And were you taking notes during the meeting with what you said to Ramnarine?

Mr. Persaud: No.

Mr. Pieters: And is Ramnarine taking notes of what you are saying to him?

Mr. Persaud: I don't know.

Mr. Pieters: Well you were at the meeting tell the panel.

Mr. Persaud: I did see him writing I don't know if he was taking notes or writing something else, I never review.

Mr. Pieters: So the change over of command is quite an ad-hoc matter...

Mr. Persaud: It is not an ad-hoc, it is against the background that officers are (inaudible)possible for everything in the force, and those officers report to the commissioner. If there are routine issues, those are some of the issues that will be discussed.(inaudible)

Mr. Pieters: So we know you spoke to Adams on the 29th of March.

Mr. Persaud: Yes.

Mr. Pieters: We know that you spoke to Narine on the 29th of March.

Mr. Persaud: Yes.

Mr. Pieters: Who else you spoke to?

Mr. Persaud: ASP Caesar.

Mr. Pieters: I want you to take back your memory, did you speak to anybody else?

Mr. Persaud: In the police force, no.

Mr. Pieters: So if Hickens said that he called and spoke with you, what would be your response?

Mr. Persaud: It would not be concerning this matter, I wouldn't deny it Hickens is an officer which reports to me very frequently and if there is something that has been reported to me before, it may slip my memory.

Mr. Pieters: Assistant Commissioner Hickens called you and you all had a discussion in respect to Andriff Gillard.

Mr. Persaud: In respect to Gillard?

Mr. Pieters: Yes.

Mr. Persaud: In respect to the report. Yes, I wouldn't deny that because he operates like that, but I may have learned of it before and that is why I don't recall the conversation.

Mr. Pieters: But you see that's the issue as a professional policeman, Commissioner Seelall...

Mr. Persaud: I disagree with you...

Mr. Pieters: Let me finish my question, that's the problem as a professional policeman, you testified to the panel that you have no way of making contemporaneous notes...

Mr. Persaud: That is true unless I find it necessary.

Mr. Pieters: Well let us deal with that.

Mr. Persaud: Yes.

Mr. Pieters: Contemporaneous notes is an aide-memoire, I went to police training too, one year after you, so everybody knows, I went to Felix Austin Training school with you, so I have a little knowledge of policing in Guyana. One year after you I went, and they taught us that taking notes is an aide-memoire, it aids your memory, and it helps you...

Mr. Persaud: And you wrote everything while you served...

Mr. Pieters: I still have my book, I will donate it to the police archives.

Mr. Persaud: I wouldn't doubt that, and I don't disagree with you...

Mr. Pieters: It is called an aide memoir, but it also assists you when you testify in court.

Mr. Persaud: But I didn't know that it would have been called to testify on this, had I known that then from day one I would have probably made notes.

Mr. Pieters:(inaudible)

Mr. Persaud: No, I make notes when it's necessary, I didn't find it necessary.

Mr. Pieters: But where is your is your memo book?

Mr. Persaud: I have a personal diary.

Mr. Pieters: Where is your personal diary?

Mr. Persaud: It's in the office.

Mr. Pieters: You came to court today, you don't think you should have brought it?

Mr. Persaud: No.

Mr. Pieters: If that is what you use to recollect your memory.

Mr. Persaud: I am saying that I didn't write anything in relation to this matter in the diary.

Mr. Pieters: You didn't write anything on this matter, so I will suggest this to you didn't write anything on this matter Mr. Persaud because you thought that all the officers would have covered up for you and exclude you from the whole sequence, that I why you didn't make notes.

Mr. Persaud: I totally deny that I don't know of any commissioner of Police that went to any court and gives evidence of any investigation that the police force conducted during his tenure as commissioner.

Mr. Pieters: That is what I suggest to you, and I will make some suggestions to you...

Mr. Persaud: I will print these ones as we go...

Mr. Pieters: You know what, you don't get the opportunity when you are in the witness box to banter with counsel like that, you might you be able to do that when you are at the police club, but this is not your turf, this is Commissioner Slowe turf, you don't get to talk like that.

Commissioner Slowe: Mr. Pieters go on with your questioning, please.

Mr. Pieters: I am going to suggest to you, I am going to put it to you actually that you called Narine and you made an order, you made an order that Imran Khan sent off on his own recognizance. Agree or disagree?

Mr. Persaud: I asked as I said before, I undertake to have him report to the station whenever he is required if he is sent on his own recognizance.

Mr. Pieters: We went through this Oath of office, and don't you believe that the police force has a chain of command?

Mr. Persaud: Yes.

Mr. Pieters: It has a hierarchy, it goes upward, and it doesn't go from the top down...

Mr. Persaud: It is a hierarchical structure...

Mr. Pieters: And the bottom report upwards, right?

Mr. Persaud: Yes.

