

**CORONER'S REPORT and VERDICT**  
**Re: PAKOBI TACUMA MALONEY**

PAKOBI TACUMA MALONEY, aged 23 years of Hutson's Alley, Reed Street, St. Michael died on 17/6/2008 at Land Lock, St. Lucy.

He had graduated as a Chemical Engineer from the St. Augustine Campus of University of the West Indies the previous year and had been employed as a Trainee Process Engineer at the Arawak Cement Plant up until that same day when he had abruptly resigned.

By all reports Maloney had led an exemplary life up to that point. He excelled at all the schools he attended: St. Mary's Primary, Foundation School and Barbados Community College where he won a Barbados Exhibition. He was highly proficient in both language arts and the sciences but eventually chose the latter. Initially he intended studying medicine but finally decided on engineering.

Every witness who gave evidence as to his character would have us believe that he was an almost perfect young man. It is not unusual for persons to be described in glowing terms when they have passed, particularly when such emanate from emotional family and friends, but in this case, even the police officers, who were strangers to him prior to encountering him at Land Lock on that tragic day, were moved to describe him as pleasant, well mannered and intelligent.

Most people who came into contact with Maloney appear to have been impressed by his affability and pleasing temperament. In addition, as evidenced by writings in his diary, he was disciplined, hard working, very committed and involved at the work place. He wrote poetry and clearly was of a sensitive nature, but this was somehow masked by a generally easy-going facility with people.



**GOVERNMENT OF BARBADOS**

**CORONER'S COURT**  
**& District 'A' Juvenile & Domestic**

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**BARBADOS**

26<sup>th</sup> May, 2009

Andrew Pilgrim  
Attorney-at-Law  
Whitepark House  
Whitepark Road  
St. Michael

Dear Sir

**Re: l'Akobi Maloney, deceased**

Enclosed please find copy of Coroner's Report and Verdict.

Yours sincerely,

*F. Marshall-Harris*  
**Faith Marshall-Harris**  
Coroner/Magistrate

Enc.

Maloney lived at home with his mother Marguerita Maloney and brother Mandela Maloney who, along with his best friend and cousin Reynaldo Depeiza, considered him an influential, committed high achiever who was rarely sad or downhearted except in pain. They said he was very confident and goal-oriented.

Mandela Maloney said he was very close to I' Akobi and this was also supported by writings in the latter's diary. They clearly confided in each other and apparently I' Akobi seemed to have been the stabilising force. Mandela Maloney described him as upbeat, very enthusiastic about life. He had many dreams and aspirations and wanted to raise a family. He was very respectful of others but also very private and reflective; expressing himself mainly in creative pursuits such as rhythm poetry and 'rap music free-styling'.

A lot of this was echoed by his close friend of some six years, Ayesha Delpêche who added that he was very calm, always in control of himself, and never allowed his emotions or anybody to rule him. He was strong and never impulsive. Mandela Maloney added that I' Akobi would calculate his every move and thought through every development carefully. This included the decision to end the relationship with his Trinidadian girlfriend of two years, Adana Jacob, because he had moved back to Barbados and saw little point in a long distance relationship. He told Mandela that he wanted to take some time out for himself. However he maintained close ties with her and they spoke regularly either on Face Book, MSN Chat or cell phone. Indeed one of his work colleagues, Obamidele Adesegha to whom he was particularly close, spoke of Maloney's phone ringing quite often while Adesegha gave him a lift home in his car and Maloney admitting that it was Adana to whom he spoke.

In a statement forwarded from Trinidad, Adana Jacob said they had decided to end the relationship when Maloney graduated and returned to Barbados: A note in his diary in June 2008 – “1 year later, beginning of the end” –appears to refer to this event. They remained very close friends, she said, and he spoke to her very often. In fact the last time she spoke to him was Sunday, that is two days before he died and at that time he appeared to be his normal self. Jacob described Maloney as “a very nice guy, very intellectual, quiet, friendly, one who never did drugs, spoke to every one and was involved with a lot of groups and activities.”

Other friends he made while studying in Trinidad described him as reasonable, very well informed about current affairs, very focussed, who spent most of his spare time with his girlfriend Adana Jacob. They said he was a very religious Rastafarian who loved to talk about his faith. Among fellow students he was known for his integrity, unflappable nature, being slow to anger, who loved to study and got along well with everyone. Wayne Clarke of Jamaica who pursued the same degree course in Chemical and Process Engineering at St. Augustine and one of Maloney’s close friends said that in addition to being very active in various groups in Trinidad and Tobago and in Barbados (he was President of the Barbados Student Association of Trinidad and Tobago), he was well liked, knew what he wanted in life and freely articulated his opinions.

Maloney spoke regularly to all of these persons, even those overseas, by way of the internet and they all maintained that he would have confided if he was deeply worried or troubled about anything. His brother Mandela, his mother, best friends and girlfriend all mentioned that the only fly in his ointment seemed to be the job at Arawak Cement plant. Adana Jacob texted him on the day of his death. She greeted him “Good morning, how you doing?” He replied “Okay” and told her he was resigning from Arawak that day. She further stated that he had always told her he wanted to leave because he had a problem inhaling the cement and that his

opportunities for promotion in that company were very slim. Maloney spoke to Jamaican Wayne Clarke at the end of February and told him a similar thing: That he was thinking of leaving the job at Arawak Cement and doing something else. He was even contemplating returning to Trinidad to work and said that Trinidad had better job opportunities in his field of work.

Uwaila Charles of Nigeria said Maloney spoke to him about one month before he died. At that time Maloney told him that he was not receiving the kind of pay that an engineer should be getting and that he needed to elevate himself: He needed a new job. He was thinking of returning to Trinidad and Tobago for this purpose.

Delpeche said that Maloney would have confided any concerns and they frequently discussed spirituality and family, and there were no problems there. He loved to commune with nature and would take bus rides into the countryside or to the sea. He loved to be in open spaces. His mother confirmed that he was a very spiritual child and loved scenery and tranquil places.

Neither his mother nor his brother was surprised that he had resigned from his job at Arawak Cement Plant on 17/6/2008. As his mother put it, it was an 'in-house decision', which had been discussed fully. She had tried to persuade him to stay on at least for a year, as it would "look good on his C.V", but he was adamant that he was going "to fire the work before the work kill me."

Maloney had applied to Arawak Cement Plant for a summer attachment on 16/6/2006 while still a student at St. Augustine. The Human Resources Officer at that Plant, Olvin Collymore first interviewed him on 19/6/2006 and after the usual health check he was deemed fit to assume employment by the Industrial Nurse, Janice Springer and he was given a position on that very day. It was only intended to be for the summer recess and as such his employment ended after two months.

After that he applied again in June 2007 and was once again given a temporary position.

After graduating in 2007 Maloney was employed there as a Trainee Process Engineer from 3/9/2007 to 20/10/2007 and 12/11/2007 to 3/6/2008. He was granted two weeks sick leave until 15/6/2008 but formally resigned on 17/6/2008, the day of his death.

He appeared to be a treasured employee at Arawak. He had a good working relationship with all his colleagues, they said. It appeared that they never let him walk or take the bus. Once they encountered him going home, one or the other gave him a ride.

His closest friends were Obamidele Adesegha and Shane Cumberbatch, Lab Technicians. Every day when he arrived at work he took his bag to Adesegha's lab, left it there and would then use his computer. Afterwards he would go to his work station. Maloney would return each day to the lab to have lunch, where the two would listen to the call-in programmes and discuss hot topics of the day.

At the end of the day he returned to Adesegha's lab and Maloney would get a lift in his friend's car either to Holder's Hill or quite often he would get a drop-off at Hometown where his mother sold craft items under a tree in the car park. If Adesegha was going to classes, which he did several afternoons a week, Maloney travelled with his other close friend, Shane Cumberbatch, who often took him to Bridgetown or Warrens. Like Adesegha, she found him a peaceful, jovial sort with whom she discussed current affairs. He sometimes discussed his past relationships with women, but not going into any details.

He also spoke of his former girlfriend in Trinidad but never mentioned a current one. Occasionally a group of them, including Adeseha, Maloney, herself, other girls and guys from work would hang out together at places such as Lord Willoughby's Tavern and Café Jungles. They would have dinner and drinks (some alcoholic).

Matthew Thornhill, Production Manager was Maloney's overall boss. Under him was Jason Collymore, Process Engineer who supervised the production line of which Maloney was a member.

Maloney's main working contact was therefore Collymore, but Thornhill said he was sufficiently familiar with Maloney's work to be able to state categorically that he "worked well, displayed a high level of intelligence, had a great disposition and got along well with staff and management alike." They would occasionally chat about things in general and Thornhill found him always to be talented, quiet, cheerful and a positive person. Maloney was employed as a casual worker but at the time of his death was being considered for further employment as the project he worked on had been extended.

Thornhill was adamant that Maloney had been given every indication that he was highly valued at Arawak and would be retained particularly as he showed signs of good progress and commitment in getting his job executed. This was corroborated by Maloney's diary where every day he would meticulously detail what work he had done and what he needed to research or check on.

There was only one mysterious entry on Wednesday, April 2, 2008 where he said "Jason in meeting for Mental Health. Licks from Matthew." However they appeared to have had a cordial meeting next day, April 3.

Jason Collymore claimed that Maloney was a work colleague and no more. They got on well but they seldom socialised. Indeed the only time they did so was at a Team Building lime at Checker Hall Pavilion, St. Lucy which he and Maloney and James Walker, among others, attended as part of the Production Department.

