

The Wismar Commission Report

Day 19 – Wednesday, 9 December 1964

CHAIRMAN: I now call this session of the inquiry to order. Our first witness for today is Mr. James Sholto Douglas. Call Mr. Douglas.

—
MR. JAMES SHOLTO DOUGLAS is sworn in and he states as follows:

RAMSAROOP: Mr. Douglas, you are the Permanent Secretary to the Ministry of Home Affairs?

DOUGLAS: Yes.

RAMSAROOP: On the 23rd May of this year were you the Permanent Secretary?

DOUGLAS: Yes.

RAMSAROOP: Have you in possession a letter sent on the 23rd May this year to the Minister of Home Affairs, Mr. Janet Jagan, by the Commissioner of Police?

DOUGLAS: Yes.

—
MOOTOO: Could you tell us on what day you received this letter?

DOUGLAS: I cannot say. It was placed in our records. Mrs. Jagan had these and other letters for some time.

MOOTOO: How did this letter come? By post or by hand?

DOUGLAS: I cannot say. It was addressed personally to her. It is possible that it would have come by a special messenger.

MOOTOO: She should have received it the same day?"

DOUGLAS: Yes.

MOOTOO: And if it was sent by post?

DOUGLAS: Not likely; this would not have come by post.

MOOTOO: When was it handed to you?

DOUGLAS: I cannot say definitely. This and others were put on a file some time after. Then just a month just before she went out of office, they were placed on the file.

MOOTOO: Thank you.

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CHAIRMAN: Thank you, Mr. Douglas. Our next witness is Mr. William Barrow. Call Mr. Barrow.

—
WILLIAM BARROW is sworn in and he states as follows:

RAMSAROOP: Are you acting Registrar General?

BARROW: Yes.

RAMSAROOP: Do you have in your possession the records attesting to the number of deaths in the Wismar-Mackenzie-Christianburg areas from the 23rd May this year to the 28th May?

BARROW: Yes.

CHAIRMAN: Do you have any record around the 20th to the 27th May?

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BARROW: I have a record from the 21st May to the 26th June, 1964 relating to the Demerara River that is registered by the dispenser at Christianburg, and all the deaths recorded during the period of time are five deaths – starting from entry number 149 to entry number 153.

CHAIRMAN: Exhibit?
RAMSAROOP: Exhibit F.

CHAIRMAN: Any questions?
SHEPHERD: No questions.

DRAYTON: Who was the dispenser in the area during the period under review?
BARROW: This record is in the form.

DRAYTON: You don't have it here?
BARROW: No. The names are recorded 9 or 10 following the incidents in the registers.

CHAIRMAN: Was it Mr. Alleyne?
BARROW: Yes.

DRAYTON: But Mr. Jairam was the dispenser until the 24th May, but I notice here that Mr. Allen has signed the register on the 15th May.
BARROW: Mr. Jairam left the district without informing anyone.

DRAYTON: Mr. Barrow, did Mr. Jairam not inform anybody that he was leaving the area before the 15th May?
BARROW: He did not record the entry and normally he should have done so. May I explain this point, gentlemen. The registrar in the district records the deaths in handwriting. The extracts which have been made of these entries have been certified and there are now thirty-five copies in our files.

CHAIRMAN: How long did he take to enter the register of these official entries?
BARROW: Around the end of December to January.

MACDONALD: The entries of these numbers are 133 on the 3rd May and 134 on the 22nd June, 1964?
BARROW: Number 133 for the 3rd of May, 1964 registered on the 23rd May and number 134 on the 22nd June in the hospital registered in the 7th July, 1964.

CHAIRMAN: There are some names submitted to us from the Mackenzie Hospital concerning the deaths of persons which occurred around the 23rd to the 25th May, and I understand there were no records of these deaths. The names are Paul Nirgin, Richard Khan and Bridgewater. Also the names of those people who died around the 6th and 7th July.
BARROW: May I ask whether the deaths occurred at Mackenzie?

CHAIRMAN: Richard Khan, Paul Nirgin, Bridgewater who died at Mackenzie at the hospital; it would seem that these deaths should have been recorded by the particular registrar although it is possible that they may have been subsequently recorded.

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BARROW: Well they should have been recorded.

CHAIRMAN: All this uncertainty could be avoided and this is the reason why we want the dispenser to produce the record. He had been summoned and telegrams have been sent, but up to now we have not seen him. We can't get these records up to now. It seems now that our last resort is to issue a warrant for his arrest.

BARROW: What can I do if the record is still in use or if the register is full; it will be of no use.

CHAIRMAN: You will undertake to see that the complete lists from the 20th May to 31st May and from 6th July to 10 July are produced.

BARROW: July 6th to July 10th – as regards this record to the 10th July, we have not received any deaths that are recorded. I received from the District Commissioner the district register and there are no deaths for that period. No deaths are recorded in the register.

—
MACDONALD: This means no deaths recorded for that period?