Mr. Pieters: Yes, and part of your oath as a policeman and part of the oath of every single policeman and policewoman in the Guyana police force is that I will obey all orders of the person in authority over me.

Mr. Persaud: Yes.

Mr. Pieters: I am going to suggest to you that when you called Khan, sorry, when you called Inspector Narine and you told him to send Imran Khan on his own recognizance, that was an order, that was no suggestion.

Mr. Persaud: I can only tell you the words I used to him.

Mr. Pieters: Well is there a recording of it?

Mr. Persaud: I don't know if he recorded it.

Mr. Pieters: But you can't tell me that, I am putting it to you...

Mr. Persaud: But you were nowhere around, you weren't around.

Mr. Pieters: The Commission has to make finding, so you can agree or disagree with me.

Mr. Persaud: Well I am disagreeing.

Mr. Pieters: You also ordered, you also ordered that Nizam Khan is sent off on bail.

Mr. Persaud: That is not true, as I indicated before I gave my opinion.

Mr. Pieters: And you ordered that Gillard be sent on bail as well.

Mr. Persaud: I never knew Gillard was arrested.

Mr. Pieters: You did know...

Mr. Persaud: Until this inquiry.

Mr. Pieters: Well that shows how in tune you are with the police force that you manage.

Mr. Persaud: Gillard wasn't arrested because of the allegation he made, it was a totally unrelated matter.

Mr. Pieters: Nah, you know the deal man, I am going to suggest to you that the instructions that you gave to the investigating ranks that evening were improper.

Mr. Persaud: That is not true.

Mr. Pieters: And that as a result of your improper instructions you have been publicly ridiculed by your subordinates.

Mr. Persaud: That is not true, I am not aware of any public ridicule and the evidence, the judgment of putting on bail is a philosophy one.

Mr. Pieters: We can go through the records you see, so you can get an opportunity to respond, just like how we went through the tapes. Caesar came on the 24th of July...I don't know if people got their transcripts, but its page six of the transcripts,

- Commissioner Slowe asked, "you the man in custody?"
- And Caesar responded, "orders were that he should be placed in custody".
- Commissioner Slowe, "You told them to set the bail?"
- Caesar, "No".
- "You were told by the chief that he can go on bail?"
- "Yes".
- "Obviously you assume that the chief would have been Mr. Blahnum?"
- "yes"
- Commissioner Slowe, "then it was clarified that it wasn't Mr. Blahnum, it was Mr. Persaud?"
- , "Yes".
- Did you find it strange,
- and he response was "no sir, he is the Commissioner of Police?"
- Then there is a question from Mr. Slowe, "you must have found it strange, you would not have put him on bail, because I suspect of the seriousness of the offense?"

- “Yes”
- “so you wouldn’t have put him on bail but because you were instructed by the Commissioner to send him on bail”
- And then he said the issue did not dawn on me at the time ,and he went on to speak about the conduct of Khan and the firearm.
- And Mr. Slowe asked, “what happened to the fire arm ,and he said “and he said “returned” and then,commsiione slow, “the firearm war returned to him, did you find that strange?” and he said I found that strange for a man behaviour at the station using a lot of derugotory languages and so on to be sent away , and not even a bail”

Mr. Pieters: Were you aware that Imran Khan actually snatched that firearm out of a police officer hand?

Mr. Persaud: No.

Mr. Pieters: And if that came to your knowledge, what would have been your response?

Mr. Persaud: I would have enquired.

Mr. Pieters: Yes, and do you know that he behaved himself in that way at the police station because of his relationship with you, and the protection that you afford him?

Mr. Persaud: I don’t know that I don’t know that you know that either because I was not aware that he was here before.

Mr. Pieters: Well, how usual it is for a man to be in custody and the CID Seelall Persaud is calling that man while he is in police custody.

Mr. Persaud: I saw a lot...How unusual?

Mr. Pieters: Yes, how unusual.

Mr. Persaud: I don’t know...

Mr. Pieters: It's unusual to me, but how usual is it to you?

Mr. Persaud: I don’t know, first of all when I called him I didn’t know he was in custody...

Mr. Pieters: Well you did, because you know that a search warrant was executed...

Mr. Persaud: I know that because he told me, Imran Khan, no search warrant was executed to Imran Khan as far as I know. No search was executed on Imran Khan, not until he was arrested at CID Headquarters...

Mr. Pieters: Yes. But at least, it is his brother's home.

Mr. Persaud: Well his brother is not him.

Mr. Pieters: No, but he was there. Why was he at the station?

Mr. Persaud: I don't know that.

Mr. Pieters: Alright, you see, and you didn't take the time to apprise yourself of why he would have been there.

Mr. Persaud: I know that was for the ranks the investigators who went to deal with it.

Mr. Pieters: Inspector Narine said that he would not have released any of the Khan brothers on bail, had it not been for you.