Apart from that, Jason Collymore said that Maloney was an asset to the Company who was always punctual, an excellent worker who was always given further extensions even as a student because of his brilliance. Collymore described Maloney's demeanour as always respectful, calm, pleasant and disciplined. He was not a perfectionist nor was he obsessive but was someone with a good heart, a good work ethic who liked to see things progress.

While his resignation may have come as a surprise to his work colleagues to whom he had never mentioned any dissatisfaction until that day, his mother maintained it was very much on the cards.

It is true that Maloney was actively seeking other employment. P' Akobi and Mandela Maloney had gone to see their Parliamentary Representative who had advised them to apply at Personnel Administration, which they did.

It is also a fact that Maloney applied to Banks Holdings Ltd and among other business places and was granted an interview. According to his diary he prepared himself by boning up on the brewing process and bought himself a new outfit. He was unfortunately unsuccessful in gaining employment there.

In the end it came down to his health, stated his mother Marguerita Maloney. Prior to permanent employment and after working for nine straight months it is customary for employees to have a full medical with one of the company doctors and on 13/5/2008 Maloney saw Dr. Jasmine Crump. He complained to her of



shortness of breath on physical exertion due to the stuffy environment at the Cement Plant. Apart from that his medical examination was virtually normal except that she diagnosed possible exercise-induced asthma. She prescribed an inhaler and requested him to get a chest X-ray and a lung function test. She did not see him again after that, so it is presumed he did not go for those tests.

Dr. Simone Lorde, podiatrist, had seen I' Akobi Maloney on 11/10/2007. He had painful calluses on the sole of his left foot and he claimed this started in June 2007 after he began working at Arawak and had to wear heavy boots for long periods. Her examination revealed that the condition of his left foot would make it very painful for him to walk. She saw him every 6-8 weeks depending on his level of discomfort and he was issued with a pair of inserts to improve his overall gait. He was seen by her on 22/11/2007, 24/1/2008 and 28/3/2008 but missed his last appointment on 22/5/2008.

In early June he was diagnosed as suffering from acid reflux and had one week's sick leave and then after that Dr. Michael Wharton found he had a prolapsed lumbar disc and was given another week at home. Mrs. Maloney said she took it upon herself to go to Arawak Cement Plant to see the manager. It would appear that she spoke to Jason Collymore and he told her that he understood perfectly; that I' Akobi Maloney was a valuable worker and they would not want to lose him. He said that I' Akobi Maloney could stay at home as long as he needed to recuperate and then whenever he was ready to come to work, his job would be there waiting for him.

Mrs. Maloney acknowledged that the back problems originated from a previous injury he had sustained while exercising as a result of his involvement in martial arts. At the time of his death he was a black belt. That back injury was further exacerbated by a slip in the bath while he was living in Trinidad and Tobago.

In the event Maloney was most exercised about his respiratory problems which he felt had been incorrectly diagnosed as asthma. He objected to being dependent on an inhaler and refused to have the prescription filled. He felt he only needed to get away from the Cement Plant. He told her "Mum, I gine shaft this job before it kills me". She claimed his manager was aware of this and had given him a mask to wear but he did not like it because it gave him claustrophobia.

He had always suffered somewhat from sinusitis but it had now become acute because of the environment in which he worked. This was confirmed by at least one of the diary entries, although this was not related to the conditions at work. Indeed the diary is conspicuously silent on his dissatisfaction with work or the decision to quit.

Mrs. Maloney said that she had almost persuaded him to stay in the job for another year but after his back became increasing painful on top of everything else, he decided he would resign. According to her he "did everything to preserve his life."

She also knew, for they had discussed it as a family, that he was unhappy as he was not on permanent staff and that he was still a casual worker. She claimed that he had to keep reapplying on a month by month basis and he told her "Mum, I can't go through this anymore; waiting to see if they going call me next month or what my position is; plus I got my Bsc, I don't need to be going through this".

His brother Mandela Maloney maintained that his brother's only concern was his working conditions at Arawak. He claimed that I' Akobi felt the environment was not challenging enough, that the labour could have been provided by any person off the street and was mechanical. The conditions were not really beneficial to

him in that it felt like he was confined and restricted. He felt he had much more potential and that he had more to offer. Mandela said his brother really wanted to get into the arts and he was very creative but in any event given his field of study he would have limitless opportunities because he would be sought after "by any business seeking to mass produce." Mandela Maloney was absolutely sure that his brother was not depressed. He would have been planning his next move. Mandela claimed I'Akobi would sit down and chart out a particular plan of action to deal with any problem. He would always do this when he was "going through anything." But he remained a very enthusiastic person about life and looked forward to his future.

So according to his family, they were well aware that I'Akobi Maloney was likely to resign from Arawak Cement Plant at any time. Yet this came as a complete shock to his boss, his supervisor, his colleagues and his friends at work. They were aware of the back problems but they all urged him to speak to Jason Collymore who they assured him 'would work something out'.

Maloney had been expected to resume work after two weeks sick leave on Monday, 16/6/2008 but he did not report for work. The assumption seems to have been that he was still not well enough to come in.

On Tuesday 17/6/2008, I'Akobi Maloney left home around 5:30 am to go to work. The records at Arawak Cement Plant show that he reported there at 6:35 am and as usual went to the lab where his close friend Obamidele Adesegha worked. Adesegha, knowing he had been on sick leave asked him how he was and Maloney replied that his back was getting better. He then said he was going to see his supervisor Jason Collymore. Immediately Adesegha noticed something different in his routine: He took his bag with him, when usually he would leave it there in the lab. Adesegha was unaware of any other problems, such as sinusitis.

since Maloney had never discussed this with him. When Maloney had expressed concern about his temporary status, Adesezha had urged Maloney to talk to Jason Collymore about this.

Maloney next saw Jason Collymore that morning and told him of his back problem and that he did not think he could work at his optimum. Collymore, as predicted by others, promptly told him that he would try to give him less strenuous tasks or he could take more time off to recuperate. Maloney left Collymore's office but returned five minutes later and said he wanted to resign. Jason Collymore immediately telephoned Matthew Thornhill, their boss, to communicate this to him and urged Maloney to speak to Thornhill as well. Maloney left the office but then soon returned and used Collymore's lap top to type a letter of resignation. He then left Collymore's office to take the said letter to Thornhill.

This development took Collymore by surprise. Maloney did not suggest that he had injured his back at work nor did he mention any respiratory problems. Despite Collymore's offer, after consideration for 5-10 minutes, Maloney indicated that if he could not do the job to the best of his ability he would resign. Nevertheless in so expressing himself Collymore saw no sign of distress or depression.

Collymore and Maloney went to Thornhill's office, who asked Maloney why he was resigning. He spoke of the pain in his lower back and that a previous injury, not sustained at the plant, had been aggravated by climbing the stairs. He was quite calm and apparently cheerful but when invited to sit, he refused. It was assumed that this was because of the lower back pain. Thornhill noted that Maloney had lost a significant amount of weight. In his turn, Thornhill was taken by surprise by this resignation, as Maloney had never given any indication that he

was dissatisfied with work conditions at the plant or indeed of anything else. Thornhill once again checked whether the back pain was as a result of the job and he said it was not. He showed no sign of depression. As his mind seemed to be made up, Thornhill said he and Collymore shook hands with Maloney and wished him well and he wished them well in turn. He left the office to go to see the Human Resources Manager, Olvin Collymore who said that when he saw Maloney that morning as he handed in his resignation letter and just before he left the compound, he saw no sign of distress.

It would appear that at one stage after going to Collymore's office and before handing in his letter of resignation, Maloney went to see the Industrial Nurse, Janice Springer. She was then engaged with treating another staff member and he arranged with her that she could find him in the cafeteria when she was free. This was the first time he had come to her station for attention in all the time he had been there. When she went to find him in the cafeteria, he was not there. She then went in search of him in the office where he normally works and was told by Jason Collymore he had resigned and left the compound.

On his way off the compound, Maloney met with his other good friend, Shane Cumberbatch, who unfortunately was in a bit of hurry. She did stop, however, to ask him where he was going and he told her he had resigned. She was also astounded and asked him why and he said he was leaving because of his back. Cumberbatch wanted to know from him if anything could not be worked out and he told her "I am taking responsibility for my back." He also pointed out that the job did not entail tasks which aggravated his back; it was just the nature of the job. Cumberbatch persisted by asking what were his future plans, if he had made any. Maloney replied that just as he had got a job here (that is at the Cement Plant) he would get a job somewhere else. Cumberbatch then had to hurry off. She told

him that she had his number so she would ring him in order she, he and other staff members with whom they usually hang out would get together and "lime".

Despite this surprising conversation, she too saw no sign of depression nor even worry. To her he did not reveal any concern about getting a job. He seemed quite nonchalant. However she had never heard him mention any adverse reaction to cement dust and had only heard of the back problem the day he resigned. She did not see that he had any difficulty walking. There was no limp or sign of pain.

It is recorded that Maloney left the compound at 8:52 am and walked to the bus stop. At about 9 am Patrice Knight, a Process Engineer was then driving out of the compound on her way home. She had worked the night shift, was tired and was quite anxious to get home. She saw Maloney walking ahead of her and stopped to give him a lift. She had known him from the time he first joined the plant, as she was then his supervisor but on a subsequent attachment he had been assigned to someone else. They had developed a good working relationship.

On this morning of 17/6/2008 she offered him a ride to Warrens as she was passing that way en route to her home in St. George and she knew he sometimes went in that direction. He indicated that he preferred to go to Bridgetown but that was too far out of her way. He then suggested that she could take him as far as Speightstown and so they set off. From this evidence and later statements made, the Court deduced that Maloney had not formed a clear intention to go to the Cove, St. Lucy.