BARROW: No, but I mean that if the record had been registered. . . . No deaths had been registered for that period.

MACDONALD: No, I say only produce for those who had died and registered during that period.

BARROW: Well, I would find out if the District Commissioner knows about any deaths occurring during that period.

—
CHAIRMAN: You know the reason why this has not been recorded in the papers being produced in the office?

BARROW: I won't know that.

CHAIRMAN: We will like to have this record as soon as possible with respect to these deaths that occurred in the hospital.

BARROW: If they occurred in the hospital it would be registered.

CHAIRMAN: Who is the dispenser?

BARROW: The acting dispenser was Mr. Alleyne. Well, I telephoned him this morning. I would try to get in touch with him in order to get the records.

CHAIRMAN: Well, what time can we expect to get this record.?

BARROW: Well I will try and get in touch with him tomorrow morning.

CHAIRMAN: Tomorrow morning?

BARROW: I think so. Or tomorrow afternoon.

CHAIRMAN: These deaths that were recorded on the 20th and 21st May to 20th July as well as the 21st?

BARROW: Well, I can get the register for the records; you can be sure of them.

CHAIRMAN: From the 6th to the 15th July with all the deaths occurring in the hospital at Mackenzie?

BARROW: Alright.

CHAIRMAN: I think I may suggest that I asked for the products of both register divisions as well as division Number 3. Thank you, Mr. Barrow. We will now recall Mr. Hobbs.

—
ASSISTANT SUPERINTENDENT OSCAR HOBBS is recalled:

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RAMSAROOP: Do you have the Control records of the reports received from Divisions A, B, C, D, E of the British Guiana Police Force?

HOBBS: Yes sir. Yesterday I mentioned that during that time I was in Force Control such records were kept in one single book. Such records were kept in individual books for each Division of the Force. These are the individual records in respect to divisions A, B, C, D, E in which records of reports from individual superintendents during that period beginning specifically on the 22nd May, 1964 are recorded.

SHEPHERD: May I mention, sir, perhaps I may be mistaken, this morning it seems the extract is more important than others, and I would add that there is no attempt to conceal any records. There is no intention or I would say even the hint from us to do so. I would say without hesitation that impression is erroneous.

CHAIRMAN: Yes, I am sure, Mr. Shepherd, you did not try to conceal any information from us, and you should try to assist us to come to the end of the inquiry.

HOBBS: Yes.

RAMSAROOP: Mrs. Gopie is not here as yet. I understand that the general manager of the Demerara Bauxite Company will be here at 11.15.

CHAIRMAN: Why she is not here?

RAMSAROOP: She has been summoned today.

MACDONALD: Mr. Hobbs, could you give us description of the areas known as “A” and so on?

HOBBS: “A” Division is the whole of Georgetown as far as Atkinson Field down to Bel Air. “B” Division is the entire county of Berbice as far as the Abary Creek. “C” Division is the East Coast from west of Abary Bridge right on the junction of Bel Air and Sophia. “D” Division is the entire West Demerara including Essequibo. “E” Division is the upper Demerara River extending from Atkinson Field right down to the Great Falls and including Kwakwani.

CHAIRMAN: That is all for the moment. Mr. Hobbs, you may step down. Members would like to go through the books. Counsel, we have no other witnesses until 11.15?

RAMSAROOP: May I explain the position, sir. As you know, yesterday we had a very busy day and I told him [the general manager] we would have other witnesses and if he could make it 11.15. Actually, he will be here at 11.15. So far as Major Langham is concerned he lost one Grumman plane and therefore he cannot come.

CHAIRMAN: Friday?

RAMSAROOP: A Grumman should be available on Friday.

CHAIRMAN: That is very long.

RAMSAROOP: Thursday?

CARTER: It is very important for him to come down?

CHAIRMAN: Tomorrow?

CARTER: Well, he will speak with Mr. Isaacs and see what the position is.

CHAIRMAN: We can get him for tomorrow?

CARTER: Maybe.

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CHAIRMAN: We will now call the Attorney General, Dr. Fenton Ramsahoye.

DR. FENTON RAMSAHOYE is sworn in and he states as follows:

RAMSAROOP: You are the Attorney General of British Guiana?

RAMSAHOYE: Yes sir.

RAMSAROOP: Doctor, I'll put to you four questions, answers to which will be of benefit to the Commission. The first question is how can the Minister of Home Affairs request the military force to come to the assistance of the civil power in this country?

RAMSAHOYE: The Minister of Home Affairs may ask the Governor to lend forces – the military – for the support of the civil power, where the Commissioner of Police expresses the opinion that the forces at his command are no longer able to cope with any particular situation. The grant or refusal of the forces is in the discretion of the Governor.

RAMSAROOP: Suppose the civil powers are found insufficient and the Commissioner of Police were to ask the Governor for the intervention of the military forces, could that be possible in consultation with the Minister of Home Affairs?