Commissioner Seelall: Well he would have been breaching a policy of the force, because Imran Khan was arrested for disorderly behaviour, and the policy of the force is that nobody for minor offences should remain in custody as a general rule, so unless there were circumstances, he would have been breaching that rule, he would have been giving in to that.

Mr. Pieters: You must have known people for more trivial matters who were kept in custody...

Mr. Persaud: And I know of a lot of police officers who were disciplined for that too.

Mr. Pieters: You testified earlier today, and you saw on the video that you spoke of publicly that you would have classified this action as treason.

Mr. Persaud: Yes, and I did explain based on my knowledge of the law...

Mr. Pieters: I appreciate that.

Mr. Persaud: Yes

Mr. Pieters: And I am going to suggest to you that treason is not a bailable offense.

Mr. Persaud: That is true, but I also said that bail is not only on the gravity of the offense, there are other major considerations.

Mr. Pieters: No, but in a serious case of treason, why you didn't pass the man through the magistrate court?

Mr. Persaud: Ha ha, we don't do that.

Mr. Pieters :Just the other day you all pass somebody through the magistrate court for stealing cigarettes, I read that in the Guyana papers.

Mr. Persaud: Yes, but there was evidence of stealing cigarettes, that was absent in this case.

Mr. Pieters: What you mean by absent, you didn't do any investigation, you didn't even look at the file...

Mr. Persaud: Someone with far more experience than you pronounced on that, far more experience than you have.

Mr. Pieters: Well you know what, I am not matching myself with anybody, I am questioning you, about your judgment, and your professionalism...

Mr. Persaud: It is sound, still very sound...

Mr. Pieters: Well Mr. Slowe will make that decision...

Mr. Pieters: Commissioner, I am going through my questions and crossing off those that I don't need to ask anymore.

Commissioner Slowe: Okay please do.

Mr. Pieters: Do you know the Head of the Presidential Guard?

Mr. Persaud: No, I don't.

Mr. Pieters: there is a plot to assassinate the head of a country or an alleged plot you didn't call the head of the Presidential security

Mr. Persaud: No, I assumed that that would have been done.

Mr. Pieters: You assumed did you ask anyone if that was done?

Mr. Persaud: No.

Mr. Pieters: And why didn't you ask?

Mr. Persaud: Because someone was Acting as Commissioner of Police and I assume it was a simply function that would have been exercised.

Mr. Pieters: And Mr. Persaud why didn't you do that in all the other instances where you had communications including for bail why you didn't tell Mr. Narine that he should consult with the Commissioner of Police Acting?

Mr. Persaud: Because the Commissioner of Police acting may not have been making the decision, the Standing order says the person in charge, subordinate officer inspector in charge at the time or any of his functional duties.

Mr. Pieters: Well let me put to you and I am going to out it as direct as I can, I am going to put it to you that the failure, your failure to conduct not the Acting Commissioner prior to contacting Imran Khan an investigating rank represents a major break down in the chain of command

Mr. Persaud: I disagree with you because I would have had to be a dreamer if Imran Khan didn't contact me to know that an allegation has been made.

Mr. Pieters: You understand that conflict of interest could be actual or perceived.

Mr. Persaud: I do.

Mr. Pieters: And you already testified that you know Imran Khan very well?

Mr. Persaud: Yes.

Mr. Pieters: And officers testified here that they are seeing you socializing with Imran Khan

Mr. Persaud: Not impossible I do that in public.

Mr. Pieters: Right, and you had testified that you does go drinking with them you, Chang and whole bunch of y'all does go drinking

Mr. Persaud: That is total lie.

Mr. Pieters: You don't go out drinking.

Mr. Persaud: Yes, I do, I never drank with Mr. Chang and as far as I know Mr. Chang don't drink.

Mr. Pieters: You ever drink with Imran Khan.

Mr. Persaud: Yes, not in the last couple of years though.

Mr. Pieters: Right and when you and Imran Khan get drunk how you does behave?

Mr. Persaud: I don't get drunk. I don't drink to the extent to get drunk.

Mr. Pieters: I just confirmed with the evidence that people give so you get an opportunity to respond you might not get the opportunity to respond again. Because Gillard testified, let me ask you this, in terms of Gillard when you go drinking with Imran Khan you ever see Gillard at the venues where you drinking?

Mr. Persaud: I never saw Gillard before I saw his photography.

Mr. Pieters: And when you saw his photograph as a good experience police and detective did you recognize him?

Mr. Persaud: No, never recognize him as someone I have seen before.

Mr. Pieters: So when he spoke about where you guys does go drinking and your conduct you would simply say that that's a fabrication?

Mr. Persaud: Of course.

Mr. Pieters: You have, do you have an excavator in your name?

Mr. Persaud: No.

Mr. Pieters: What business do you have registered in your name?

Mr. Persaud: I have no business solely nor jointly.

Mr. Pieters: You don't have no gold concession or interest in a gold concession.

Mr. Persaud: No.

Mr. Pieters: You got any shares in any gold concessions?