On the way he spoke to her of his back pain and a perceived difficulty in getting another job. To her he did not appear unduly depressed, but just a bit upset or concerned.

She assumed this was because he had just resigned and was naturally unsure of the future. Like all the other staff, she was very surprised that he had resigned. He enjoyed a good reputation there and she had never seen any signs that he was uncomfortable with the job. However, she noted, he had never confided in her. They were not close buddies and he was a pretty private person. Most of his talk would be about engineering. Nevertheless, on the drive to Speightstown was the first occasion she had seen him visibly upset. He told her he was not sure of his next step going forward because there were not many jobs available in Process Engineering in Barbados. He expressed concerns about getting another job and had fears that he would not be able to practise his engineering skills in Barbados. He also pointed out that as a Rastafarian he may not be able to get an 'office job'. Patrice Knight said she told him that there were Rastas working all over Barbados in various fields and that should not be a concern. He told her he was not sure he could work in the field and generally he seemed concerned about where he could find work. Knight said he spoke of his back pain and that he had some other kind of problem, she is not sure what it was. He did not mention asthma or sinusitis.

Knight sought to give solace by telling him there were many opportunities where he could use his skills and recalled that she had mentioned this to him in the past. She gave him the example that outside of her job at Arawak, she had a mechanic business, because in their field there were so many things one could do.

Since Marguerita Maloney had mentioned the calluses at the bottom of Maloney's feet and that he could barely walk, far less run that day, Knight was asked if he appeared to be walking normally. She said that he had mentioned problems with his feet in the past but there was no sign of such that morning. He had sometimes walked with a limp but that day there was no trace of a limp and he was walking quite normally and he was wearing the heavy, steel-tipped boots they are required to wear on the job.

This latter assertion was supported by all the Arawak Cement staff who saw him walking that day.

So Maloney had left a very bewildered group of work mates and bosses behind as he made his way to Speightstown. It is not clear at what point Obamidele Adesegha heard the news and called him on his cell phone. Adesegha had realised that Maloney left the compound at some point, having not come back to the lab as he would normally do. This surprised him since their routine was well established.

When Adesegha heard that Maloney had unceremoniously resigned and had left the compound, he was quite alarmed. He got Maloney on his cell phone but he was even more baffled by the response he got when he enquired whether it was true that he had resigned. He asked why and Maloney told him: "I am taking responsibility for my back". Adesegha asked Maloney where he was at that point and he replied that he was on the bus going home. Adesegha told him that he would call later that evening.

Adesegha frankly admitted that he found Maloney's action and responses strange, "not normal" were the exact words he used and further that it did not make sense to him. Adesegha expected that if anything had transpired with Collymore, Maloney would have let him know.

Maloney had certainly never mentioned any personal problems, any problems with work colleagues or with cement dust and sinusitis nor articulated any problems working at Arawak, apart from the temporary status.



Once again the resignation was a total surprise and he thought the response "I am taking responsibility for my back" sounded totally unlike Maloney. It now appeared to Adesegha that when Maloney came to his lab that morning briefly and then left with his bag to see Collymore he had already made up his mind to resign.

At approximately 10:15 that morning, Maloney called his mother who was at her usual spot in Hometown under the trees close to the taxi stand. The conversation between them, as reported, seems contradictory. She reported that he said "Mumz, Mumz, Mumz, I feel real good, I fire the work. I was here in Speightstown for a while just checking the scenes and it feels boring and monotonous. I waiting for a bus to go out to the Cove. I was waiting for 15 minutes. I ain't see no bus coming and I ain't see much people waiting going in this direction and I decide to call you to see if I could come and hang out with you." Mrs. Maloney told her son that the sun was hot; that he was sick and he should go home and get some rest. Maloney replied to her that he had been at home for two weeks; he felt like going to watch some scenery; he was going to the Cove and that he would see her in the evening.

This was not surprising to Mrs. Maloney. He had previously told her that he loved going to the Cove, St. Lucy where he found peace and quiet. She knew he had gone there before to relax and to meditate. That was the last time she heard from him.

At about 11:30 am Maloney was seen by Nicolai Phillips, a local fisherman from Pie Corner, St. Lucy. Phillips was walking away from Little Bay; Maloney was walking towards it coming from Turntable, so-called because the buses coming from Bridgetown turn around there for the return journey to the city. It appeared that Maloney had disembarked from the 11.30 bus, but this could not be absolutely verified.

Suffice it to say that when Phillips saw him he was then fully clothed and carrying a haversack. They passed each other on the foot path and Maloney gave him "that Rastafari respect". Phillips said he went on his way and Maloney continued towards the beach area. He found nothing unusual or remarkable about Maloney.

Anthony Collymore, a Fire Officer of Pie Corner, St. Lucy came home at about 3:30 in the afternoon. Collymore's house has two floors, the top floor of which is partially constructed. From the kitchen area of this structure, he can look straight onto a desolate, windswept expanse of rocky shale leading to the coast which is called Land Lock. This area is to the south of Little Bay, the direction Maloney was seen heading that morning and to the north of Cove Bay. The access to Land Lock is by way of a dry water course leading from Turntable and is singularly unwelcoming in the noonday sun.

A wide-open and barren land, it is devoid of tree or shrub to give respite from a blazing sun. It is a desolate spot. Under foot, it is covered with sharp stones which are particularly painful to walk on, even in normal shoes and would be even worse to one barefooted. While it gives a great look out to the vast Atlantic Ocean, the location itself is hostile and inhospitable in the relentless fury, heat and glare of the sun when it is high in the sky. While there is quite often a sharp breeze or wind, there is no place where one can sit or stand with comfort without inviting the ravages of sun stroke. The Court visited the locus at the material hour and experienced this discomfort first hand.

Beyond the rocky terrain is the cliff's edge beneath which huge waves crash onto outcrops of rock. We are informed by local residents that this area is considered rough and dangerous: There is massive erosion of the cliff and pieces of it have broken off and fallen into the sea below. Indeed these portions of rock which have

broken away from the cliff now form rocky platforms or ledges part way down to the base of the cliff which is estimated to have a 50-60 ft drop.

Residents will not venture too near to the cliff's edge because it is well known that it is unstable, in that it crumbles and is therefore unsafe. As one walks towards the cliff edge it is impossible to get a firm grip and one runs the danger of slipping and sliding about unless one is wearing boots. This wild and rocky landscape is totally unlike the neighbouring spots. Both Little Bay and Cove Bay are far more salubrious. Cove Bay in particular is shaded by trees and cooled by a lambent breeze. Underfoot is soft grass or sand. Unlike Land Lock, where Maloney was seen, both places are desirable spots for a day out communing with nature as proposed by him.

The sea is also very rough at Land Lock and consequently it would be startling to see anyone pacing or stooping or standing on this cliff edge for any length of time. Added to this, the residents have local knowledge of drug landings in this area so they keep a sharp look out.

As an example, one night local fisherman, Livingstone Phillips found himself, unwittingly playing host to a drug boat when he turned on his flashlight looking for bait he had dropped while fishing in the area. He got an answering beam from a boat which proceeded to rapidly advance towards him so he did the wisest thing and turned heel and ran as fast as he could for home. Once there he was emboldened by the presence of his brothers, who called the Police. They made their way back to Land Lock and flashed their torch lights again and again the boat advanced. They got scared and ran and the boat retreated. Consequently by the time the Police got there it was clear to the persons on the boat that this was not the welcome signal they anticipated, so they veered off.

The area is considered dangerous and consequently only fishermen frequent it. Sure enough, hikers may traverse Land Lock coming from Little Bay/Turntable going towards Cove Bay but few would choose to linger and those who do so would be viewed as suspicious or deranged. It is for this reason that Anthony Collymore kept a close watch when he looked out of what would become his kitchen window and which gives a clear and unobstructed view of Land Lock and he saw a man alternately stooping and pacing fairly close (about 6ft) from the cliff's edge.

The local fishermen and residents are well aware that you should go no closer to that weak and crumbling edge than about 7ft. A number of them, including Clyde Collymore and others provided the Court with these details. There is a crack in the cliff formation which has been used by fishermen to get down to a small beach below but one would have to be very sure-footed and a strong swimmer.

Anthony Collymore observed two things that afternoon: A strange man, notably a Rastafarian, near the cliff edge and a whitish boat out to sea about 3 miles away. He immediately thought this to be suspicious and at the recorded time of 4:43 pm placed a call to Operations Control of the Royal Barbados Police Force to inform them of suspected drug activity.

He continued to keep both the boat and the man under observation through his binoculars. He noted the man was facing the water. He appeared to be bare back and wearing short pants, but he saw no contact between the man and the boat. To his mind, since Land Lock itself is a place unfrequented by visitors or strangers, the presence of this man seemed sinister.

Grace Boyce-Codrington, Telephone Operator at Royal Barbados Police Force had taken the call and it was recorded as having been received at 16:43hrs or 4:43 pm.

This substantiates Collymore's statement. However he said he gave his name, but she said it was an unknown male caller. He reported that he had seen a boat out to sea and a Rasta standing on the cliff and he suspected drug activity.

As is required whenever there is a report of this nature, that is sensitive and urgent, she immediately relayed this information to the Senior Police Officer in charge of Operations Control Room, who on this shift was Sgt. Kelvin Browne. He in turn relayed this information to District 'E' at 4:45 pm; Crab Hill at 4:53 pm. He called the Narcotics Division at 4:57 pm and by 5 pm he had alerted Holetown. At 5:05 pm he had called the Coast Guard. As a result of these calls, patrol units from these locations set out for the area. Unfortunately it would appear that the geography became very mixed so that although the report specified the presence of a man at Land Lock, most patrols made for Cove Bay where apparently they gazed straight out to sea and did not look to the right or left of them.