RAMSAHOYE: I would say that the Minister who is in charge of internal security is the one from whom that request should be made. But I can say that the Commissioner of Police could conceivably make it with the Minister's authority – that is, as an agent of the Minister of Home Affairs.

RAMSAROOP: From your previous answer I can say that these two persons can together act and can ask the Governor for the assistance of military power. It would be the best position if they could act together?

RAMSAHOYE: Well, really I want to be understood to say that it is the Minister who should do this, but Minister could use the Commissioner of Police as an agent for doing this. There is one thing, however, which we assume and that is that the military forces are available. But the military forces are not easily available. The military forces are not part of the governmental machinery in the same way as the police are part of the governmental machinery. The troops are here and the law only recognises them for purposes of internal government in a state of emergency; that is the only time. When emergency regulations for the maintenance of public safety and public order are made, it is only then that they have the status as part of the government machinery, and so the request must presume a state of emergency giving the military force the right to be a statutory force.

RAMSAROOP: The final question: If this is so, does the Governor act in his discretion as he sees fit?

RAMSAHOYE: Yes. He acts in his discretion.

RAMSAROOP: Thank you.

SHEPHERD: Do I understand you to say that Imperial troops become part of the government machinery only under the declaration of emergency?

RAMSAHOYE: Yes. That is the only time the law recognises them.

SHEPHERD: Then they don't exist in law until the emergency is declared?

RAMSAHOYE: Yes. When emergency regulations are promulgated. It is only when the emergency regulations are proclaimed under a state of emergency that they are recognised.

SHEPHERD: Before the promulgation of the regulations, the Imperial troops existed as an arm of the Imperial power for defence purposes, just for external affairs?

RAMSAHOYE: Just for external affairs.

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SHEPHERD: When were they promulgated? Was it on the 23rd May

RAMSAHOYE: Yes, that should be correct. The state of emergency was declared on the 22nd May which is the day before.

SHEPHERD: So until the 23rd May the Imperial troops were in a sense “hands off” from the point of view of the internal security?

RAMSAHOYE: From a constitutional point of view, yes; but I don’t want to be misunderstood that they were not being used by the Governor before. They were being used before the state of emergency was declared.

SHEPHERD: From your point of view the use of Imperial troops in the maintenance of normal security before the 23rd May would have been largely improper?

RAMSAHOYE: I would not commit myself by saying that the use of troops would have been improper.

SHEPHERD: Would it have been surprising if the Imperial government had sent reinforcements before the 22nd May?

RAMSAHOYE: It would not have been surprising.

SHEPHERD: Had the emergency been declared a month previously it would have been easier to employ the military troops?

RAMSAHOYE: Yes.

SHEPHERD: Would you assist by saying why the government did not ask for the troops a month or more prior to the 22nd?

RAMSAHOYE: Because the government was not formally advised by the Commissioner of Police that a state of emergency should be declared before the 21st May.

SHEPHERD: It would have been possible for the government to take this action if the advice was given informally?

RAMSAHOYE: Yes, I would say so; but to my mind it would have been improper unless it was made formally.

SHEPHERD: The Security Council was an instrument for consultation and decision. Would it have been in order for the Commissioner of Police to suggest a meeting of the Security Council after the emergency was declared? There was a meeting on the 25th when the Minister of Home Affairs took the chair. I hope I am not taking you by surprise, Dr. Ramsahoye?

RAMSAHOYE: I am facing a surprise. I would say this is in order.

SHEPHERD: Thank you very much.

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DRAYTON: Dr. Ramsahoye, just one point I would like you to clarify. You described the Commissioner of Police as a chief professional adviser of the government. If the Minister of Home Affairs makes a request for British troops to give assistance to the civil power, is it the Commissioner of Police who has to act?

RAMSAHOYE: I would say constitutionally he would be bound to act.

DRAYTON: Has to act?

RAMSAHOYE: Yes. For the reason that the maintenance of public safety and public order is the responsibility of a Minister and that responsibility could not be exercised unless the head of the Police Force is subject to the Minister’s orders and directions.

DRAYTON: So the difficulty arose at the Security Council’s meeting held at 2.00 p.m. on the 25th when the Commissioner of Police did not agree to the request of the Minister of Home Affairs that the military forces should be sent to Wismar.

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RAMSAHOYE: Well, as far as I know this has been one of the matters of controversy in the running of the government – one of the great disputes. In my opinion, in Article 33 of the constitution charge is made to the Minister of Home Affairs that this Minister should be responsible for security, and the Commissioner of Police should be bound to obey her instructions.

Well, following the 22nd May I was requested over the telephone by the Minister of Home Affairs, Mrs. Jagan, to look after a matter with respect to the situation and maintenance of public order allowed by the British Forces. Mrs. Jagan further advised me that she wished the Commissioner of Police to take the initiative for the intervention of the Forces under her command if it became necessary for the maintenance of public safety and public order to make a request. I am satisfied with the Minister's verbal record of the request for British Forces formally directed for the responsibility of aid to the civil power, and a request of the aid from the Commissioner of Police who should act on such a request. It is quite proper in this situation, therefore, for the Minister to instruct the Commissioner to request the British Forces should be employed to carry out their duties, for he is bound to act on her request.