Mr. Persaud: No

Mr. Pieters: You got any shares or interest in any dredging or mining operations?

Mr. Persaud: No.

Mr. Pieters: And this thing about you mentioned it during your interview on April 21st the Police made a recommendation that Andriff Gillard be charged with supplying the police false information, you support that?

Mr. Persaud: Of course I do. Not in anything I said before this is the first time I am saying that

Mr. Pieters: Well develop for Commissioner; develop for Commissioner Slowe tell them why you would reach that conclusion?

Mr. Persaud: There am is evidence of on the statement made by Gilard the fact that even though he was aggrieved with Nizam Khan for many months prior to making the allegation he has only done so on the 29 of May those allegations that he made against Nizam Khan include that Imran Khan stole from him pull his firearm, and threaten to cripple him. There is evidence of allegations he made that Imran Khan has an affair with his wife and still he did not prior to him making this allegation secondly there are three witnesses whose evidence is that Gillard admitted to them that he fabricated the story.

Mr. Pieters: And well you didn't interview any of those witnesses did you?

Mr. Persaud: No.

Mr. Pieters: And you didn't interview Gillard?

Mr. Persaud: Gillard, No.

Mr. Pieters: And as far as we know you didn't look at the investigators file?

Mr. Persaud: Yes, I read statements

Mr. Pieters: You did and when did you do that?

Mr. Persaud: I read statement on the investigation

Mr. Pieters: Well you didn't do it on April 3?

Mr. Persaud: Yeah,

Mr. Pieters: We know you didn't do it on April 3rd

Mr. Persaud: I did subsequent to that, I read statements subsequent to that

Mr. Pieters: Are you aware that Gillard was at the Police Station at the CID Headquarters when you were speaking to Imran Khan?

Mr. Persaud: I learnt that subsequently.

Mr. Pieters: And for complainant prospective a complainant who (inaudible) someone behaving in a disorderly manner in a police station right the Commissioner calling that person, what perception you think a complainant would leave with?

Mr. Persaud: We are all different people our perception are based on our own experiences.

Mr. Pieters: I am going to suggest to you that he left with an impression when he told the commission that, he left with the impression that you are corrupt and the system is corrupt because of you

Mr. Persaud: I wouldn't deny that that is his impression.

Mr. Pieters: And he left with that impression because of your conduct that day.

Mr. Persaud: I wouldn't deny that either. That it shows the litigation of the (inaudible)

Mr. Pieters: No what it shows is a lack of judgement on your part.

Mr. Persaud: No, it does not.

Mr. Pieters: That is what it shows.

Mr. Persaud: It does not.

Mr. Pieters: Those are my questions.

Commissioner Slowe: All right, Mr. Hanoman.

Mr. Hanoman: Thank you, Mr. Ramnarine voiced an opinion that the Police investigation was improper when you returned on the 3 of April did he voice these complaints to you

Mr. Persaud: No, he didn't not until now. And apart from that the Minister who he reports to while I am away never brought that to my attention that Ramnarine reported this and he would have acted between when this report was made, and when I proceeded on leave on the 22nd for three weeks on different one week occasions while I was overseas he also would have attended the National Security Committee and I have not seen in those minutes any such indication nor did anyone from the National Security Committee draw that to my attention.

Mr. Hanoman: You were surprised when you heard him say that for the first time during this inquiry?

Mr. Persaud: There are very little things that surprises me but what I could say is that there weren't any logics to that and that is something he might have made up while he was in this box.

Mr. Hanoman: Now he was acting as the Commissioner of Police when the report was first made and he was acting as Commissioner until you returned so before this he had superintendents of this investigation initially?

Mr. Persaud: Sure.

Mr. Hanoman: And when next did he had superintendents of this investigation again?

Mr. Persaud: At the end of April, I was away for two weeks and then in April, I was away on overseas duties and he would have acted during those periods.

Mr. Hanoman: Now do you share the opinion that the investigation was improper?

Mr. Persaud: No, I don't on the contrary I think a proper investigation was done.

Mr. Hanoman: Do you understand the reason why he was saying it was improper?

Mr. Persaud: I only from reading the newspaper he said because bail was granted if I can comment further there is noting that in case that Nizam Khan bail being interfered in anyway in the investigation nor that he ran away and did not come back to assist the police with throughout the process of their investigation. My information is that he returned every time they asked him to return.

Mr. Hanoman: Now let me ask you this as you are a seasoned investigator is that correct?

Mr. Persaud: A seasoned investigator.

Mr. Hanoman: Yes, as far as you are aware Mr. Ramnarine was never a part of the Criminal Investigation Department?

Mr. Persaud: As far as my knowledge, No.

Mr. Hanoman: Now, do you believe that sending someone on bail can actually enhance an investigation?

Mr. Persaud: There are exceptions they are limited occasions where I know that that happened and was a decisive action to do that.