Indeed, the patrol from Narcotics Division stationed themselves on the ridge at the Risk, St. Peter which commands a panoramic view across the coast taking in Land Lock and Cove Bay and places south and north of those locations, yet that unit failed to look towards Land Lock, even when they heard radio relayed information that two officers were at Land Lock interviewing the Rastafarian.

It is important at this point to note the deployment of the contingent of officers as a result of the report of drug activity:

1. From Crab Hill Police Station, PC 1548 Ellis and PC 1746 Freeman who were then at Greenidge's, St. Lucy. They went to Cove Bay. They gave no definite time of arrival there but mentioned "just before 5 pm."

2. (a) From Holetown Police Station, Sgt. 993 Trevor Reece and PC. 1399 Sandra Dottin. They went to Cove Bay. They gave no time of arrival there but said that 20 minutes after arrival they heard by radio Sgt. W. Headley reporting from Land Lock.  
  
(b) Also from Holetown Police Station, PC 16 Edmund Barrow accompanied by Corporal Sealy and Privates Springer and Payne of the Barbados Defence Force heard the radio relay sometime before 5 pm. They also went to Cove Bay.
3. From District A Police Station, PC 1621 Leandra Headley and Con. 1247 Grazette - They claimed to have heard the report at 4:50 pm. PC Leandra Headley and PC Grazette went to Cove Bay and arrived there at about 5:05 pm.
4. From the Narcotics Division, S/Sgt. 1044 Dale Crichlow, Sgt. 676 Seale, PC 1394 Boyce and PC 754 Willoughby. They went to the Risk, St. Peter and arrived there about 5:26 pm.
5. From District 'E' Police Station, Det/Sgt. (ag) 455 Wingrove Headley and Det/Con. 1320 Walkes responded in Motor van S 940. They went to Land Lock, the only contingent to do so. They arrived there at about 5:25 pm.

Collymore, our independent witness, is watching through his binoculars from his vantage point on the 1<sup>st</sup> floor of his house in Pie Corner. He sees motor van S 940 lurching its way across the humps and bumps of the dry river over to Land Lock and sees it park there. He recognises this van as a police van although it is unmarked (This is not, apparently, an unusual facility in the area, all residents

examined seem to know the police officers and their vehicles, whether marked or unmarked, plain clothed or not).

He sees the van drive towards the Rastafarian and park about eight feet away from the cliff. He sees two persons get out of the van and recognises them to be police officers in plain clothes (see above). They approach the man, who is then stooping near to the cliff edge. It is to be noted that what the Rasta was doing at various points is quite unreliable, as this has changed from time to time and there seems to be some confusion about this. The two men appear to be talking to the man and he estimated the conversation to last about five minutes. Collymore then sees the Rasta man putting on what appeared to be clothing and taking up his haversack.

At that point, says Collymore, satisfied in his mind that the man is getting dressed and is to be taken away by the Police Officers, he moves away from the window and calls the police emergency number, (Operations Control) and thanks the operator for their rapid response. However it is the next five minutes when Collymore has looked away from Land Lock that constitutes, our greatest concern, our greatest challenge, and indeed around which this enquiry will eventually turn.

The only two persons who can account for what happened in that tiny segment of time are D/Sgt. (ag) 455 Wingrove Headley and D/Con 1320 Wendel Walkes. They had responded to the report that there was a Rasta man on the cliff at Land Lock acting in a suspicious manner. They were both armed, having been issued with firearms earlier that day and had been reminded of the Use of Force policy. It is clear from their statements that they are somewhat hazy as to the geography of the area; but they did arrive at the cliffs at Land Lock at about 5:25 pm. They said they saw a whitish boat in the water and it appeared to be travelling out to sea away from the shore. They saw a young man near the cliff who had a Rastafarian hairstyle. He was dressed only in his boxer shorts and he was pacing back and

forth. (Note that Collymore said he was stooping and looking out to sea). He was looking at the ground directly ahead of him. Nearby was a black haversack and a pair of black boots.

Both Headley and Walkes found the young man's activity 'strange' (using the identical words) and the two officers remarked on this to each other. D/Sgt. Headley radioed Operations Control which was heard by all other units in the area that they were then interviewing the Rasta on the cliff. Collymore and all units agreed that this was about 5.30 pm.

The officers observed further that the Rasta man was about 6ft 3" tall and over 200 pounds. Sgt. Headley told him they were police officers and showed their credentials. Headley asked him his name and he gave this as I'Akobi Maloney of Reed Street, Bridgetown. They asked Maloney which country he was from and why he was on the cliff. He told them he had resigned from work at Arawak Cement Plant, where he was employed as an engineer, and had caught the bus there. In their statements, there follows some strange reference to different accents in which the young man spoke but it is unclear the relevance of this, except that the officers may have considered he was making a mockery of the interview or that he spoke in an educated voice. Headley told him there had been a report of drug activity in the area, so they would like to search his bag. He politely told them he had no problem with that.

Both officers observed that his eyes appeared to be red and he "had a strange staring look on his face." They had already decided there was something strange about Maloney anyhow because when Headley radioed to say they were at Land Lock interviewing the Rasta man, he made this assertion. All units as well as Operations Control report that Headley said words to the effect that the man's mental faculties appear not to be intact.



The search of Maloney's bag revealed nothing more sinister than a pair of long black pants, a grey shirt, pay slips, newspapers, a brown wallet and a personal diary. The officers noted that the clothing was neatly folded.

They continued to talk to Maloney: Walkes asked if he had been to the beach, he replied 'Turntable'. The officers asked him directions to his home in Reed Street. He appeared reluctant to answer but eventually said it was three 'gaps' before the Salvation Army.

Once again, Walkes, who was particularly sensitive to the situation and who had conveyed as much to Headley by way of the time honoured gesture showing that someone is deranged, asked why he was on the cliff and Maloney said he was under a lot of pressure. Walkes asked him why, Maloney said his back was hurting him.

Walkes asked where he went to school. At this Maloney became concerned, if not harassed and wondered why he was being asked so many questions. Nevertheless he told them Foundation, Barbados Community College and University of West Indies. Walkes complimented him somewhat patronisingly, on his obvious intelligence.

Walkes then wanted to know from Maloney if he had ever seen a psychiatrist. Headley took Maloney's ID which had been found in his wallet. He went to the van, reported to Operations Control and gave them the young man's name, address and birth date which was on the ID. He told Operations Control that he believed that Maloney's faculties were not intact and that they would bring him in for further questioning and investigations.

When Headley returned, he told Maloney that he would like him to accompany them to the Police Station to interview him. These may have seemed like ominous words to a young man of extreme sensitivity as we knew Maloney to be. D/Sgt. Headley told Maloney to put on his clothes. Maloney put on his shirt and pants and seemed to indicate he was ready. Maloney was at this time smiling, they both report. D/Sgt. Headley pointed out that he had not put on his boots. Maloney replied that he had been told to put on his clothes but not his boots. He cooperated nevertheless, zipped up his bag and placed it on his right shoulder. He began to walk between the police officers towards the van. The officers maintained stoutly that they did not touch him at any time nor did they seek to restrain him.

Collymore corroborates that up until the time he was looking he did not see the officers making physical contact with the man on the cliff. The officers said that given the nature of their dialogue with I'Akobi Maloney, they saw no need to hold onto him. They seemed to feel it was an amicable interaction but that Maloney may have been acting a bit "strange."

But as they were walking to the vehicle, Headley slightly ahead and to his left, Walkes a step behind and to his right they suddenly realized (rather than saw) that Maloney had dropped his bag and turned swiftly from them and had run towards the edge of the cliff. Walkes said he was taken completely by surprise but as soon as he collected his wits, he turned and ran after Maloney but by then he had gained about 20 feet ahead of Walkes. Headley turned in time to see him running away from them and Walkes giving chase. Walkes and Headley both claim that as Maloney reached the edge, he jumped off without hesitation. They ran to the cliff's edge and looked down and saw that he had landed on a flat rock shelf. Walkes and Headley said this was some 80 feet below but one can only suppose that this is how it appeared in their traumatised state. Scientific measurement of the drop indicated it was about 40 feet.

Maloney was still alive and scrambling to his knees but at the same time a huge wave broke on the shelf and over him and the surf turned red with his blood. The officers said they realised he was badly injured. Walkes shouted and begged him not to move, to stay where he was on the rock. Maloney looked back up at them and then rolled off the shelf into "the raging sea", as they both put it.

Headley ran back to the van and reported to Operations Control. He requested Coast Guard assistance. It was then 5:30 pm. He returned to the cliff edge where Walkes was still shouting out Maloney's name; telling him to stay on the rocks; whistling to get his attention while the sea battered his body below. Walkes was running along the cliff's edge as the tide took Maloney further and further away. After seeing the very rough waves beating about him, the officers saw when his body became motionless and appeared lifeless. His body floated for a while and eventually submerged under water.

Meanwhile Anthony Collymore, having made his thank you call, then heard a motor vehicle passing in front of his house and noted that it was a Barbados Defence Force van with a police officer and Barbados Defence Force soldiers in it. They asked him for directions to the cliff. He gave them directions but assured them that everything was now under control, based on what he had seen. The officers told him the contrary and said the man had jumped into the sea and they sped off. Collymore then decided to go to Land Lock to see for himself what was happening.