DRAYTON: This is what precisely happened at the Security Council meeting. The Minister of Home Affairs made a verbal request at the Security Council meeting for the physical intervention of the British troops. The Commissioner of Police, however, said this was an expression of opinion and it was not a request. I cannot understand certain things about it. The Minister of Home Affairs said in her opinion that the British troops should be used and this was tantamount to an official request, although she had to ask the Governor to let the Commissioner of Police know that he could initiate the request for intervention since he was acting on behalf of the Minister who had delegated him that responsibility.

RAMSAHOYE: This seems clear to me. This did not mean she had surrendered her authority. It simply meant she had delegated her responsibility to the Commissioner.

CARTER: The statement of the Commissioner of Police was that he was making a point as to difference between an expression of opinion and a verbal request.

DRAYTON: Was the Commissioner of Police constitutionally responsible to the Minister of Home Affairs and subject to her directions?

RAMSAHOYE: Yes.

DRAYTON: It seems to me that at the Security Council meeting, the Commissioner of Police was constitutionally bound to act on a request by the Minister. Furthermore, if the Governor is willing to take telephone communication of a verbal message and act upon it, the Commissioner of Police should take as official a verbal expression of opinion by the Minister of Home Affairs at the Security Council meeting. If the Commissioner had possessed a signed request from Mr. Jagan he might have acted upon it, but the verbal request which he was given he was not prepared to act on it. But the government on the other hand acted officially on a verbal request made by the Minister. Now, just one more point. The Commissioner of Police is bound to act if the Minister of Home Affairs directs him to do something?

RAMSAHOYE: Constitutionally, the opinion of the Commissioner of Police cannot be laid over that of the Minister of Home Affairs. Up to 1961 the position was that the Governor was responsible for internal security and the Commissioner of Police was subject to his direction. Article 33 of the constitution completely changed the position to give the Minister of Home Affairs responsibility for the police, and the Commissioner then became subject to the Minister's direction.

MACDONALD: Dr. Ramsahoye, would it be common and correct for communication between the Governor and the Council of Ministers and the professional advisers to the Ministers to take a verbal form, or were such communications usually sent in writing?

RAMSAHOYE: The ordinary way in the majority of cases between the Ministers and their advisers would be verbal communication, and in many cases the Premier who speaks to the Governor on behalf of the

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Council of Ministers would do so by telephone. The Commissioner of Police is also in communication with the Minister of Home Affairs, and I would say that much of their official business would be done verbally.

MACDONALD: Would there be any particular difference if the instruction given or the action considered in various cases was a matter of extremely serious import? Would written communication be necessary there?

RAMSAHOYE: This would be a matter of emergency but in cases like this, the means of communication would not be important in my view, and the Minister concerned would take the quickest possible action. I think that in this matter both the Commissioner of Police and the Garrison Commander could have accepted as a formal request the Minister's verbal expression.

MACDONALD: I was just wondering whether in very serious matters some written memorandum in order of request would not be required, but you feel that a verbal request has exactly the same weight?

RAMSAHOYE: Yes. Sometimes it may be impossible to take the time necessary for sending communications in writing. I myself have just this morning dispatched some serious business and we had to do so verbally.

SHEPHERD: Just a few questions rising from what you just said. Dr. Ramsahoye, you are of the view that the Commissioner of Police must at all times be subject to the direction of the Minister?

RAMSAHOYE: Yes.

SHEPHERD: Now in Exhibit "EE" which is a letter from the Commissioner of Police to the Minister of Home Affairs we have mentioned of a minute dated May 22nd from the Governor to the Garrison Commander stating that the Minister had requested that the Commissioner of Police take the initiative if the intervention of troops became necessary. This had been done in the light of the situation in the country which was one of tumult and violence up and down the coastal strip. You would agree that the best and quickest way would be for the Commissioner of Police to make assessments and take action here and there as the situation required?

RAMSAHOYE: I would say constitutionally it is the Minister who makes assessment of the situation in consultation with the Commissioner of Police.

SHEPHERD: The Commissioner of Police has a very heavy responsibility in advising the Minister, and would you agree it was not surprising that he wanted an assessment of the situation at Mackenzie before making the request for committing the few remaining British troops available to assist the civil power?

RAMSAHOYE: It was not surprising but at the same time we must remember that the Minister is a Minister with her authority clearly stated under Article 33 and with her own sources of information, she might have been told things that the police would not hear.

SHEPHERD: Do you mean sources of information beyond the knowledge of the Commissioner of Police?

RAMSAHOYE: The Minister is in touch with the public; therefore, many things are told to the Minister which might not be told to the police. A person may telephone or call to see the Minister and may convey to the Minister such information.