Mr. Hanoman: I would ask for you to expand on that please.

Mr. Persaud: There are times when we have sources we have measures to acquire evidence of what happen when that person go on bail and to our own analysis tells us that person, that suspect will do certain things so we put that in place to release him on bail and then we capture the evidence of what occurred it may be a conversation it may be a particular action.

Mr. Hanoman: So you are saying that there are times when someone who is sent on bail could be put on some sort of surveillance that could actually help the investigation.

Mr. Persaud: That happens many times, yeah.

Mr. Hanoman: Yes, are you aware that in this particular case that there was legal advice from the Police Legal Advisor that surveillance should be done of Nizam Khan?

Mr. Persaud: I am aware.

Mr. Hanoman: You were speaking, I want you to expand a little bit you were saying that the seriousness of the offence was not the only consideration when determining the issue of bail I would like you to expand on other considerations that are important.

Mr. Persaud: Well in this particular case the gravity of the offence is one consideration the credibility of the person making the allegation is another consideration the question of whether the person who will be placed on bail would be a flight risk, is another consideration and the question of whether that person can interfere with the investigation that is yet to be conducted is another consideration in this particular case the conversation heard in the premises of Nizam Khan and they were only two persons present Nizam Khan and Gillard both of whom the police have interviewed extensively and taken statement from on the day in question.

Mr. Hanoman: So you suggest there was no possibility of interference in that scenario?

Mr. Persaud: In the normal circumstances no, and **extenuate ate** circumstance none that comes to mind.

Mr. Hanoman: Now the you mentioned the credibility of the person making the report on the evening of the 29 of March a Senior Police officer told you that felt that the reporter was lying that is correct?

Mr. Persaud: That is true.

Mr. Hanoman: When you subsequently reviewed the file, did you form the same opinion?

Mr. Persaud: Yes, I do.

Mr. Hanoman: Do you believe it is correct for someone to be kept in custody on the basis of something that appears to be a lie?

Mr. Persaud: We would have suffered that person an injustice, had that happened that person would have suffered an injustice.

Mr. Hanoman: Are you aware of the Guyana Police Force being taken to Court and sued for damages for false imprisonment?

Mr. Persaud: Yes, I am aware.

Mr. Hanoman: Now I think we have been getting a little mixed up between Imran Khan and Nizam Khan. Your involvement in this matter started off as a return of a missed call from Imran Khan, is that correct?

Mr. Persaud: No, prior to that I got a call about a complaint made by Imran Khan about a search that was being conducted that was being (inaudible) at his brother's home by the Police without a warrant and not informing him what they were searching for. In addressing that complaint I learn that this allegation was made. The second time I contacted Imran Khan was as a result of a missed call I had recorded in my phone.

Mr. Hanoman: Yeah. Now I know you were on leave at that time but do you think in retrospect it was possible for did the police have enough time and resources to obtain a search warrant before going to Nizam Khan's residence?

Mr. Persaud: It is an operational decision and I can't comment on that depends on the circumstances at the time.

Mr. Hanoman: You wouldn't categorize it as an illegal search?

Mr. Persaud: NO, my understanding is that they actually got permission from Nizam Khan to search.

Mr. Hanoman: I see. Do you know how many statements were taken from witnesses in this whole investigation?

Mr. Persaud: I know they were many, they were something like six pages but

Mr. Hanoman: Statements.

Mr. Persaud: Of statements but I can't recall

Mr. Hanoman: And about how many times advice was sought from the Police legal Advisor?

Mr. Persaud: As indicated, they are written advice on at least three occasions but the way they operate is almost daily that investigators would contact the legal advisor.

Mr. Hanoman: Now at the end of March and during April do you know about how many live matters that the Major Crimes Unit were investigating?

Mr. Persaud: No, but many and we all see them in the News all the time.

Mr. Hanoman: Can you give an idea more than fifty, more than a hundred or more than two hundred live investigation

Mr. Persaud: I can't say. I have never looked at the numbers

Mr. Hanoman: do you know how many different Police were involved in this particular investigation?

Mr. Persaud: No. I know the Major crimes Unit was the major investigation unit but they would have consulted and got evidence from other members of the Force.

Mr. Hanoman: And those same members of the Force are also tasked with investigating every single thing that is continually being reported?

Mr. Persaud: Yeah, one of the reasons we put certain investigations at CID Headquarters is because the Detective at the Station are entertaining reports constantly and acting on those reports so the time to focus on a particular investigation that we feel needs priority goes to CID Headquarters where that don't occur.

Mr. Hanoman: Now, on the 29 of March you gave no instructions for anyone to be placed on bail, is that correct?

Mr. Persaud: No. that is correct.

Mr. Hanoman: When you spoke with Mr. Narine you gave advise did you give with regards to Imran Khan?