When he reached the cliff he saw the same man he had seen 'stooping' on the cliff. But this time the body was floating in the water and appeared to be lifeless. He asked the officers he had seen disembark from S940 what happened and they said the man jumped. Collymore maintained he did not tell the officers he saw

what happened, because he did not. He did not continue looking after he saw the man putting on his clothes.

As the various units of police heard the news on VHF radio, they converged on Land Lock. None of them had looked towards Land Lock at any time, while at Cove Bay or the Risk so could not corroborate what happened between the officers and Maloney.

However given the timeline and putting together all their responses, along with Collymore's, the missing segment of time is just the five minutes referred to earlier.

All the officers reported seeing the body below the cliff being battered by the waves against the rocks and that eventually the rough seas drove the body onto the rocks and his head was trapped there while his body was still being tossed to and fro.

The Coast Guard had responded to the urgent call for help, and they did attempt a rescue but was forced to withdraw because the seas were too rough. This led to some confusion about what the family was told by Reece and Dottin who were detailed to inform the Maloney family of the tragic event. They erroneously told Mrs. Maloney that the search was called off because the area was too dark and dangerous and that there was no point her going to the scene.

When Reece and Dottin left Land Lock there was a temporary halt in proceedings because the first Coast Guard mission could not effect a rescue, but S/Sgt. Crichlow withdrew to Holetown and from there enlisted the aid of Major David Binks, Disaster Preparedness Officer of BDF, who then came to Land Lock with Crichlow to assess the situation. Major Binks observed that the head was trapped

between the rocks and that the body was being heavily battered by wave after crashing wave. He decided that the body had to be retrieved immediately, despite the darkness and the danger because (1) the tide was coming in, (2) the body would soon be battered beyond recognition if the rescue team waited until daylight.

At first Major Binks was of the view that the Special Operations Company would have to go down the cliff side by way of rope with a safety life line at the cliff top, but the locals, who had by this time foregathered in their numbers, pointed him to a small crack down the cliff side which had been made into a treacherous track down to the base of the cliff. The Special Operations Company, experts in search and rescue, were summoned.

Lance Corporal Corey Applewhaite with a team of five from that company were shown this track by Major Binks when they arrived at Land Lock at 11:15 pm. The team of divers descended the cliff. Applewhaite and Marson Morris, an expert in water rescue and specially trained in recovery operations from cliffs, gullies and other dangerous terrain, went into the sea at the base of Land Lock cliff. They made several attempts to remove Maloney's body where the head was trapped between the rocks. They were unsuccessful against the fierceness of the huge waves which were lashing the body onto the rocks. They then decided that they would use their safety rope to tie around his feet. This rope was originally intended to haul them back up if they were in danger of being washed out to sea. After six to eight attempts they were able to secure the rope around his feet.

Det/Con Kevin Boyce was assisting with the rescue operation and he then went back to the top of the cliff and along with other BDF Personnel, CERO officers and Coast Guard walked the rope along the top of the cliff in a northerly direction

until the body, by that force, was unwedged from between the rocks. They then allowed it to float back to the flat rock where rescue could be effected.

Det. Con Boyce, came back down the cliffside and along with Ordinary Seamen Small, Lance/Corporal Applewhite, Morris and others eventually succeeded in placing the body in a wire basket which was hoisted back up to the top of the cliff.

All these persons attested to the fact that the body had multiple abrasions, and lacerations which they saw as it was being battered by the waves lashing it against the rocks. They estimated that they removed the body about 25 metres to the right of where the officers alleged that Maloney had jumped.

To quote the words of Private Marson Morris –“The terrain in the area of the rocks and the water appeared to be rough, with the waves pushing against the rocks and this made the retrieval difficult. The man was tightly wedged between the rocks and Lance/Corporal Applewhite was making an effort to push the body from between the rocks but because of the tough terrain it was extremely hard to get him out”.

In our search for justice and truth in the matter of the untimely and unnatural death of Maloney, we must not fail to stop and consider how dangerous this work was, how heroic these men were in attempting and succeeding in this remarkable retrieval operation. The Court is urging all involved to acknowledge and applaud the heroic efforts of Major Binks, Applewhaite, Morris, Det. Kevin Boyce and all the others.

Dr. Jasmine Crump, Police Medical Officer came to the scene and pronounced death at 01:45hrs. Even here we had some confusion because at one stage she said 11:55 on 18/6/2008 but this seems to have come about because she was

summoned at that time but had to wait there for some considerable time because the rescue had to be completed. It was eventually settled that her pronouncement was indeed 1:45 am on 18/6/2008.

It was this sort of uncertainty about some of the details that led to the great misgivings in the hearts and minds of the Maloney family which would have been exacerbated by a general mistrust harboured by the Rastafarian community in their dealings with the Police.

Mrs. Maloney was given incorrect information at the outset. One suspects innocently so, but in the circumstances it set the tone for a plethora of misunderstandings, accusations, vicious rumour, gossip and unnecessary antagonism. She was informed of the death of her son at about 9 pm on 17/6/2008 by Sgt. Reece and Con. Dottin. It is to be noted that his body had not yet been retrieved nor death pronounced. According to her she was discouraged from going to Land Lock, she was told she would not be able to recognise him because his face was all smashed up. She was told, she said, that she would be informed in the morning about the resumption of the search. No call came. From that point she went from police station to police station and eventually to Forensic Sciences Centre making some wild charges, largely because there was either lack of information or incorrect information and so the controversy escalated.

The Court is not condoning any of this hysterical or unbridled behaviour but it must be recognised that a lot of this confusion could be minimised by lines of communication being clear and straight forward. It is not proposed here to go into all the details of misapprehension; suffice it to say that Mrs. Maloney states one set of facts and these are vigorously denied by the Police. The Court will now only deal with what it considers to be the true state of affairs.

There is no doubt despite protestations to the contrary that Mrs. Maloney's encounter with Reece and Dottin on 17/6/2008 was unfortunate and the matter not sensitively handled. This was evident even in the Court where a certain hostility was demonstrated by Dottin, even towards the Court itself.

Mrs. Maloney in turn, in her search for information, went to the Police Station at Crab Hill and vented her spleen on the hapless S/Sgt. Morris who sought only to assist. At Holetown, mother and son seemed to have reacted very negatively as well to Headley's attempts at sympathy and his description of how traumatized he was by the ordeal. Finally, Mrs. Maloney and family went to the Forensic Sciences Centre, although asked to wait to be accompanied by S/Sgt Morris and terrorized Rashida Francis, Forensic Support Officer, into allowing them to see the body, which at that time had not yet been officially submitted by S/Sgt Morris.

They went to the extent of manhandling the body which meant that forensically the evidence was tainted. They managed to get blood from the body on their clothes and trekked it through the lab.

Finally they sought to stop Dr. Winskog, Pathologist from carrying out the Court order, mandated by the Court, to conduct a Post Mortem. At no time did they approach the Coroner with their concerns so that it was not possible to address them by way of ensuring that their chosen representative observed the autopsy or make any other order.

Dr. Winskog did conduct the Post Mortem examination. He found that the primary cause of death was drowning but a secondary cause was a ruptured liver and multiple head injuries with a swollen brain which were as a result of blunt force trauma consistent with a fall from a great height. As he pointed out, the liver cannot be ruptured by a kick or being hit with a fist. The lacerations he found



could only come about from a fall from a significant height. There was no hole in the back of the head as alleged by the Maloney family. No drugs or alcohol was found in his body.

This Court is satisfied, given the evidence, not just of police officers, but onlookers, Coast Guard Personnel, Dr Crump, Shawn Hall of Two Sons Funeral Home who removed the body from Land Lock as well as the Special Operations crew of the BDF that the lacerations, cuts etc. found on Maloney's body are consistent with the battering his body received at the foot of Land Lock cliff while they tried over several hours to retrieve it from the watery depths. The Court, from the evidence, adduced cannot therefore make a determination that he was beaten before being thrown over the cliff.

Walkes and Headley were issued with firearms and ammunition. These were not discharged or used during the encounter. Counsel for the Maloney family may well contend that this information comes from the Police themselves and may therefore be tainted. But no one at Pie Corner, all independent witnesses, many of whom gathered after the tragedy, heard a gunshot and Land Lock is a wide open area and exceedingly quiet. Anything like a gunshot would be heard for miles around.

#### Analysis of Evidence

1. It is very unfortunate that at the material time, the sole independent witness turns away from the window and it is somewhat hard to believe that someone who had taken such a keen interest in what is going on in his neighbourhood would fail to maintain his watching brief. But one must give some credit to his view that he believed all was well, as the young man was getting dressed, apparently in preparation to leaving with the Police. Indeed he said as much to the BDF soldiers as they passed by him

later. There was also some suggestion by him of intimidation by the Maloney interests when they visited his house the next day but maintained that this did not prevent him from telling the truth, the whole truth and nothing but the truth. Clearly, he did not allow himself to be pressured by Police, if indeed they sought to do so, as suggested in this Court. If he had, he would not continue to insist that he saw only so much and cannot swear to anything more.

2. If the time line, as indicated, is accepted and it must be, since it is well corroborated and supported, then the window of opportunity is a mere five minutes.

What can the police officers do to Maloney in five minutes to procure his death, with, for all they know, the whole of Pie Corner watching?

It is a wide open area. You can see 'forever' so to speak. The officers on a bright afternoon at about 5 pm would have no idea who can see them and they would have felt totally exposed.

Even if they do not know who else is watching, one thing they definitely know is that there is a male caller to Operations Control who had the coastline under observation using binoculars and who had reported his findings. They would not know and cannot tell that Collymore has turned away from the window.

