

**A COMMISSION OF INQUIRY
INTO HISTORIC LAND LOSS
IN BERMUDA**

**CHAIRMAN
JUSTICE NORMA WADE-MILLER**

**COUNSEL
MR. DIRK HARRISON**

**COMMISSIONERS
MR. WAYNE PERINCHIEF
MR. QUINTON STOVELL
MS. MAXINE BINNS
MR. JONATHAN STARLING
MS. LYNDA MILLIGAN-WHYTE
MS. FREDERICA FORTH**

TRANSCRIPT OF PROCEEDINGS

**LOCATION: UNKNOWN
MONDAY, FEBRUARY 1, 2021
MORNING SESSION (a)**

COUNSEL DIRK HARRISON	0:00:	Historical Land Losses in Bermuda?
MR. JUSTIN ROBINSON	0:02:	Yes, sir.
COUNSEL DIRK HARRISON	0:11:	Now that claim that you submitted on behalf of the Estate of Frederick Lennon, Henderson, your grandfather.
MR. JUSTIN ROBINSON	0:22:	Yes, sir.
COUNSEL DIRK HARRISON	0:25:	The claim submitted on the eighth of June 2020, you signed that document when you attended the Commission of Inquiry office?
MR. JUSTIN ROBINSON	0:36:	Yes, sir.

COUNSEL DIRK HARRISON 0:38: I want to show you a document and you could tell me if you could recognize your signature. Is that the document? Is that your signature, sir?

MR. JUSTIN ROBINSON 0:55: Yes, sir.

COUNSEL DIRK HARRISON 0:56: And is that a document that you submitted on the eighth of June 2020, with a claim to the Commission of Inquiry?

MR. JUSTIN ROBINSON 1:04: Yes.

COUNSEL DIRK HARRISON 1:19: Madam Chairman, ask another document, which I made reference to the original document, which the witness submitted to the Commission of Inquiry on the 8th June ,2020, which in brief outlines his claim and that document is tender admitted as exhibit J.R.1

JUSTICE NORMA WADE-MILLER 1:45: Document tendered to the COI Commission of Inquiry on the 8th June 2020. Signed by the witness Mr. Justin Robinson is hereby entered as JR1

COUNSEL DIRK HARRISON 2:00: Now, sir, I'm going to ask you to you have a document there. I'm just going to ask you to read for me what is referred to there as a Synopsis.

MR. JUSTIN ROBINSON 2:13: Good morning

COUNSEL DIRK HARRISON 2:15: Good morning.
As Fred Jr. Son, I am presenting this on his behalf as he passed just prior to his father. This is in reference to the Estate of Fred Henderson, Sr. who was placed in an elder home against this will by a stepdaughters Carolyn Furbert, and Albertha Greene. They had him arrested and taken to MAUHI from his own home with a view of taking over his properties. Fred Sr. had one son, Fred Hendrickson, Jr. Also known as Rogers, who was being captivated by the stepdaughters in his final years? Fred Sr., had a power of attorney to authorize his cousin Betty Henderson Burch to control his affairs in October, 2003, revoking the 6th of August 2003 Power of Attorney this step authorizing his step-

daughters up until his son, Fred Jr., passing and this was under review to determine the result. The stepdaughters then had a Power of Attorney drawn up in Virginia, authorizing their cousin and then in the second instance, which we believe they used to Convey Fred Sr., assets into their names, which is obvious discrepancies with Power of Attorney and the efforts of the stepdaughters to keep his son away. We believe Fred Sr., assets were transferred, in contravention of Fred Sr's wishes and Fred Jr. would have been Fred Sr's heir to some or all of his assets.

Thank you. Now, you also gave a statement to the Commission of Inquiry which you signed this morning, February 1, 2021.

MR. JUSTIN ROBINSON

4:25: Yes, sir.

COUNSEL DIRK HARRISON

4:26: Now, before I go into that take you to that statement. You make this claim on behalf of Fred Hendrickson, however you name is Justin Robinson. Can you just explain the who is what's the name of your father?