Mr. Persaud: Well two things one I gave an undertaking to ensure that Imran Khan returns whenever he is required if he goes on his own recognizances instead of the twenty thousand cash bail that was posed to him and secondly I gave my opinion on the issue of bail for Nizam Khan.

Mr. Hanoman: Now did you ask Narine to be briefed on the issue of alleged plot to assassinate the President?

Mr. Persaud: No.

Mr. Hanoman: Or did he volunteer that information?

Mr. Persaud: I did not ask for a brief, having engaged him regarding the issue of bail for Imran Khan on going on recognizances instead of cash bail he proceeded to brief me on the matter.

Mr. Hanoman: So you gave no instruction as well to Narine or any other Police to put Nizam Khan or Gillard on bail?

Mr. Persaud: No, and in only know when this inquiry started that Gillard was actually arrested.

Mr. Hanoman: You know what offence he was arrest for?

Mr. Persaud: I, no, I can only speculate I can't ...it might have been the allegations by Imran Khan on the threats.

Mr. Hanoman: I see. As far as I am aware in spite of all the evidence collected in the police file no charges has been lead against Gillard for giving false information to the police?

Mr. Persaud: No. I am aware that no charge was advised.

Mr. Hanoman: Do you believe there is sufficient evidence for such a charge to be instituted?

Mr. Persaud: I rely on the advice of the Police Legal Advisor

Mr. Hanoman: And in what regard, what was the advice?

Mr. Persaud: The advice was that the evidence is tenuous further investigations be conducted but no charge was advised. Whenever charge is advised it is specifically state

Mr. Hanoman: But the file is still open with charges to be made.

Mr. Persaud: The investigation is still open, given the last advice of the Police legal Advisor.

Mr. Hanoman: And the advice of the Police legal Advisor who was mentioned is a Retired Court of Appeal Judge

Mr. Persaud: Yes.

Mr. Hanoman: Was that the facts against Nizam Khan as reported by Gillard was of a very tenuous nature.

Mr. Persaud: Yes.

Mr. Hanoman: And subsequent statements collected have corroborated the tenuous nature of complaint?

Mr. Persaud: I, when you speak of subsequent statements after that advice, the last advice of the thing or subsequent to the report, well yes-subsequent statements collected since Gillard statement was obtained did tend to support the tenuous nature of the allegation and the issues we have with credibility of Gillard

Mr. Hanoman: A moment please. Now while you were on your vacation leave to be clear you were still the substantive Commissioner of Police?

Mr. Persaud: Yeah, my understanding of the law is that there is one Commissioner of Police and that an Acting Commissioner the issue of an Acting Commissioner only arises if that Commissioner is on pre-retirement leave or if the office becomes vacant.

Mr. Hanoman: And you have not yet gone on pre-retirement leave?

Mr. Persaud: No.

Mr. Hanoman: So even while on temporary leave so to speak you were still the Commissioner of Police?

Mr. Persaud: That is my understanding of the Law.

Mr. Hanoman: And do you know whether Mr. Ramnarine was ever appointed by Instrument to be the Acting Commissioner of Police?

Mr. Persaud: I am not aware of any instrument that was issued to him and I am aware that on to last year that didn't happen.

Mr. Hanoman: Yes. Throughout your time as Commissioner of Police while on annual leave you would constantly provide advice to the members of the Guyana Police force?

Mr. Persaud: Yeah, a lot of the senior officer would call including the Acting Commissioner and I will advise on the issues that they call for, additionally several members of public will reach me and make complaints and I call to whoever needs to address the complaints make arrangements for those persons to meet with them and sometimes advise on a procedure.

Mr. Hanoman: And that is home you have always operated even while on leave you play a part?

Mr. Persaud: Yes, I cannot turn my back.

Mr. Hanoman: This particular case was no exception to your general routine of doing that?

Mr. Persaud: No.

Mr. Hanoman: I have no further questions.

Commissioner Slowe: Thank you Mr. Hanoman. Mr. Persaud just for some clarification.

Mr. Persaud: Yes, sir.

Commissioner Slowe: And perhaps I will pick up from where you left off about leave about bail sorry I think you are saying that you did not advice or instruct for Nizam Khan to be sent on bail?

Mr. Persaud: Yes that is correct.

Commissioner Slowe: What is it, you...

Mr. Persaud: I gave an opinion.

Commissioner Slowe: You gave an opinion and what was that opinion?

Mr. Persaud: My opinion was that given the circumstances that show the credibility of Gillard was in serious question and that this investigation would not conclude within any seventy-two hours that it will be wrong for us to put Nizam Khan in custody.

Commissioner Slowe: Thank...

Mr. Persaud: And I would have put him on bail.

Commissioner Slowe: All right and I think you did say that you consider the offence the allegation of any plan or plot to assassinate the President as Treasonous?

Mr. Persaud: Yes, a plot to kill anyone is in these circumstances engaging a conversation is inciting murder and when the murder is that of the President they can be circumstance that leads to Treason.