Maloney was, it is established, a big fellow, and a martial arts expert, a black belt, even if somewhat weakened by back pain. At 6ft 3" and over 200 pounds as the interviewing officers believed him to be, the officers interviewing him would have been no match for him.

3. Nevertheless the encounter did end badly. It is the view of this Court that while Maloney felt fairly comfortable talking to these two officers in that wide open space, going to the station with them was a completely different story. We have referred earlier to the tension, mistrust and sense of victimisation harboured by the Rastafarian community vis `a vis the Police. There may be some merit on both sides, as evidenced by Collymore, that there is a level of profiling when dealing with Rastas. There may be an assumption that there is a matter to investigate then it comes to Rastas. Since there is a perception that Rastafarians believe that the use of marijuana is an integral and essential part of their religious observance many people go to the next stage and believe Rastas must be involved in illicit drug activity. On the other hand the Rastafarian community have become paranoid and seem to live in the constant fear of victimisation and perhaps look for it where it does not exist.

However in this particular instance, profiling, at least on the part of Walkes, was very unlikely. Headley did admit that he was treating Maloney as a suspect. But it was Walkes who felt, perhaps over reacting himself, that Maloney was "not all there" and indicated this to Headley. Walkes' own family history predisposed him to this interpretation of events: It includes a Rastafarian brother who committed suicide by hanging and his body discovered by Walkes. He is very sensitive to psychiatric problems, having seen his brother caught in an identical struggle. Walkes may have jumped to conclusions about Maloney, given his own experience but certainly he would not have been the one to seek to victimize the young man because he was a Rastafarian.

I have made references to a diary which I have used to corroborate some of what was alleged by various witnesses. This diary was identified by Mrs. Maloney as

her son's diary and the handwriting expert, Sgt. Nola Murphy has satisfied the Court that the entries therein were made by one and the same person. This handwriting was compared to known samples of Maloney's handwriting and found to be identical.

The Court therefore considered a significant entry made on the day of his death. He is apologising and is asking for forgiveness. He says it is too late. He spoke of a secret he should not have divulged. He writes: "I hope my family can understand. I never want to betray their trust. So I actually showed all my emotion, the deal is struck. Of course I never planned for this. How about the truth. Lie for fools. This was not in the plan, you could have let me off the hook, knowing all you did" etc, etc. He ends: "I got you all talking but I'm still keeping the silence."

These entries were compared with his poetic writings which Counsel provided. In the comparison the Court found that these entries were not poetry and did not conform to his usual style of writing.

However, the general interpretation of the diary entries is not conclusive. Dr. Ermine Belle, Psychiatrist, gave evidence that suggested he was a troubled young man but stopped short of saying he was depressed as did all of those who knew him well. Consequently these entries to my mind are also equivocal.

The question of homosexuality being the dark secret that he held within his bosom and was seeking forgiveness for, was also explored by the Court, particularly as some of his associates may well had such tendencies as evidenced by the testimony of Shon Boyce and James Walker. However, we can find no such indication by anything written or spoken by Maloney – nor by any of his friends or associates. Such an allegation would hang merely on the questionable evidence of

**Shon Boyce** who admitted that he did not know the man he saw at Collymore's apartment by name and certainly Boyce gave us the wrong description as it relates to height and colouring.

The evidence that the Court would rely on is that provided by Maloney's own writings, both his poetry and his diary which demonstrate the usual preoccupation of red-blooded heterosexual male. Both sets of writing revealed a deep and abiding interest in women. There were several references to the power of women to seduce and to confuse. He railed against their cheating ways and seemed to have a preoccupation about trying to choose between two women: "I want to choose but I don't want to lose. What I will do until my mind is true – meditate a little, wait a little and then make a move." He also wrote: "In the night time you occupy a lot of my time, thinking which and how many of you could really be mine." Another notable line read: "Monogamy is hard in the face of beauty." In all of these writings the context was clearly about women.

Consequently we reject the evidence regarding homosexuality. The intimation that there was a fight between Collymore and Walker which involved Maloney on the day of his death, is unproven and without merit.

There is also no indication that Maloney was in any way deranged. The reference that was made in the statements of Headley and Walkes about red eyes and strange looks may well have come from the fact that he was at that location for many hours in the hot sun and had been swimming. There is however some evidence that his father spent some time at the Psychiatric Hospital on more than one occasion and there is evidence also that his paternal grandmother is an out-patient of the Psychiatric Hospital. There are unconfirmed reports that David Maloney, his father, had attempted suicide but this does not necessarily add up to I'Akobi Maloney having similar affliction.

The Court is not satisfied that I'Akobi Maloney set out for the Cove with any intention to commit suicide. Indeed his resignation from his job is equivocal. If he was going to kill himself, there would be no need to resign. Death, after all, is the ultimate resignation, without more. However, he was a bit down about future prospects and his back pain. He wanted to go back to Trinidad and Tobago where he felt the grass was greener. But all the evidence from friends, family, associates and colleagues suggested that he intended a future there and was in no way fatalistic.

There was some suggestion that Maloney's body was not at Land Lock at all but was actually at Cove Bay, where obviously it was more salubrious. There was a suggestion that if he had gone over the cliff at Land Lock, his body would not have drifted south to Cove Bay. Local fishermen said that either way is possible and the experts from the Coastal Zone Management Unit also said there is no definitive current pattern which would dictate where his body would drift. The Court accepts that Maloney was at Land Lock and his body drifted southwards.

Additionally, the Court continues to rely on the independent witness. Collymore's second call to thank the Police for their rapid response was apparently not recorded, although Grace Boyce-Codrington said it was and could produce such evidence. In any event she was clearly in error when she stated that the first call came at 4:43 pm and then the second at 4:56 pm from the caller thanking the Police for the rapid response, which meant that they had responded and arrived at Land Lock, St. Lucy within 13 minutes! It was eventually clarified by Sgt. Kelvin Browne who stated that only reports of a sensitive or urgent nature are electronically recorded. Calls of a complimentary nature, such as a thank you, are not recorded so the time of receipt could not be verified. However, given

Collymore's evidence of his encounter with the Barbados Defence Force soldiers, the Court is satisfied that the call was made in the time frame suggested.

Then there was the caller who anonymously tried to convince the Court that he was hiding in the bushes and saw the police beat Maloney and tried to put him in the van and when they did not succeed, threw him over the cliff. That caller refused to give evidence in Court, which is the only way we can proceed. In any event we have searched in vain for bushes at Land Lock and have found none.

The Court must express some dissatisfaction with the status of some of the Police evidence which would only engender more concerns. Statements seemed to have been prepared too long after the event, although there is ample evidence that entries had been made in the station diaries. Statements showed a high degree of collusion. While the Court accepts that facts are facts, some of the statements are coloured with very expressive terms of highly subjective perceptions, which could not possibly be shared so exactly with another. This tailoring of statements could lead to unnecessary difficulty and appearance of duplicity where none exists. This Court is satisfied that there was no conspiracy to conceal, but the appearance of it obviously presented some concern.

Instead, the Court would suggest that where police officers perceive that there is an open and shut case of suicide, it would appear that not much attention is paid to the possibility that the matter still needs to be thoroughly investigated before such a verdict is returned. This rush to judgement or knee jerk reaction is all too common, as in this case leading to unwelcome controversy as well as insufficient investigation. This concern also extends to the fact that at least eight other officers had converged on the area and yet all of them focussed on the boat out to sea without looking to the right or the left. This included even those at the Risk, St Peter, who had a panoramic view. This was unfortunate and could have solved the

problem of the five minute gap. Many of the Officers had not even prepared statements until required to do so by the Court. In all of this it has to be appreciated that the lead investigator, ASP Harvey did leave the country before investigations were completed and in the interim, the file was passed to the Court. One suspects that this came about because of the pressure being applied through all possible media and the resultant controversy unduly charged the atmosphere around Maloney's death.

### Possible Verdicts

The Court will now look at the possible verdicts which could be returned.

#### Open Verdict

An open verdict is one where a substantial body of facts cannot be proved; that there are further matters to be investigated and that the question of how the deceased came to his death cannot be answered with any certainty because the circumstances are unclear. To quote Jervis on Coroners, Page 196, Section 16.19: *"if there is insufficient evidence to record any of the other suggested verdicts, an open verdict may be recorded. It should be noted that an open verdict is thus only to be used in the last resort if there is insufficient evidence to enable the coroner or the jury to reach one of the other verdicts. Furthermore, the fact that there may be uncertainty as to other parts of the inquisition, for example as to the precise cause, time or place of death, does not authorise recording an open verdict if there is sufficient evidence to record how the deceased came by his death. In other words, the coroner or jury should not fail to reach a positive verdict merely because there is some doubt on some minor point."*



The Court takes the position that sufficient evidence is recorded for us to reach a verdict, even if not one hundred percent. There is some doubt about certain details but in the view of the Court most of the evidence is conclusive. The Court therefore rejects the submission of Counsel for the Maloney family, Mr. Andrew Pilgrim, that the correct result of these hearings should be an open verdict. We know what happened, in that the overwhelming majority of the evidence before the Court is corroborated; the missing details are not enough to leave the matter open.

### Unlawful Killing

Does this move the Court to a verdict of Unlawful Killing? There is no evidence to substantiate this. The Court finds that there is enough corroboration by an independent witness as to important aspects of the evidence of the officers. So to suggest that Headley and Walkes could have physically harmed I' Akobi Maloney in a way that could lead to his death would be to reach a verdict which would be unjust.