MR. JUSTIN ROBINSON

4:44: My father was Fred Robinson. His mother was Margaret Robinson. He changed his name to Fred Henderson in his younger years and changed it back to Fred Robinson. And I was given that last name.

COUNSEL DIRK HARRISON

5:41: Thank you. Now in respect of this statement that you gave to the Commission of Inquiry which was signed February 1, 2021, that statement which consists of five (5) pages, you would recognize your signature if you see it sir?

MR. JUSTIN ROBINSON

5:32: Yes, sir.

COUNSEL DIRK HARRISON

5:41: Is that the statement, you signed consistent on five (5) pages, sir?

MR. JUSTIN ROBINSON

5:52: Yes, it is.

COUNSEL DIRK HARRISON 5:54: Madam Chair I am going to ask that the document consisting of five (5) pages. A witness statement of Justin Robinson, dated February 1, 2021. And ask that it be tendered and admitted as Exhibit JR2.

JUSTICE NORMA WADE-MILLER 6:13: Statement consisting of (5) five pages signed by Mr. Justin Robinson on the 1st of February 2021 is hereby entered as JR2.

COUNSEL DIRK HARRISON 6:25: Thank you very much. Now sir, could you read that statement? Take your time and you can have a bit of water if you wish.

MR. JUSTIN ROBINSON 6:43: Okay, Witness Statement of Justin Robinson on behalf of Fred Henderson, Jr. I Justin Robinson of 8 Tribe Road, Devonshire DV01 will say as follows:-

1. I present this claim on behalf of my father, Fred Henderson, Jr, who passed prior to my grandfather, Fred Hendrickson, Sr.
2. Fred Hendrickson, Sr., had one son, Fred Hendrickson, Jr. nee Robinson.
3. 1954 my grandfather married Etoy Blakeney thus gaining two stepdaughters Carol Ann Furbert, and Albertha Rosetta Harris nee Greene.
4. Fred Jr. had a massive stroke in February 1987, taking him ten (10) years to recover

COUNSEL DIRK HARRISON 7:58: Take you time we have all day. When you're ready you can start again.

MR. JUSTIN ROBINSON 8:07: I apologize.

COUNSEL DIRK HARRISON 8:08: That's fine. Just take a few moments, take a deep breath and we start again.

MR. JUSTIN ROBINSON 8:16: Fred Jr. had a massive stroke in February 1987, taking him 10 years to recover. For several years, he was unable to communicate due to speech impediments and unable to use his right arm or walk properly. Prior to his stroke, he and Fred, Sr. were business together, they had an ongoing relationship.

- 5.** It is my understanding Carol-Ann and Albertha conspired to take possession of my grandfather's estate against this will.
- 6.** My grandfather acquired several properties in Bermuda as well as the United States. To my knowledge, the properties in question are:
 - i.** 38 Clarendon Road, Bermuda;
 - ii.** 8 Town Hill, Bermuda;
 - iii.** 16 Town Hill Bermuda;
 - iv.** 29 Dundonald Street, Bermuda;
 - v.** 1020 Autumn Harvest Drive, Virginia Beach, Virginia;
 - vi.** 908 Pecan Point Road, Virginia Beach, Virginia;
 - vii.** 775 Whitehouse Landing Road, Virginia Beach.
- 7.** With regard to the Power of Attorney affected over Fred Sr. estate the first was prepared on March 30, 1999, appointed Shirley Richardson, Fred Sr.'s sister-in-law.
- 8.** August 6, 2003, a Power of Attorney was prepared appointing Carol-Ann Furbert and Albertha Rosetta Harris revoking the previous.
- 9.** About two months later, in 2003, there was a Power of Attorney prepared by Wakefield Quinn on October 15, 2003, giving the Power of Attorney to Betty Henderson Burch, Fred Sr.'s niece revoking the previous one done on August 6 2003, appointing Carol-Ann and Albertha.
- 10.** About seven (7) months later, in 2004, a Power of Attorney prepared in Virginia Beach, Virginia by a Barbara Gibbons Creed stepdaughter's cousin, on May 23, 2004, giving Power of Attorney back to Carol-Ann and Albertha. It was registered in Bermuda on November 15, 2004.
- 11.** Sometime in 2012, Fred Sr. and Carol-Ann had an argument that resulted in the police being called. Fred Sr. was arrested from his property.
- 12.** It is my understanding that during this time, my grandfather may have been showing signs of early Dementia.
- 13.** It is to my knowledge that due to my grandfather developing dementia, both Carol-Ann and Albertha had my grandfather, Fred

Hendrickson Sr. admitted into the Mid Atlantic Wellness Institute ("MAWI").