Commissioner Slowe: Now you saying murder but I am talking about the plan in itself.

Mr. Persaud: Well I don't know there was a plan.

Commissioner Slowe: Well the alleged plan.

Mr. Persaud: Was an offer made.

Commissioner Slowe: Well the alleged offer, let's...

Mr. Persaud: Yes.

Commissioner Slowe: Based on the clip that we look you said that you consider that Treasonous?

Mr. Persaud: Yes, that is for public information and is the seriousness with which we are taking...

Commissioner Slowe: All right. And then you also spoke about bail in relation to standing order and you suggest that the Standing Order says that persons should not be kept in custody longer than is necessary.

Commissioner Slowe: Yes.

Mr. Persaud: All right. I suspect then you referring to standing order 74.

Commissioner Slowe: 74.

Mr. Persaud: All right, and just remind me or just as far as you can recall what the 74 says about granting bail?

Commissioner Slowe: He said that persons charged with murders or treason should not be granted bail and went on to say that no one should be in custody a moment longer than is absolutely necessary it went on it spell out should make the decision on bail and also go on to speak about bail and issues of warrants and so on by the court.

Commissioner Slowe: By the person charged.

Mr. Persaud: Yes.

Commissioner Slowe: In the circumstances of a person being in police custody how do you define charge?

Mr. Persaud: Charge could be where there is some amount of evidence.

Commissioner Slowe: Not necessarily charged and put before the court.

Mr. Persaud: Not necessarily.

Commissioner Slowe: All right, good having said that let me read Standing order 74:1 and 2 and get a response from you.

Mr. Persaud: Yes.

Commissioner Slowe: Standing Order 74:1 speaks about bail and general it say that police are charged with the obligation of initiating action for granting bail at the very earliest opportunity after arrest. Such initiation action must not under any circumstances be left to some agency outside of the Force the underlined principle involving the granting of bail is nothing less than the liberty of the subject the cardinal principle with which the whole concept of justice is bail. That is 74:1,

74:2 goes on to say to retain in custody a moment longer than is absolutely necessary any person charged with an offence other than the offence concerning which there is a complete **prorenation** in the granting of bail such as Treason, miss prisonment of treason, treason felony, or murder, is a grievous violation of this cardinal principle.

Commissioner Slowe: How do you (inaudible) your previous statement with the standing order...

Mr. Persaud: Yes, well the evidence given in this particular case by the person making the allegation was, there were serious credibility issues, and judgment is that at that stage we cannot rely on what he was saying to the Police.

Commissioner Slowe: Well as you said Mr. Persaud that that would have been reason for him to be kept in custody.

Mr. Persaud: No, we may (inaudible) if we do that to have everyone out there who has a grudge with somebody come in and make similar allegations to get a seventy-two hours hold from the Police

Commissioner Slowe: All right let me say this, you saying I think you said somewhere along the line that you support Gillard being charged with giving false information in the report

Mr. Persaud: I report I support the recommendation.

Commissioner Slowe: The recommendation, all right and you also spoke about the advice of the PLA

Mr. Persaud: Yes.

Commissioner Slowe: Are you aware that the Police Legal Advisor on the 16th of May 2017 advised us while I am of the view that a confrontation would be instructive at this point in time there is nothing to indicate whether Gillard's allegation is a fabrication or Khan is innocent, did you see that?

Mr. Persaud: Yes I did.

Commissioner Slowe: You saw that?

Mr. Persaud: Yes.

Commissioner Slowe: So the PLA is saying that there is nothing in the investigations or the files to indicate that this story is a fabrication so how in light of that can you support a charge or a recommendation of a charge for giving false information?

Mr. Persaud: Because at that stage I am saying that given my own experiences on evidence that we put to the Court for giving false information in this case they were two witnesses even after prior to the last advise that we got that were saying that Gillard approach the man and ask to fabricate in one case ask him to support this false allegation in another case he indicate to the witness that he made a false allegation given those two cases along with the same justification of not his justification of not reporting the matter earlier when he had several opportunities and he was aggrieved with the person with whom he made the allegation I think that there is sufficient and guided by the legal advisor because they know we rely on them to tell we what is sufficient for the Court and what is not. The issue of bail wasn't arising in that.

Commissioner Slowe: All right, I hear your explanation. I suspect when you talk about two persons coming forward to give statements are you referring to one Leon Baldeo who said that the man made...

Mr. Persaud: Yes

Commissioner Slowe: All right. According to the evidence before this commission Leon Baldeo made this told the story statement evidence before the Commission that on the 26th of March Gillard approached him and offered him fifty thousand dollars to go to the police to tell the police that he was present when this offer was made by Nizam,...

Mr. Persaud: I am aware of that I read the statement.

Commissioner Slowe: Did you find it strange that Gillard would have approached Baldeo three days before he went to the police and ask him to give that statement?