SHEPHERD: And from the information I gained it is right that the Minister is ultimately charged for internal security?

RAMSAHOYE: This appears quite clear. If you look under Article 33 and Section 6 of the report on the 1961 constitution we may see where public safety and order was to be the responsibility of a Minister. The Governor did make this declaration before the 1961 elections and internal security came under Ministerial from August 6, 1961. From September 6, 1961 this was the responsibility of the Minister of Home Affairs.

SHEPHERD: Thank you Dr. Ramsahoye. You see the Security Council was the best way to bring the Minister and security forces together, and when on the 23rd May the Commissioner wrote to the Minister

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asking for the Security Council to be resuscitated, I put it to you that his responsibility for initiating action was being carried out in the proper way.

RAMSAHOYE: May I put it this way. The Minister has a certain responsibility. Really, the Minister should have been the one to convene the Security Council not the Commissioner, although he was quite within his rights in requesting that she should convene it.

SHEPHERD: One further point. Still having regard to his duty to initiate action, but the actual responsibility of the Minister being for internal security, the Commissioner was attempting to protect the Minister in her ultimate responsibility by making a careful one on the spot assessment through his Assistant Commissioner. Do you agree? Whether in the light of after knowledge that action might have been right or wrong is another question. He was acting to protect the Minister in her responsibility. Would you agree?

RAMSAHOYE: I would not put it that way. I would say he was acting properly by trying to get a senior officer to assess the situation on the spot. I would not say that he was trying to protect the Minister. He was trying to get information and the Minister also had sources through which she could get information.

SHEPHERD: In any way you say that he was acting properly in the light of the knowledge that he had then. Thank you.

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CHAIRMAN: You said that the Commissioner might have been acting properly, but if at that time he clearly understood the Minister indicating him that the military forces were necessary he was bound to act?

RAMSAHOYE: Yes, it would not have been proper to wait.

CHAIRMAN: Thank you, Doctor. We will now call Mr. James Campbell, the manager of Demba's head office.

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MR. JAMES CAMPBELL* is sworn in, and he states as follows: [Editor's note: * General Manager of the Demerara Bauxite Company head office in Georgetown]

CHAIRMAN: On the 25th May, 1964, do you recall getting a message from Major Langham or somebody from Demba's office at Mackenzie informing you of the situation and requesting you to communicate to the Governor?

CAMPBELL: There was a communication between his office and mine.

CHAIRMAN: At what time?

CAMPBELL: About 8.00 o'clock in the morning.

CHAIRMAN: Was a request made for you to contact the Commissioner of Police, the Garrison Commander, or the Governor?

CAMPBELL: The manager of Demba said that he had heard that the situation was serious. He was at that time quite sure of police protection. I called the Commissioner of Police earlier in the morning.

CHAIRMAN: At what time?

CAMPBELL: I am not sure of the precise time; probably about 8.00

CHAIRMAN: After that, did you speak to anybody else later in the morning?

CAMPBELL: Later in the morning I saw that the situation was looking more serious. I called Mr. Rose, Deputy Governor, and gave the information.

CHAIRMAN: That would be at about what time?

CAMPBELL: About 8.00 in the morning. Before 11.00; I cannot recall the precise time.

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SHEPHERD: This was on Sunday 24th at 8.00?

CAMPBELL: No it was on Monday 25th. It was a working day.

SHEPHERD: So on Sunday you had no direct information about the situation at Wismar?

CAMPBELL: I can recall no action by me.

SHEPHERD: You were in touch with the Governor, the Garrison Commander or anyone in Georgetown?

CAMPBELL: No.

SHEPHERD: The Force Control?

CAMPBELL: No, I do not recall.

SHEPHERD: Nor do you recollect any social gathering at which you might have mentioned that you heard that the situation was bad that Sunday? What I am trying to get at is that it seemed to be known in some quarters that the situation was serious but not in others. Can you clear it up?

CAMPBELL: I am sure that if I was speaking to somebody I would have said something about the tense situation, but it was not until the morning that I was in direct contact with anybody.

SHEPHERD: Thank you.

DRAYTON: Major Langham, the Commanding Officer of the British Guiana Volunteer Force, said that at 10.15 that was the first time that contact was made between Mr. Fraser of the Demba office and himself. Would this time be the time that you referred to mid-morning?

CAMPBELL: No, it was earlier than that.

DRAYTON: He said that at about 10.15 the Demba office was notified that the situation at Wismar was clearly out of control and asked the office to contact the police or British troops. What I am getting at is whether it was 10.15 to 10.30 that you phoned Mr. Rose.

CAMPBELL: About that time.

DRAYTON: Major Langham said that about 12.00 midday they were notified by the manager of Demba that the situation was out of control and was asked to request British troops directly from the Governor rather than await the assessment of the situation which was already out of control. Is this a fair description of the message you received from Mr. Fraser?

CAMPBELL: Yes.