14. Carol-Ann and Albertha attempted to have my grandfather admitted to MAWI permanently.

15. After assessments were carried out on my grandfather MAWI confirmed he was fit to return home. Instead, Fred Sr. was told that he could not return to his property.

16. His stepdaughters, Carol-Ann and Albertha, placed Fred Hendrickson Sr. in Elder Care Rest Home, Devonshire.

17. During my father's final year, there were multiple efforts to keep him from contacting his father.

18. For the record, when Fred Sr. was admitted to Elder Care Rest Home, my family and I on several occasions attempted to visit, however the supervisor, Mrs. Trott denied us. We were told that access was only to be given to Carol-Ann or Albertha.

19. My father Fred Jr. passed on August 22 2012.

20. Four months before the passing of Fred Jr. three (3) letters were prepared by Dennis Dwyer.

i. Was the Elder Care Rest Home Facility expressing my family and my concerns that my grandfather had been left there and advising them that the Power of Attorney that was being used by Carol Ann was invalid.

ii. Was to the Registry General to question the Power of Attorney for Carol-Ann that was prepared in Virginia which referred to my grandfather's business and his three homes in Virginia.

COUNSEL DIRK HARRISON

14:12: Just before you go any further, Mr. Robinson, you said there are three letters the third is a letter to the Legal Aid office by Wakefield Quinn?

MR. JUSTIN ROBINSON

14:23: Correct? Okay.

COUNSEL DIRK HARRISON

14:24: Okay, you may continue sir.

MR. JUSTIN ROBINSON 14:28: 21. Fred Sr. and Fred Jr. had a good relationship prior to their passing. In a conversation I was present for, my grandfather promised my father that he will give him significant funds demonstrating his intent to support his son. Just before you go further,

COUNSEL DIRK HARRISON 14:47: Just before you go further, you said that you were present during this conversation about how old where you then?

MR. JUSTIN ROBINSON 14:53: I was about 26.

COUNSEL DIRK HARRISON 14:55: Where did this conversation take place?

MR. JUSTIN ROBINSON 14:58: In one of his apartments in Flatt's.

COUNSEL DIRK HARRISON 15:01: Okay, thank you. You may continue.

MR. JUSTIN ROBINSON 15:07: **22.** My grandfather passed on the 7th November 2012, just a few months after my father.
23. During the instigation of this claim, I was advised to check with the Registry General to confirm whether Carolyn-Ann and Albertha had been legally adopted. I was informed there were no such adoption records.
24. There may be one or more properties that I have not been referred in my statement, so further information become available, I would like the opportunity to share this information with the commissioners at a later date.
25 I Justin Robinson for the purpose of giving evidence to the Commission of Inquiry into Historic Losses on Land in Bermuda intend to rely on the following documents.

COUNSEL DIRK HARRISON 16:09: Now. I'll take you through that. Now the documents you intend to rely on which are listed the documents which are listed in your statement. This meant to take you through them. One by one.

Madam Chair, we already have JW1, which is an application. That document has been tendered and admitted as an exhibit. You made

mention Mr. Robinson to our Power of Attorney dated 6th August 2003.

Is that a document that you refer to sir? Power of Attorney dated 6th August 2003?

MR. JUSTIN ROBINSON

17:15: Yes, sir

COUNSEL DIRK HARRISON

17:16: Madam Chair document, I ask that that document be tendered and admitted. Just before going further you supplied that to the commission of inquiry?

MR. JUSTIN ROBINSON

17:24: Yes

COUNSEL DIRK HARRISON

17:25: I'd ask that the document Power of Attorney dated 6th August 2003. That is tendered admitted as Exhibit JR3.