Mr. Persaud: Not at all, I find him to be a thinker because he had issue with Nizam Khan and Baldeo had no issues so he had no reason to fabricate any story the police would have found.

Commissioner Slowe: So as Commissioner as a senior officer tell me what would have happened if Baldeo had accepted this offer and had gone to the police to give statement.

Mr. Persaud: Gillard would have been arrested Nizam Khan would have been arrested and I want to speculate that Gillard would have maintained the story that he gave to the police, and that the Legal Advisor they may have been some discussion on this issue of what to charge for, if is conspiracy and whether they give Gillard some plea bargain or whatever they would use him as witness against Nizam Khan but the credibility issues that we have with it happen now it happen would have been different

Commissioner Slowe: I hear you, I hear you. Mr. Ram describe me as a gunman in the proper sense (inaudible) well let me ask that you refresh me the upgrade from 9mm to .45 pistol and you saying that what was your explanation?

Mr. Persaud: That he transport gold from his...

Commissioner Slowe: Not the reason for...

Mr. Persaud: Oh that it's a more powerful hand gun.

Commissioner Slowe: It's a more powerful hand gun.

Mr. Persaud: Yeah a .45 is more powerful than the 9mm, and I know you are an expert I am not, and I don't have the specifics of the mechanism but that was my general understanding.

Commissioner Slowe: But is therefore a policy of the force to upgrade from 9mm to .45?

Mr. Persaud: Well it has happen in the past on many times prior to my appointment as Commissioner.

Commissioner Slowe: And how many persons would you say issue, do you know?

Mr. Persaud: I do not have those numbers.

Commissioner Slowe: All right, we will have to check the record because I found it strange.

Mr. Persaud: Okay. Persons are given rightful reo you are aware of that?

Commissioner Slowe: Yeah but reo is a different thing and we talk about handguns and we are not going to compare handguns with rifles because is a totally different category totally different circumstances would have led to granting such a licenses. Let me ask you this how many firearms do you know many firearms Imran khan has?

Mr. Persaud: I am aware of three.

Commissioner Slowe: And those being what?

Mr. Persaud: Handgun, shotgun and a rifle.

Commissioner Slowe: And the handgun you refer to is the .45?

Mr. Persaud: Yes.

Commissioner Slowe: And the rifle what rifle is?

Mr. Persaud: I am not sure it may be a 223 I am not sure.

Commissioner Slowe: 223 a semi-automatic

Mr. Persaud: don't think anyone has a fully automatic rifle.

Commissioner Slowe: What?

Mr. Persaud:I am not sure.

Commissioner Slowe: I walk this place every day and I see some fancy automatic rifles that even I have not shot and I feel jealous because of that because I feel that I should shoot all these nice weapons, so I see many, many automatic rifles, right.

Mr. Persaud: Okay.

Commissioner Slowe: You said Mr. Persaud that you did not discuss the matter with any senior officer well back in my day there would have had senior management meeting you call it something different now so you saying to the commission that this matter was never discussed?

Mr. Persaud: Yes it was, but not the investigation, the matter was discussed the issue with it the implications and so on were discussed and that's what we do it is issues that arise out of police operations apart of the discussions at the police performance group meeting those issues that has policy and standing orders and so on among other things are discussed but we wouldn't go in that group and discuss an investigation.

Commissioner Slowe: Right I wouldn't ask you that, and are these meetings minuted?

Mr. Persaud: Yes. Don't but division takes notes only those that are discussed for information may be captured in the agenda or not captured at all.

Commissioner Slowe: As you talk about, let me; ask this the in terms of the Major Crimes Investigation Unit when was this Unit established?

Mr. Persaud: Might have been, I am not sure.

Commissioner Slowe: You are not sure.

Mr. Persaud: No.

Commissioner Slowe: It there a Standing order governing the operations of this unit?

Mr. Persaud: No.

Commissioner Slowe: So how does it operate?

Mr. Persaud: Within the standing order that would, they would have to conduct investigation in the conformity with Standing Order 63.

Commissioner Slowe: But is there a specific SOP in am I am asking this...

Mr. Persaud: It's different it's a Unit put together to focus primarily on certain investigations and it's assigned by the Crime Chief.

Commissioner Slowe: But there is no written SOP are such?

Mr. Persaud: It's not different from all the other investigations the procedures they adapt.

Commissioner Slowe: No I am asking if there is a written SOP relating to how matters should be transferred to this Unit and how the Unit should operate.

Mr. Persaud: It falls under the Crime Chief and the Crime Chief instructs and takes report from.

Commissioner Slowe: All right, I just wanted some clarification with that. Right, well I think that's Mr. (inaudible) you want to ask anything else, Mr. Peters, Mr. Cheong at this stage, Mr. Ram?

Mr. Ram: No, sir.

Commissioner Slowe: Mr. Hanoman anything else, all right that being the case Mr. Persaud thanks for your attendance you are now excused.

Mr. Persaud: Thank you very much sir.