Indeed it is contra-indicated: Maloney was not one of your "usual suspects." He had no record nor was he wanted by the Police. They searched his bag and found nothing suspicious. He was co-operative; he was coming with them willingly; he did not show aggression, hostility or resentment. He was polite and compliant. We would have to ask the question why would the Police involve themselves in actions which could only reap the whirlwind, while the world was watching? There was nothing to obstruct the view of practically the whole village of Pie Corner. The window of opportunity was a mere five minutes for matters to take a tragic turn. Five minutes in which the Officers would have had to render Maloney unconscious; lay hold of his inert body and toss it over the cliff in the full view of

*In practical terms this means that the verdict will only be returned where it is shown beyond reasonable doubt that:*

- the death occurred as a result of a deliberate act by the deceased and*
- that in doing so (and at all material times) he intended that the consequence would be his own death.*

Section 9.14.2 states “*The verdict of suicide carries the higher standard of proof of ‘beyond reasonable doubt’...*”

*It is clear that suicide can never be presumed but can only be based upon unambiguous evidence that the deceased intended to take his life. In recent times the test has been described as ‘have all other possible explanations been totally ruled out’.*

The Court is not satisfied as to intention.

### Misadventure

The finding of misadventure is based on the following:

*“Misadventure indicates some deliberate (but lawful) human act which has unexpectedly taken a turn that leads to death.”* (Jervis, Page 194, Section 16.15)

Maloney has spent the entire day from about 11:30 a.m to about 5:00 p.m in the sun. He has been in and out of the sea and has been at Land Lock gazing down on what is after all a powerful and majestic sight. Descriptions of I’Akobi Maloney suggest an almost perfect human being but he had an Achilles heel which was part and parcel of his sensitive nature. His poetry revealed the mistrust of police which permeates his community and which it is suspected led to a heightened sense of

fear and perhaps unreality. He felt he had to get away from these fellows and there was no way to go but down the cliff.

The Court is of the view that the Officers, though well meaning, represented to Maloney's fevered imagination, harassment, a feeling very prevalent among some young persons. It is noteworthy that his decision to run from them came only after they said they would take him to the station. The Court's view is that he was now convinced of danger, however imaginary. He had a misguided perception of menace, he panicked and made a sudden dash for freedom which ended tragically beneath the cliff. Did he intend the consequence of his actions? It is the Court's thinking that this tragic turn of events came about from misunderstandings all around and as such qualified as deliberate actions with unintended consequences.

### Conclusion

It is necessary to emphasise that the object of an inquest is to arrive as close as possible to the truth. It is not about where the investigation starts, the investigation continues with the Coroner. The Coroner is an independent judicial officer operating without any fear or favour. As promised at the beginning of these proceedings, this Court was prepared to look closely at every iota of evidence and try to do justice to all. Therefore in the view of this Court whether evidence came from the Police or any other source did not necessarily mean that the evidence would be believed without question, it would still be tested against all other evidence.

The Court wishes to make a recommendation that the Royal Barbados Police Force must seek to improve relations with the Rastafarian Community. There is a great deal of mistrust and fear of victimisation which may have arisen out of a

perception that there is some profiling. It was very evident throughout this inquest that there is a great deal of tension and suspicion.

On the other hand the Rastafarian Community must seek to overcome their instinctive reaction that the Police intend to do them injustice, if not physical harm. Some of the actions of that Community suggest that they are harbouring a victim mentality and there is a ready assumption that every move or motive of the Police is sinister where this is not intended. It is posited that an unfounded fear that in any dealing with the Police would mean that he would be wrong footed possibly drove Maloney to flee and put distance between him and the Police. Even before and during these proceedings the mistrust and hostility, manifesting itself through threats and intimidation, were very evident. Intimidation, if successful, can only serve to obscure the truth. There is a need for serious repair on both sides.

There is also need to caution Counsel who should at all times operate as Officers of the Court. They should advise clients against displaying unwarranted hostility and aggression to the Court in the misguided notion that it is part and parcel of the Police Force. They should have been disabused of this notion. There may be justifiable grounds for concern about whether people are treated with due respect or whether there is proper communication, but at the same time some aspects of the legal system need to be explained to that community by Counsel so that they can arrive at the right conclusions. One speaks particularly to matters relating to Post Mortems where an explanation could have gone a long way to calm a heightened situation. Some advice appeared to have shed more heat than light.

One of the roles of the Coroner's inquest is to allay fears and suspicions; to end speculation, rumour and gossip. This is always a primary objective of the exercise

**and as** such its deliberations should be respected for its attempts to be impartial, **just as** it strives to ensure that each person or entity before the Court is respected.

It **must be** emphasised to the Maloney family and friends that the Coroner cannot apportion blame or name a particular perpetrator. An inquest does not do that. It is not a trial. The inquest is designed to answer questions about an unnatural death: Who? When? Where? and How? Additionally the Court should determine if there is any criminal responsibility for the death (see Coroner's Act, Cap. 113 Section 14). It appears that they are unaware of the limitation to the jurisdiction and this should be explained.

Having said all of that the Court has come to the conclusion that based on all the facts which could be taken into consideration, given the time line that was established starting at 5:30 pm on 17/6/008 and ending with Maloney's retrieval at 1:45 am on 18/6/2008 we are left with only five minutes of unaccounted time. The Court's view is that five minutes is not a big enough window of opportunity for him to be beaten and or killed by anybody unless he was shot. No gunshots were heard in the nearby community, nor were gunshot wounds found on his body, so that has to be ruled out. Neither was there any clear intention that Maloney had planned to die, but he died nonetheless, in circumstances where, the Court believes, this consequence was unintended.

The verdict of the Court is **Death by Misadventure.**

*F. Marshall-Harris*  
.....  
Faith Marshall-Harris  
Coroner / Magistrate

24 April, 2009

.....  
Date

# Forensic Sciences Centre

## Office of the Attorney General

### POST MORTEM EXAMINATION REPORT

(Coroner's Act, Cap.113)

At the request of Magistrate, F. Marshall-Harris, Coroner for Barbados, I examined on June 20<sup>th</sup> 2008 the body of the deceased person, as named below, at the Forensic Sciences Centre in the parish of St. Michael and I submit the following Report:-

### PARTICULARS OF ENQUIRY

PARTICULARS OF THE DECEASED From information received	
NAME	I'Akobi Maloney
DOB	
ADDRESS	Hutson's Alley, Reed Street, St. Michael
PLACE OF BIRTH	Barbados
OCCUPATION	Trainee Chemical Engineer
DATE OF DEATH	2008-06-17
NAME AND ADDRESS OF PERSON IDENTIFYING THE BODY AND RELATIONSHIP (IF ANY)	Marguerita Maloney (Mother)

### SCHEDULE OF OBSERVATIONS

#### A-GENERAL

1.	SEX	MALE	2.	AGE	23 years
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# ADMINISTRATIVE INFORMATION

## PRESENT DURING THE POST MORTEM EXAMINATION

**Rashida Francis** from Forensic Sciences Centre. Officer from the Royal Barbados Police Force S/Sgt 845 Morris.

## IDENTIFICATION

The identification was done by Marguerita Maloney on the 18<sup>th</sup> of June 2008 at 2:32pm.

## MATERIAL TAKEN FOR ANALYSIS

Blood and urine was taken for toxicological analysis.

## DOCUMENTS AND MATERIAL SUBMITTED TO THE FORENSIC SCIENCES CENTRE

The submission of the body was done by S/Sgt. 845 Morris, June 18<sup>th</sup> 2008.

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Statement

# EXAMINATION PROTOCOL

## III EXTERNAL EXAMINATION

### Body constitution:

The body is that of an adult male.

### Post mortal changes:

The body show no rigor mortis.

### Head:

The head is covered with a long black hair. No injuries can be seen in the area covered by the hair. The scalp is swollen. On the left side of the face, in the area of the eyebrow, there are multiple superficial lacerations engaging the upper layer of the skin. No bleeding can be seen in the tissue under the lacerations. On the right corner of the left eye lid a half circular superficial injury is present. No bleeding can be seen in this area. More to the left on the left eyelid another superficial laceration is present. This injury is round and also has a small straight part. These injuries show no bleeding. On the nose an irregular superficial injury where the skin is lacerated is present. No fracture on the nose is present and no bleeding can be seen in the tissue under the laceration. Spread in the face, on the forehead and under the left and around the right eye small superficial lacerations can be seen. The white of the eyes are uninjured. The lips and the surrounding area show no signs of injuries. The mucous membrane of the mouth is uninjured. The inside of the lips are together with the teeth uninjured. The ears are uninjured.

### Throat and neck:

No injuries are present on the neck or at the throat. The neck is stable and moves within its normal range.

### Right arm:

On the outside of the right upper arm an irregular 5x6 cm large area of superficial laceration can be seen. No bleeding can be seen either in the laceration or in the surrounding tissue. On the wrist an 2,5 cm long superficial laceration can be seen. The laceration shows irregular borders and a small haemorrhage can be seen in the bottom of the injury. Small superficial lacerations can be seen on the right hand. No fractures are present on the right hand or arm.

### Left arm:

When the outside of the left upper and lower arm together with the hand, multiple superficial lacerations can be seen. No bleeding can be seen. A few lacerations are slightly deeper and show a haemorrhage in the bottom but they are similar to the rest of the lacerations. No fractures are present on the left hand or arm.

On the right side of abdomen, 6 cm above the hip bone, a dark elongated 10x5 cm large area is present. The borders are distinct and in this area a small superficial laceration is to be seen. Covering the torso multiple superficial lacerations without any bleeding can be seen.

When the right leg together with the foot, multiple superficial lacerations without any bleeding can be seen. A few lacerations are slightly deeper and show a haemorrhage in the bottom but they are similar to the rest of the lacerations. No fractures are present.