JUSTICE NORMA WADE-MILLER

17:49: The document Power of Attorney dated 6th August, 2003 is hereby entered as Exhibit JR3.

COUNSEL DIRK HARRISON

18:25: Could I just ask you to just read the first two (2) paragraphs for us of that document.

MR. JUSTIN ROBINSON

18:41: By this Power of Attorney given on the 6th August, 2003, I Frederick Leonard Hendrickson of 38 Clarendon Road, Hamilton Parish FL 04 in the island of Bermuda sends greetings. Whereas, I am appointing my daughter's Carolyn-Ann Louise Furbert of Smith's Parish in these said Isles of Bermuda and Albertha Rosetta Harris of Cumberg in the Province of Ontario in the Dominion of Canada and presently residing at Grove Annex, 8 Town Hill Road, Smith's Parish FL07, in these said islands as my attorneys for the purpose here-in-after appearing. Now this Deed witnessed that I the said Frederick Landon Hendrickson, Do hereby revoke the Power of Attorney dated 30th day of March 1999 duly recorded and registered in the office of the Registry General in the Book of Deeds No. 196 at Pages 81 to 83 and thereby appoint Shirley Richardson, my Power of Attorney and do now appoint the said Albertha Harris and Caroline Louise Furbert my true and

lawful attorneys for me and in my name to do the following acts and things of any of them. That is to say

COUNSEL DIRK HARRISON 20:23: Thank you. Could you just remind us in respect of the names of Albertha Harris and Carol-Ann Louise Furbert who are they? They are the step-daughters?

MR. JUSTIN ROBINSON 20:42: They are the step-daughters of my grandfather.

COUNSEL DIRK HARRISON 20:47: And you had mentioned earlier that when your grandfather had married these ladies became his step-daughters, correct when my grandfather married Etoy Blakeney? Now, you also mentioned well in your list your description of documents that you wish to place reliance on, you have then made reference to Power of Attorney dated 15th, October 2003. Is that a document a Power of Attorney dated 15th October 2003 that you supplied to the Commission of Inquiry? And which you wish to place reliance on?

Yes, sir. That document Madam Chair, is tendered and admitted as as Exhibit JR4

JUSTICE NORMA WADE-MILLER 22:22: The Power of Attorney dated the 15th of October 2003 is hereby entered as exhibit JR4.

COUNSEL DIRK HARRISON 22:35: Could I ask you to read the first three (3) paragraphs of that document.

MR. JUSTIN ROBINSON 22:43: The Power of Attorney given on the 15th day of October, 2003. by me Frederick Leonard Hendrickson of 38 Clarendon Road, Hamilton Parish, FL 04 in the Islands of Bermuda. Whereas, I have requested that Betty Rovine Hendrickson Burch of 110 Northshore Road Devonshire Parish, FL 03 in the said Island to act for me in my affairs from this day forth which my attorney has consented to do. And Whereas I am desirous of appointing the said Betty Rovine Hendrickson Burch as my true and lawful attorney to carry out the powers and authorizations contained herein at all times

unless such powers and authorizations are revoked by me. And Whereas I am also desirous of having the said power effective and exercisable during any subsequent legal incapacity. So at this Power of Attorney will be enduring.

COUNSEL DIRK HARRISON 24:06: And could you just read the following paragraph?

MR. JUSTIN ROBINSON 24:14: Now this Deed Witnesseth that I the said Frederick Leonard Hendrickson, Hereby Appoint the said Betty Rovine Hendrickson Burch as my true and lawful attorney during such times as aforesaid from this day forth to do the following.

COUNSEL DIRK HARRISON 24:31: Thank you. Can I just ask you to go to the third page of that document and read what appears on the third page?
The last page Could you turn again, is that the last page?