DRAYTON: Did you have any other contact?

CAMPBELL: No, I had no other contact. After that Mr. Fraser let me know what was going on.

DRAYTON: Do you remember a message coming through around 12.00 midday to you?

CAMPBELL: I was getting messages every half hour I suppose. I made two contacts, one earlier in the morning with the Commissioner and he said that additional police were going to Mackenzie and an officer was going to assess the situation. Later I telephoned Mr. Rose and told him that more help was needed.

DRAYTON: Did Mr. Fraser advise that when you speak to the Governor or the Deputy Governor you should suggest that more British troops were needed?

CAMPBELL: Yes. He said that more police would be needed because of the large area.

DRAYTON: He specifically mentioned that British troops were needed?

CAMPBELL: I am sure.

DRAYTON: While in conversation with Mr. Rose did you express this opinion?

CAMPBELL: I expressed the opinion that it looked like a serious situation.

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DRAYTON: And he should know from a security point of view that additional security help was needed in the form of British troops?

CAMPBELL: In the form of an army.

DRAYTON: Thank you.

CHAIRMAN: Any other questions.

SHEPHERD: No questions.

CHAIRMAN: Would you like to have Mrs. Gopie recalled, Mr. Shepherd.

SHEPHERD: I leave the matter entirely to you. It would seem that recalling Mrs. Gopie would involve bringing her from some far distance. It is just to read a list of previous convictions to her.

CARTER: With regard to Major Langham, I am advised that communication is difficult. It is doubtful whether he would be able to come here even on Friday.

CHAIRMAN: In view of the evidence we heard this morning from Mr. Campbell, it will be useful if he can be here. We will now recall Mr. Hobbs.

ASSISTANT SUPERINTENDENT OSCAR HOBBS is recalled:

CHAIRMAN: Mr. Hobbs, this is part of a report from Mr. Langham to the officer commanding the British Guiana Volunteer Force. He said that it happened that a sergeant and twenty-four men were wasted as they were directed into two sections and further dissected into four ineffective sections, and then one complete section was sent to barracks to stand by. Both groups were sitting around 5.45 on the 25th May and were embarracked until 10.15 on this critical day, when a panic call was received from Wismar police station ordering them to report to duty immediately.

HOBBS: I would not say that they were wasted. When I requested the patrols, I discussed with Mr. Puttock that I would use them for patrol by night. When the twenty-four came I discussed with Major Langham that I would use the volunteers in two batches of twelve. The first half of the volunteers would be used for the first half of Sunday night and a further twelve on the second half. These twelve volunteers were broken up into four patrols of three volunteers and one policeman to each patrol. This same procedure was followed for the second half, that is, the second twelve that were sent back to barracks at 7.00. The duty of these men would not have been needed on Monday morning as they would have been back to duty again as from 6.00 on the Monday evening had things being normal. After I had a report from Wismar police station, I visited and checked the district between 5.45 and 7.20 on Monday morning the 25th. As stated in my evidence previously, I intimated to Mr. Langham in his office that I was getting in touch with my headquarters in Georgetown to seek approval for the remainder of the Volunteer Force to be called on duty as from 6.00 on Monday evening. I then advised him that he should alert the remainder of the Volunteer Force and he undertook to do this, pending confirmation from Colonel De Freitas, Commanding Officer of the B.G. Volunteer Force. Again I say that this was given previously, after I had spoken to Major Langham. I contacted Mr. Puttock before 8.00. I told him of the increased events of Sunday in spite of the volunteers and requested that the remainder be called out for duty as from Monday night. To that, Mr. Puttock informed me to inform Mr. Langham that he should be prepared to make the remainder of the Volunteer Force including officers of the Volunteer Force available for duty on Monday night. I would say within forty to forty-five minutes of that decision between Mr. Puttock and myself on the telephone was seen a change considerably in that I received a report at 8.40 of an outbreak of violence at Wismar.

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CHAIRMAN: Any questions?

SHEPHERD: No questions.

DRAYTON: Just two features of the evidence, Mr. Hobbs. One is why didn't you use all twenty-four men for the night patrol on Sunday night. Why did you use only twelve men and keep one section in barracks?

HOBBS: I could not use them all night. It is not the sequence of patrol.

DRAYTON: But you were worried about the situation and it was extraordinary. You had twenty-four men available on the Sunday night and you could have increased your patrols on Sunday night.

HOBBS: I had twenty-four volunteers and eight policemen.

DRAYTON: According to Manor Langham's evidence, it appears as if only twelve patrolled on Sunday night?

HOBBS: That is incorrect. A patrol of sixteen went out on Sunday to 12.30 and another sixteen between 12.30 and 5.00. They were divided into two halves of twelve volunteers and four policemen. The patrol period was covered from 7.00 to 5.30 in the morning.

DRAYTON: But don't you think that it would have been more effective if all twenty-four men had been used?

HOBBS: I could not put twenty-four men to work for the full twenty-four hours.