**Left leg:**

Covering the left leg and foot, multiple superficial lacerations without any bleeding can be seen. A few lacerations are slightly deeper and show a haemorrhage in the bottom but they are similar to the rest of the lacerations. At the knee a deeper round shaped cut is present. Only the bottom of the injury show bleeding but the rest of the injury is without bleeding reaction. A group of long superficial lacerations are present on the lower leg. No bleeding is present but a red colour can be seen. No fractures are present on the leg.

**Genitalia:**

No injuries are present on the genitalia or in the surrounding area.

**Other external observations:**

No faeces can be seen in the rectum.

**C-INTERNAL EXAMINATION****Head:**

The skin of the skull displays multiple areas of bleeding spread over the upper part of the scalp. No lacerations can be seen. The normal bone display no injuries or bleedings. No fractures or bleedings can be seen in the base of the skull. The hard outer yellow white meninx is uninjured and no pathological changes or underlying bleedings can be seen. The arachnoid membrane displays a normal shiny surface without any underlying bleeding and the membrane detaches easily from the surface of the brain. Signs of raised intracranial pressure are visual on the brains surface with a flattened appearance of the sulci and gyri. The size of the brain is normal. The cerebrum is sliced in sections without any trace of other pathological changes than oedema. No pathological changes can be found in the sliced sections of the cerebellum. The brain stem is sliced without any trace of bleeding or pathological changes. The sub brain major blood vessels have a normal pattern and no ruptures, plaque or hernias are visible.

**Throat:**

The mucous membrane of the upper part of the food canal has a normal appearance without any blocking objects or pathological changes. No enlarged blood vessels are to be found. The thyroid gland has a normal appearance and the sliced surface reveals no pathological changes. The bones in the tongue and the hyoid bone are uninjured and no bleeding is visible in the adjacent soft tissue. The tongue has a normal appearance and the sliced surface reveals no pathological changes or signs of bleeding. The vocal cords have a normal appearance without any pathological changes.

**Chest:**

The upper part of the windpipe displays a yellow white surface without any blocking material or bleeding. In the lower parts of the airways the surface looks normal with a white color and clearly visible rings of cartilage. A small amount of liquid can be found in the airways. No other blocking material, bleeding or other pathological findings are made in the lower airways or in the small bronchi. The lung veins and arteries have a normal appearance and no blood clots can be found in the vessels.

The heart displays a normal size and shape. The pericardial sack has a normal thickness and it moves easily against the surface of the heart. No infiltrations can be seen in the sack. The auricles and the atriums display no blood clots or abnormal growth. The valves moves smoothly and closes accurately. No

Infiltration can be seen on the valves. The muscle of the heart has a normal size and thickness and shows no signs of previous or recent damage to the tissue. The coronary arteries show a normal passage over the heart muscle and display no signs of infiltration, narrow passages or blood clots.

The surface of the lungs displays a dark red color and no adhesions to the pleura can be seen. 500 ml of blood can be seen in the left lung cavity and 400 ml in the right. No signs of coal infiltration are visible on the surface of the lungs. No enlarged lymph nodes can be seen in the mediastinum. The sliced surface of the lung tissue does not display any bleedings. The lungs are inflated and the tissue displays a large amount of vascularization. No other pathological changes can be seen. The tips of the lungs meet in the middle of the mediastinum. No other pathological changes can be seen.

#### Abdomen:

The aorta has normal appearance and displays no signs of infiltration in the vessel. No strictures can be seen in the kidney arteries. The adrenal glands are found at the normal anatomical location. The sliced surface displays a normal brown cortex and a yellow marrow. The kidneys have a normal size and shape. The sliced surface displays a red cortex with normal thickness and a sun feather shaped normal marrow. The renal medulla and urethra shows on both sides a normal appearance without dilatation, strictures or kidney stones. The mucous membrane of the duodenum has a normal appearance without any bleeding or ulcers and the opening of the bile duct is normal. The bile system together with the gall bladder displays a normal appearance and no strictures or blocking material can be seen. The stomach has a normal white appearance and no bleeding, ulcer or redness can be seen. The stomach contains no blood or parts of organs. The location of the pancreas is normal together with the size and in the sliced surface a normal appearance can be seen. No calcifications, bleedings or other pathological changes are present in the pancreas. The location of the spleen is normal together with the size and normal tissue with small white dots can be seen. The diaphragm muscle is uninjured without any ruptures or bleeding.

In the abdomen 250 ml of blood can be found surrounding the liver. The liver displays a normal size and shape. A laceration can be found on the left lobe close to the ligament. The injury goes through the liver tissue and in the sliced surface a tissue with hemorrhage can be seen close to the injury. No bleeding or other pathological changes are present in other areas of the liver. No fat can be seen on the blade of the knife penetrating through the liver tissue.

The small and large intestines has a normal appearance and the content is normal without any foreign material. The appendix is normal without any inflammation or pathological changes.

#### Uterus:

The bladder displays a normal appearance with a white surface and up to half centimeter wide ureters without any bleeding or pathological changes. The urinary canal orifices have a normal appearance.

The prostate has a normal size and shape. The sliced surfaces display a smooth tissue without any pathological changes.

The mucous membrane of the rectum has a normal appearance without any bleeding, enlarged blood vessels or other pathological changes.

#### Extremities:

The neck and the upper backbone are stable and the ability to move is within its normal range. In the chest the ribs and the backbone show no signs of injuries. The upper extremities are stable and without any injuries. The hip and the joint between the backbone and the hipbone are stable. The lower extremities are stable without injuries.

**D-ADDITIONAL INFORMATION**

Length: 180 cm

**Weights**

Full body	75 kg
Heart	290 g
Right lung	490 g
Left lung	510 g
Liver	1420 g
Kidneys	290 g
Spleen	130 g
Brain	1390 g

I, Carl Winskog, HEREBY CERTIFY that I performed a Post Mortem Examination on the body of the above mentioned deceased on June 20<sup>th</sup> 2008 at the Forensic Sciences Centre, Office of The Attorney General, St. Michael and the cause of death, together with the post mortem examination findings and their interpretation, is stated hereunder:

**Injuries**

Signs of blunt force trauma to the

- head with multiple bleeding in the scalp and a swollen brain
- abdomen with a laceration of the liver and blood in the abdominal cavity

Lacerations on the head, torso, arms and legs.

**Pathological changes**

Inflated lungs.

**Toxicological examination.**

No alcohol or drugs has been found in the blood.

**Cause of death**

The cause of death was in my opinion due to drowning. The injuries to the head and the liver were the underlying factor to the cause of death.

**Cause of injuries**

The injuries to the head and the laceration of the liver are consistent with a fall. The appearance of the lacerations and the deeper skin injuries suggests that they were caused by rubbing against sharp rocks while he was lying in the water and that he was dead when the majority of the lacerations where inflicted on him.

Signature:.....

Carl Winskog, MD  
Forensic Pathologist and Registered  
Medical Practitioner in Barbados

Forensic Sciences Centre on the 23<sup>rd</sup> of September 2008

  
Carl Winskog



COLLEGE OF PODIATRISTS

PODIATRIST

Podiatrist

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February 2009

**The Coroner's Court**

**Re: The Inquest of P'Kobi Maloney on 13<sup>th</sup> February 2009**

**Name:** Mr P'Kobi Maloney

**DOB:** 17<sup>th</sup> March 1985

**Occupation:** Trainee Process Engineer

**Address:** Hutson's, Alley Reed Street, St Michael

**Next of Kin:** Marguerita Maloney **Relation:** Mother

**Report**

This gentleman was first seen by me on 11<sup>th</sup> October 2007, complaining of a painful callus on the sole of his left foot under his 5<sup>th</sup> metatarsal phalangeal head (under ball of the foot near the fifth toe). He claimed that it started about June 2007, after he was working at the Arawak cement plant and had to be in boots for long periods of time.

On examination of the area there was a large diffuse area of hyperkeratotic tissue which would have been very painful to walk on. His boots and mechanics were assessed. The biomechanical assessment revealed a plantar flexed first ray and a tailor's bunion to the fifth metatarsal area which helped to encourage poor gait mechanics and encourage the build up of the hyper keratosis.

I see him every six to eight weeks depending on the previous visits report of discomfort. The aim being that there should be no pain in between visits. This aims to lead to longer periods between visits, and is a benchmark of improvement of the problem.

As part of his long term treatment plan he was issued a pair of inserts to improve his comfort.

*Comfeet.*

*comfort with every step.*

*Specialist in the design and supply of custom made orthopaedic footwear and supplies*



# Comfeet footcare clinic

Simone McConnie  
B.Sc., Pod. Med., HPC registered (UK)

## Podiatrist

---

Suite 1b, Pine Medical Centre, Belleville, St. Michael, Barbados  
Telephone: 246 436 6030 fax: (246) 436-9775  
E-mail: comfeet@caribsurf.com

I saw him on 22<sup>nd</sup> November, 2007, 24<sup>th</sup> January 2008, 28<sup>th</sup> March 2008 and he missed his last appointment which was on 22<sup>nd</sup> May 2008.

Report consists of two pages:

Written and prepared by Simone McConnie aka Simone Lorde Clinical Podiatrist at Comfeet Footcare clinic and the only person that saw Mr Maloney whilst attending this clinic. Ms Lorde is registered with the British Podiatry Association and is a member of the American Podiatric Association and is also locally registered with the Paramedical professions council of Barbados. Practicing as a Podiatrist in Barbados since 1994

The Contents of this report are true to the best of my knowledge and belief.

Signed by.....*Simone McConnie*.....

Signature.....*Simone*.....

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