MR. JUSTIN ROBINSON 24:58: I Frederick Leonard Hendrickson of 38 Clarendon Road, Hamilton Parish FL04 in the Isles of Bermuda, Do hereby revoke the Power of Attorney made on the 6th of August 2003. Appointing Carol-Ann Louise Furbert and Albertha Rosetta Harris as my true and lawful attorneys Harris. David this 15th day of October, 2003

COUNSEL DIRK HARRISON 25:25: Now, what appears to be the signature of Frederick Leonard Hendrickson, are you familiar with that signature that appears here?

MR. JUSTIN ROBINSON 25:39 : Yes.

COUNSEL DIRK HARRISON 25:41: And is that can you comment on that signature, whether it's something you have seen before?

MR. JUSTIN ROBINSON 25:47: Before today?

COUNSEL DIRK HARRISON 25:52: Not before today that just as a recognition that is the handwriting or the signature of Frederick Leonard Hendrickson?

MR. JUSTIN ROBINSON 26:02: Yes.

COUNSEL DIRK HARRISON 26:04: Could Frederick Leonard Hendrickson could he read and write?

MR. JUSTIN ROBINSON 26:11: Yes.

COUNSEL DIRK HARRISON 26:14: Now, in respect of that document, are you familiar with the name that appears as a witness? Shawnette Scott? Do you know that name or person?

MR. JUSTIN ROBINSON 26:29: No.

COUNSEL DIRK HARRISON 26:32: Now this document you have shared it with a Commission of Inquiry to show us what it is in aid of what?

MR. JUSTIN ROBINSON 26:42: It was given to my grandfather's niece and revoking the two step-children's Power of Attorney within a short period of time, which in our opinion demonstrated that he was not happy with the stepchildren having Power of Attorney.

COUNSEL DIRK HARRISON 26:32: Thank you very much. Now, you made mention of a document earlier and on your list of documents you mentioned Virginia Beach durable, General Power of Attorney.

MR. JUSTIN ROBINSON 27:40: Yes.

COUNSEL DIRK HARRISON 27:47: I'm showing you a document, could you assist me to indicate whether you recognize it? Is that a document that you supply to the Commission of Inquiry? Do you have a general Power of Attorney of Frederick Leonard Hendrickson?

MR. JUSTIN ROBINSON 28:08: Yes.

COUNSEL DIRK HARRISON 28:12: And the document is dated the 27th May, 2004. Yes?
Madam Chair my application is that the

document which is now projected on the screen which is titled Durable General Power of Attorney It is dated the 27th day of May 2004. My applications is that that document is tendered admitted as Exhibit JR5.

JUSTICE NORMA WADE-MILLER 29:33: So, the document it says the Virginia Beach Durable General Power of Attorney dated the 27th of May 2004 is hereby entered as Exhibit JR5.

COUNSEL DIRK HARRISON 29:53: Thank you very much. Now, sir, I was just going to ask you to read the first paragraph for me, it is a little long but I'm just going to ask you just to take your time and read it for me please.

MR. JUSTIN ROBINSON 30:11: I Frederick Leonard Hendrickson make this Durable General Power of Attorney appointing Barbara Gibbons Creed acting alone my true and lawful attorney in fact, in the event of death or incapacity of my main attorney in fact Barbara Gibbons Creed, or if she is unwilling or unable to serve, I appointed my daughter's Albertha Green and Carol Ann Furbert, either of whom may act alone as my successor or attorney in fact, we shall have all the powers and authority here-under as if my successor attorney, in fact, was originally designated as my attorney in fact. In the absence of the actual knowledge to the contrary, any person to whom my successor attorney in fact presents this Power of Attorney may rely on an Affidavit executed by my successor, Attorney in Fact. Setting forth that my attorney in fact, has died, is incapacitated or is unwilling or unable to serve. My attorney in fact is authorized to act for me and in my name and place to transact and manage all of my property affairs and business of every kind. And wherever situated whether in the United States or in a foreign country, and as effectively as I could do if personally present and acting including but not limited to the powers listed below. It being my intention by this power of attorney to commit to my attorney in fact, the entire management care and control of my personal and business affairs and that this

Power of Attorney be interpreted in the most comprehensive sense.