DRAYTON: But some of your policemen were in line for two days?

HOBBS: Yes.

DRAYTON: But there are they no occasions when policemen have to work for twelve hours? You did not consider the Sunday to be serious enough to warrant all the men?

HOBBS: No sir.

DRAYTON: Both groups were inactive from 5.45 on the morning of the 25th May until 10.15 on this critical day and it was not until 10.15 that the panic call was made from Wismar police station asking for the volunteers to be used.

HOBBS: That is incorrect. I spoke to Major Langham very shortly after I got the report.

DRAYTON: At what time? At about 8.45?

HOBBS: I would say about 9.00 after I had spoken to the manager with respect to the transportation of as many men as possible to Wismar. I spoke to Major Langham asking him to make available many men as possible. His words were that he would confirm it with Colonel De Freitas.

DRAYTON: You were desperately short of men on the spot, yet here were twenty-four men in barracks until morning. What did you tell Major Langham?

HOBBS: My exact words to him were to send as many men as possible.

DRAYTON: You expected at least twenty-four men and he had authority, and he had already placed twenty-four men under your control. What I want to know is why they were kept in barracks until morning?

HOBBS: They were in volunteer barracks.

DRAYTON: I realise that, but they were placed under your control.

HOBBS: For them to come out on duty I would have to pass word to Major Langham.

DRAYTON: I gather that around nine o'clock you let Major Langham know that you wanted as many men as possible but they did not leave until 10.15. When did you see the volunteers first?

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HOBBS: I did not see them. I saw Major Langham at about midday.

DRAYTON: So that the police were virtually unaided by the volunteers until 10.15?

HOBBS: I would say that if Major Langham said that they arrived there he would be the best man to say so.

DRAYTON: One final question not directly relating to this. Are you satisfied, Superintendent Hobbs, on reflection, that when you spoke with Mr. Puttock in Georgetown around 8.30 to 8.40 when you gave your assessment that you had given a reconnaissance of the area, that you had given him a good picture of the area?

HOBBS: On Monday it was twice that I had spoken to the Assistant Commissioner. On the first occasion it was dealing with the increased incidents of Sunday. On the second occasion it was to notify him of the outbreak of violence, in which case I requested special reinforcement.

DRAYTON: That was around 8.15?

HOBBS: Yes sir.

DRAYTON: Are you satisfied that you gave him a complete and accurate assessment of the on the spot investigation?

HOBBS: I am.

DRAYTON: Did you think that there was any more information that was any more information that he would have wanted and could reasonably have wanted?

HOBBS: As regards what portrayed following my information at 8.45 there was a continuous flow of information from Wismar to Georgetown.

DRAYTON: So that you would say that you made an accurate assessment and you kept Force Control informed of the developing situation?

HOBBS: Yes.

DRAYTON: Therefore, Superintendent Hobbs, would you think it necessary to have a man come from Georgetown to talk with you to make an assessment of the situation?

HOBBS: I think I mentioned this point before. It is not within my authority, not even within my suggestive rights, to decide whether somebody should come or should not have come.

DRAYTON: I realise that. But do you think that any more information, however probable, could reasonably have been needed by people in Georgetown who had the authority?

HOBBS: No.

DRAYTON: Are you satisfied that you made a good assessment of the situation and that you sent in continuous reports and that no useful purpose could have been served by sending a man to discuss things with you?

HOBBS: With reference to specific rights, I do not know for what purpose he had come.

DRAYTON: Thank you very much.

MACDONALD: As superintendent in charge of a division, are you informed by Force Control of what is happening in other divisions? Do you know what is going on Divisions A, B, or C?

HOBBS: Not everything. There are some specific incidents that might be brought to my attention by the branch or division or the Commissioner of Police. I may mention one incident that in the event of the shooting and killing of Indians in a district or a Negro in a division other than my own. I may have instruction to report on my action that may be observed. Otherwise, I get my information by radio or newspapers – that is, information of incidents occurring elsewhere.

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DRAYTON: Did you receive the information of the murder of Mr. and Mrs. Sealey at Buxton directly?
HOBBS: No sir. I heard it late on Friday afternoon.

—
MACDONALD: Through the public.
HOBBS: Through the radio.

—
MOOTOO: At what time did you ask for the partial embodiment of the Volunteer Force?
HOBBS: As was mentioned previously, some time after midday on the 23rd, that is, the Saturday.

MOOTOO: To whom did you speak?
HOBBS: Assistant Commissioner Puttock. He gave an undertaking that my application would be considered.

MOOTOO: He did not tell you to embody?
HOBBS. No. I only got word of approval on Sunday morning.

MOOTOO: You were not responsible for directing Major Langham to embody these men?
HOBBS: No, not at all. I only passed down the information.

MOOTOO: Did you tell Mr. Langham that you just wanted twenty-four men?
HOBBS: My information from Mr. Puttock was that approval was given for twenty-four members of the Volunteer Force.

