



WEST KINGSTON INCURSION COMMISSION COMPENSATION COMMITTEE

Telephone 906-4923 – 31

61 Constant Spring Road
Kingston 10

RECOMMENDATIONS OF THE COMPENSATION COMMITTEE

SUMMARY OF AWARDS – CATEGORY C - FATALITIES NOT CONSIDERED BY THE COMMISSION OF ENQUIRY

CLAIMS RECEIVED THROUGH THE ADMINISTRATOR GENERAL

TOTAL RECOMMENDATION FOR CATEGORY C: \$22,798,000.00

NAME		DATE KILLED	AGE AT DEATH	DAMAGES UNDER FATAL ACCIDENTS ACT ¹		DAMAGES UNDER THE LAW REFORM (MISCELLANEOUS PROVISIONS) ACT				COSTS	TOTAL RECOMMENDED ²
				Dependents	Loss of Dependency	Loss of Expectation of Life	Loss of Earnings	Special Damages			
								Funeral Exp. ³	Other ⁴		
Chusney	Carlos	24 May	37	1	NIL	150,000.00	850,902.00	160,000.00	N/A	100,000.00	1,261,000.00

¹ To avoid duplication, no recommendation is made under the Fatal Accidents Act where the recommendation under the Law Reform (Miscellaneous Provision) Act exceeds the recommendation under the FAA.

² **The Commission did not consider these fatalities; and so there are no findings of liability. The Committee's recommendations are therefore made ONLY for the purpose of providing a guide as to what would be an appropriate minimum award should the State accept liability, or consider it appropriate to make an ex gratia award.**

³ Where applicable, these amounts are net of burial assistance provided by the Ministry of Labour & Social Security

⁴ For example, costs of and legal fees associated with obtaining Letters of Administration

NAME		DATE KILLED	AGE AT DEATH	DAMAGES UNDER FATAL ACCIDENTS ACT		DAMAGES UNDER THE LAW REFORM (MISCELLANEOUS PROVISIONS) ACT				COSTS	TOTAL RECOMMENDED
				Dependents	Loss of Dependency	Loss of Expectation of Life	Loss of Earnings	Special Damages			
								Funeral Exp.	Other		
Edwards	Petrina	24 May	36	3	198,042.28 ⁵	150,000.00	2,836,340.00	56,000.00	N/A	100,000.00	3,341,000.00
Davis	Dexroy	24 May	24	NIL	NIL	150,000.00	870,285.00	75,000.00	N/A	100,000.00	1,196,000.00
Davis	Sheldon	30 May	29	N/A	N/A	150,000.00	789,685.00	100,000.00	N/A	100,000.00	1,140,000.00
Garrison	Damian	24 May	23	N/A	N/A	150,000.00	910,000.00	150,000.00	N/A	100,000.00	1,310,000.00
Malcolm	Peter Anthony	25 May	34	N/A	N/A	150,000.00	709,085.00	390,000.00	N/A	100,000.00	1,350,000.00
McFarlane	Matthew	24 May	23	2	NIL	150,000.00	2,062,970.00	400,000.00	N/A	100,000.00	2,713,000.00
Mitchell	George	26 May	25	2	NIL	150,000.00	1,134,536.00	400,000.00	2,000.00	100,000.00	1,787,000.00
Mitchell	Patrick	26 May	41	2	NIL	150,000.00	400,530.00	206,000.00	2,000.00	100,000.00	859,000.00
Nelson	Paul	24 May	44	1	NIL	150,000.00	328,731.00	200,000.00	N/A	100,000.00	779,000.00
Osbourne	Kenroy	24 May	32	2	126,985.00 ⁶	150,000.00	1,263,496.00	106,000.00	N/A	100,000.00	1,750,000.00
Spence	Errol	24 May	21	1	NIL	150,000.00	2,756,127.92	60,000.00	N/A	100,000.00	3,067,000.00
Whitter	Gregory	26 May	29	3	192,855.00 ⁷	150,000.00	1,643,655.00	156,000.00	2,000.00	100,000.00	2,245,000.00

⁵ This recommendation is for the child of the deceased born 1st July 2000. The two older children are sufficiently compensated under the estate.

⁶ This recommendation is for the mother of the deceased. The child of the deceased is sufficiently compensated under the estate.

⁷ This sum is to be equally shared (\$64,285.00 each) among the 3 children. The spouse is sufficiently compensated under the estate.