- COUNSEL DIRK HARRISON** 32:46: Could you continue reading for me. Read to the next four lines for me.
- MR. JUSTIN ROBINSON** 32:54: This Power of Attorney is effective upon execution. This Power of Attorney shall not be affected by my subsequent disability or incapacity. This Power of Attorney shall be governed by the laws of Virginia. I hereby revoke all powers of attorney I have previously executed.
- COUNSEL DIRK HARRISON** 33:21: Now, to your knowledge Mr. Robinson, this document was executed in Virginia?
- MR. JUSTIN ROBINSON** 33:50: Correct
- COUNSEL DIRK HARRISON** 33:51: That is outside of Bermuda?
- MR. JUSTIN ROBINSON** 33:55: Correct
- COUNSEL DIRK HARRISON** 33:56: Now in effect just by way of chronology before I ask my question, what you have referred us to is a number of exhibits. One is a Power of Attorney dated 6th August 2003. Another Power of Attorney dated 15th October, 2003. The 15th October 2003 document you just provided a comment to us that in my words, there was an intentional of your grandfather was to remove his stepdaughters having power of attorney that's in respect of the 15th of October 2003. What this Virginia document dated 24th of May 2004, it had the effect of making who Power of Attorney?
- MR. JUSTIN ROBINSON** 33:55: The stepchildren again.
- COUNSEL DIRK HARRISON** 34:59: Again, now is there any comment you wish to make about this document which you have submitted to the Commission of Inquiry, and upon which you wish the commissioners to place some reliance?

MR. JUSTIN ROBINSON 35:25: To power of attorney was questioned or challenged by our family, and we were pursuing it through Wakefield Quinn to see if there was legitimate.

COUNSEL DIRK HARRISON 35:44: I just want to ask you to just repeat that word. It's Wakefield Quinn. And that is a law firm?

MR. JUSTIN ROBINSON 35:57: Yes correct.

COUNSEL DIRK HARRISON 36:00: Thank you. Now, you had mentioned earlier in your statement, this statement, which is Exhibit JR2 you had mentioned that there are three (3) documents and you have made specific reference I'm sorry that there are three letters prepared by Dennis Dwyer. Mr. Dennis Dwyer, an attorney, a lawyer.

MR. JUSTIN ROBINSON 36:51: Yes.

COUNSEL DIRK HARRISON 36:52: And you had engaged Mr. Dwyer, for the purpose of having a look at this Power of Attorney, this Virginia attorney, dated 27th May 2004. Now having engaged the lawyer, three documents, three letters were written by the lawyer on your behalf. Is that correct?

MR. JUSTIN ROBINSON 37:29: Yes.

COUNSEL DIRK HARRISON 37:33: I want to show you a document dated 25th of May 2012. On the letterhead of Wakefield Quinn, is that one of the documents that you've submitted to the Commission of Inquiry in support of your claim, and further to support that you had engaged a law firm to write on behalf of the Estate of Frederick Leonard Hendrickson, Sr. and you were challenging the validity of this Power of Attorney dated May 27 2004.

MR. JUSTIN ROBINSON 38:29: Yes,

COUNSEL DIRK HARRISON 38:30: I am going to ask that this document which is dated the 25th May, 2012. Madam Chair, just for completeness, just to distinguish it because you have three of them, Madam Chair, this document also has in the top right hand corner,

the words, the letters Exhibit V. I was trying to distinction here, three letters. So it's a letter dated. Sorry, I'm sorry. It's dated the 25th of May 2012. It's on the letterhead of Wakefield Quinn. And I just wish to distinguish that at the top right hand corner, it has the word Exhibit D.

I would ask that it be tendered and admitted as JR6.

JUSTICE NORMA WADE-MILLER 39:45: The letter 5th May, 2012, which is has been tendered and entered as Exhibit JR6 you have indicated counsel that in the right hand corner Did you say a notation Exhibit D, Okay, thank you. So entered JR6.

