

Partners

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**CALLENDERS**  
Counsel & Attorneys

FRMS:pyi:11174(3800)  
5<sup>th</sup> May, 2015

Mr. Ellison Greenslade  
Commissioner of Police  
Royal Bahamas Police Force  
East Street, North  
Nassau Bahamas

Dear Mr. Greenslade;

**Re: Directors and interested parties of Save The Bays Complaints  
against perpetrators of Hate Rallies-follow up to complaint lodged  
on 27<sup>th</sup> February, 2015**

We write on behalf of Diane Phillips, Frederick Smith QC, Joseph Darville, Francisco "Paco" Nunez, Reverend CB Moss and Louis Bacon ("the Victims") as a follow up to the complaint lodged to yourself on 27<sup>th</sup> February, 2015 against the perpetrators of criminal threats, intimidation and harassment by various public protests against them over the past 9 months ("the Hate Rallies"). A copy of the Complaint is again enclosed for your ease of reference.

On 25<sup>th</sup> March, 2015 (in or about a month after lodging the Complaint and not receiving a response), some of the Victims<sup>1</sup> subsequently met

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<sup>1</sup> namely Fred Smith, QC, Diane Phillips, Joseph Darville and CEO of Save The Bays, Vanessa Benjamin.

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with Acting Deputy Commissioner of Police, Stephen Seymour where they provided him with an oral account of the Hate Rallies and the fear and anxiety they now live with as a result of the same. The Victims confirmed that they required police investigation and police action. They also asked Acting Deputy Commissioner of Police to keep them abreast of any development in the investigation.

In response, Acting Deputy Commissioner Seymour undertook to review the Complaint and to conduct an investigation in respect of the same. We enclose a letter date 26<sup>th</sup> March, 2015 from one of the Victims, Diane Phillips (on behalf of the Victims) to Acting Deputy Commissioner Stephen Seymour briefly detailing the meeting.

To date, the Victims have not heard anything further from Acting Deputy Commissioner Seymour or yourself in relation to the Complaint.

Consequently, Diane Phillips has made numerous attempts to contact you and has left countless messages following up on the status of the investigation against the perpetrators of the Hate Rallies. She has yet to even receive the courtesy of a reply.

Two months have passed since the lodging of the Complaint and we have yet to receive a formal response and/or any indication from you as to whether an investigation has commenced against the perpetrators of the Hate Rallies.

Given the serious nature of the Hate Rallies and the Victims' continued fear and anxiety for their safety and well-being, we are concerned and disappointed, by your unresponsiveness to the Complaint.

## Commissioner's undertaking to take action against public verbal abuse

The lack of response to the Complaint is particularly shocking since, you have in the past given an undertaking to take action against perpetrators involved in similar matters to that faced by the Victims.

Such undertaking is documented in an article entitled "*Warning Over Use of Social Media*" published in the Tribune on 5<sup>th</sup> April, 2013 (copy enclosed). In the article, you stated that "*technology should be use for positive reasons, not to malign persons character.*"

You went on to make a plea to victims to report matters involving such abuse to law enforcement or to you personally, if they were of the view that an investigation was not progressing quickly. Further, you personally undertook to take actions against perpetrators in such matters and stated your intent as follows:-

*....." I demonstrate by action, how serious I am about that. I am prepared to speak to it again and again, until the message is clear. If you post on Facebook or any other social media anything that is contrary to law, that is obscene or indecent and it infringes upon the rights of any other citizen, this commissioner of the RBPF-I daresay all of us in public safety – are going to take action because we have a problem with that. We are not going to ignore it!*

You indicated in that article that "*we (i.e. the police force) have looked at charges already for any number of persons*".

# CALLENDERS

Counsel & Attorneys

Consistent with your undertaking, we have seen Rodney Moncur arrested and charged with "*committing a grossly indecent act*" for posting a picture of a man who died in police custody on his face book page. A copy of an Article entitled "*Rodney Moncur charged in Court over Facebook Pictures*" also published in the Tribune on 5<sup>th</sup> April, 2013 evidencing Mr. Moncur's arrest and charge is enclosed.