MOOTOO: No mention of officers?
HOBBS: Not until Monday morning.

MOOTOO: Were you surprised that no officers came?
HOBBS: No.

MOOTOO: Did you request that any officers were to be given to you?
HOBBS: No.
MOOTOO: Thank you very much.

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SHEPHERD: Superintendent Hobbs, you have been a gazetted officer for some two and a half to three years.
HOBBS: Four years.

SHEPHERD: Of course you had no experience of overall command of a Police Force?
HOBBS: No, not as yet.

SHEPHERD: I hope you will have.
HOBBS: I am hopeful.

SHEPHERD: You were in charge of 'E' Division for four months?
HOBBS: That is correct.

SHEPHERD: You had been a gazetted officer for four years?
HOBBS: Yes sir.

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SHEPHERD: You had twenty-five years active service experience?

HOBBS: Approximately.

DRAYTON: Before that time that you were gazetted what was your rank?

HOBBS: I was an inspector.

DRAYTON: For how many years?

HOBBS: I was an inspector for four years.

DRAYTON: Before that?

HOBBS: I was a sub-inspector for one year.

DRAYTON: Prior to that?

HOBBS: I was a sergeant for a matter of months.

DRAYTON: If you can go back a little, some months as a sergeant and prior to that?

HOBBS: I was a corporal.

DRAYTON: How long?

HOBBS: One year and prior to that a lance-corporal.

DRAYTON: How long?

HOBBS: Seven years.

DRAYTON: And then a constable for the remainder of time?

HOBBS: Yes, twelve years. I do not think that the figures are quite right. From a constable I was made an acting unpaid lance-corporal after six years service, and after three years acting unpaid, I was a paid lance-corporal. That was for four years. Then I went to 1953 when I was made a corporal.

DRAYTON: Yes, the rest is clear, Thank you.

CHAIRMAN: There will be no other witness,

RAMSAROOP: I had the honour of reading the opening remarks made by my predecessor in this matter, and before the sessions here are officially declared closed, I would like to extend my appreciation to the members of the Commission for the tolerance and their patience for hearing the evidence as it was addressed to this honourable Commission during their tenure; and I would like to express my thoughts to the learned counsel and for the persons in their consideration. I hope that in my endeavour to set forth the truth and the facts and circumstances of these disturbances, having regard at all times to the terms of reference that are the guides to the members of the Commission. I humbly hope that I have not in any way detracted from the terms of the Commission. I hope that in my humble endeavour, any evidence presented to you will be of assistance. I would like to thank, too, the stenographers and the secretary who have been present throughout and contributed to these proceedings. I hope that not too long in the immediate future the proceedings here will be found foremost in a report, which I hope will be instructive and valuable in many respects. I thank you Mr. Chairman.

CARTER: Mr. Chairman and members of the Commission, my brief address is a very limited one, and therefore I could not take part in the cross examination as I would have liked. I do believe that you have enough evidence before you to make you come to a decision within the terms of reference. I think that there is enough evidence. A lot of things were said in the opening, and I do hope that the report would be

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fair, and I feel that the report can do a lot to mend the differences between the racial groups in this country. Because some things we heard in the opening and in between evidence, I do hope that the part played by the Police Force and Volunteer Force be examined because I feel this is so necessary to the future of this country. It is partly that this Commission never had to be appointed at all. I myself do hope that we should not have a commission of inquiry in this country again. I thank you all.

SHEPHERD: Mr. Chairman, I associate myself with the words of the counsel and Mr. John Carter to you. You have heard much from me from the start of my duty. I support the words of my friend Mr. Ramsaroop for whom I have great respect. He has displayed his good humour and balanced mind, and I believe has assisted your fellow Commissioners to get a proper decision.

HAFEEZ KHAN: On behalf of Mr. P. N. Singh and myself I would like to express our appreciation for the manner in which you have tolerated us and for the sentiments expressed by Mr. John Carter. We would like to express our gratitude to our stenographers for their part. Thank you.

CHAIRMAN: The Commission examined the time when there was tension not only at Wismar and Mackenzie but throughout the whole community of British Guiana, and I feel that the Commission was necessary having regard to the many accusations and rumours which were labelled against the police. I have worked with the police in a sense because I see them nearly every day in the course of my duty as a magistrate, and I know how sometimes these accusations are made out of context. And, therefore, I feel that the Commission should help to inquire into these allegations and try to base them in their proper context. We have met here and sometimes we have been in a very awkward position, especially having regard to the fact that our learned counsel of the Commission, Mr. Sugrim Singh, who was with us for three days, and after that I thought probably that this Commission would not have been able to finish. However, subsequently we were able to get the services of another counsel and we have eventually had quite a collection of evidence before us, and our task really begins now at this time to try to arrive at a conclusion to make our report which will be considered valuable to the community as a whole. We thank you all for your cooperation in assisting us in holding this inquiry and the very atmosphere in which it was conducted. Thank you very much.