Additionally, in or about December 2014, following the private exploitation of rising singing star, Angelique Sabrina, she was publicly bullied by numerous persons on social media by the posting of various obscene and degrading comments. We understand that law enforcement intervened and assisted her by investigating those who were behind the bullying issued warnings to the perpetrators of the same. As a result, it appears that the majority of the personal attacks on Angelique Sabrina have been removed from social media.

Based on the foregoing, it would appear as if law enforcement has in fact taken action against those who publicly bully, defame, and verbally attack others. Unfortunately, despite the various attacks on the Victims and the large number of persons who have witnessed such attacks and/or may have been influenced by the same, it would appear as if law enforcement has taken a different approach in this matter from other recent cases and that which you expressed in your interview with the Tribune of 5<sup>th</sup> April, 2013.

Naturally, we are confused by this departure from precedent and as such seek an explanation as to why this matter has not garnered the same attention as those of a similar nature.

### **The Victims continue to live in fear**

As far as the Victims are aware, the perpetrators of the Hate Rallies are still at large and at minimum, there has not even been an investigation as to who are responsible for instigating the same.

As a result, of the Victims uncertainty of the identity of the perpetrators of the Hate Rallies and the influence their xenophobic, hate speech messages have had on other members of society, the Victims continue to fear the escalation of the Hate Rallies and/or being the target of racially motivated crimes. They live with constantly having to look over their shoulders.

### **Prime Minister Christie is threatened**

As you know, Prime Minister Christie was recently threatened as a result of opposition to his public opinion.

The threats to Prime Minister Christie was reported in a Tribune Article published on 12<sup>th</sup> March, 2015 entitled “*Extra Protection for PM After Threats*”, (copy enclosed). In the article, Prime Minister Christie admitted he had received violent threats which led to him having to increase security.

Prime Minister Christie also acknowledged the risk of violence against those who express public opinion that are opposed by others. He stated as follows:-

*“We have to be careful as leaders when we create public opinion that is interpreted by our supporters who might not*

*be as disciplined as us. That interpretation could manifest itself in violence being inflicted”.*

Prime Minister Christie’s comments have intensified the Victims’ fear that until appropriate measures are taken against the perpetrators of the Hate Rallies they are endanger of being continually defamed, threatened or even worse, targets of physical violence!

**Save The Bays’ members call for protection**

Unfortunately, unlike Prime Minister Christie, who has access to continued protection, the Victims have not been offered any assistance or protection from law enforcement nor have they even received confirmation that the Hate Rallies are being investigated.

Consequently, the Victims in an article dated 16<sup>th</sup> March, 2015 entitled “*Fred Smith QC: Christie not the only one living in fear*” published on bahamasweekly.com (copy enclosed), Fred Smith, Chairman of Save the Bays, was forced to resort to making a public plea on behalf of the Victims to Prime Minister Christie for his assistance in ending the Hate Rallies and protecting the Victims from potential violence.

Mr. Smith called on Prime Minister Christie to see to it that the Hate Rallies are investigated and the perpetrators of the same are punished. He also asked Prime Minister Christie to ensure that members of Save The Bays “*enjoy the same level of safety, security and peace of mind that he, his colleagues in Parliament and indeed any other member of this society deserves to enjoy*”.

**The Victims again call for an investigation of the Hate Rallies**

Despite lodging the Complaint and making a public plea to Prime Minister Christie, requesting an investigation of the Hate Rallies, as far as the Victims are aware, there has yet to be an investigation of the same.

Unfortunately, until there is an investigation and the appropriate measures taken against the perpetrators of the Hate Rallies, the Victims continue to live with fear and anxiety of being the target of continued attacks or racially motivated violence.

There appears to be a growing culture in The Bahamas of persons terrorizing, threatening and/or inflicting violence on those who hold public opinion that may differ from theirs. The Prime Minister has acknowledged this growing culture. As this sort of behaviour threatens the fabric of democracy upon which The Bahamas was built, a message needs to be sent, in our view that such behaviour will not be accepted in a democracy like ours.

In the circumstances, we again request that you undertake a full investigation of the Hate Rallies and take the appropriate measures against those responsible.

Yours sincerely,  
**CALLENDERS & CO.**

  
Frederick R. M. Smith, QC

Encls.