COUNSEL DIRK HARRISON 40:42: So sir could you just read the letter please? I was going to ask you to start with the letter the address person to address we just started on

MR. JUSTIN ROBINSON 40:48: The Registry General 4th Floor, Government Administration Building, 30 Parliament Street, Hamilton HM12.
Dear Sirs, Frederick L. Hendrickson, Sr. Power of Attorney Registered: 15th of November 2004. We have been consulted by the relatives of Frederick Leonard Henderson Sr., and we have ascertained that there has been registered on the above date the Duable General Power of Attorney prepared in the United States and dated 23rd of February 2005. Please be advised that our client contested validity of this Power of Attorney and that its effect does not revoke the previous Power of Attorney dated 15th of October 2003 in favor of Betty Revine Hendrickson Burch, which was duly registered on 15th of January 2004. Steps will be taken to apply to the Supreme Court under the provisions of the Powers of Attorneys Act 1944 under Section 1-1. Faithfully submitted Dennis Dwyer.

COUNSEL DIRK HARRISON 42:36: Thank you very much. Now, another letter same date the 25th of May 2012. It is being shown to you. Sir is that the second letter of three letters that you referred to earlier in your statement

MR. JUSTIN ROBINSON 43:11: Yes

COUNSEL DIRK HARRISON 43:12: Written on your behalf on your instigation though that letter by the chair is dated the 25th of May 2012. It is on the letterhead of Wakefield, Quinn at the top right hand corner it has a word Exhibit V. My application is that it is tendered admitted as Exhibit JR7.

JUSTICE NORMA WADE-MILLER 44:00: So the letter, another letter dated the 25th of May 2012. And the distinguishing feature you see the top right hand corner as the notation Exhibit V. Okay, thank you is hereby entered as Exhibit JR7.

COUNSEL DIRK HARRISON 44:29: Thank you very much, sir. Also, could you just read that letter for me please.

MR. JUSTIN ROBINSON 44:37: The principal Elder Home Care Senior Residents, 3 North Ridge Crescent Devonshire DV 05. Dear Sirs, Re: Frederick Leonard Hendrickson, Sr. We have been consulted by the son and other relatives of the above-named who we understand was recently admitted to your facility. We understand that access has been denied to him by our clients. We understand that and Carol-Ann L Furbert purports to give instructions pursuant to a Power of Attorney. Please be advised that this Power of Attorney has been contested by the family and steps will be taken to have this appointment revoked. Our clients are also concerned that the best interest of the above names are not being catered for and our clients not only insist that they be allowed access to their father, but there is full disclosure of his physical and mental condition and the attending doctor and physician also be made available to our clients to explain his current diagnosis and ongoing treatment. Please respond by return. Yours faithfully, Wakefield Quinn Limited. Dennis Dwyer.

COUNSEL DIRK HARRISON 46:07: Thank you. Madam Chair just at this stage, pause to ask that an Adverse Notice be issued to Carol-Ann L. Furbert.

JUSTICE NORMA WADE-MILLER 46:41: Do we have an address Counsel?

COUNSEL DIRK HARRISON 46:45: I crave indulgence.
That I will need to ascertain. Madam Chair.
Before you conclude. Madam Chair, the name
of Albertha Harris Greene also asked that an
Adverse Notice is issued to that named person
also.
Before you make your order, Madam Chair, I
would just like to ask the witness a question.
That name Mr. Robinson, Albertha Harris
Green/ Jack is a married name

JUSTICE NORMA WADE-MILLER 48:17: Okay. But then there's a person who's married
surname Jack. At this time any other?
Very well. I make the order Counsel that the
adverse notices be issued to Carol-Ann Furbert
and also Albertha Harris Greene-Jack. And I
suspect before the witness leaves he'll assist us
with the addresses of these individuals.

COUNSEL DIRK HARRISON 49:12: And as Greene is spelt G R E E N E

JUSTICE NORMA WADE-MILLER 49:20: That is what I have.

COUNSEL DIRK HARRISON 49:24: Thank you Madam Chair. Now Mr. Robinson

MR. QUINTON STOVELL 49:28: Counsel if I may, there appears to be in the
same vein, Barbara Gibbons Creed would they
need to be notified as well?

COUNSEL DIRK HARRISON 49:45: Out of an abundance of caution , thank you Mr.
Stovell I will find out in terms of Barbara Gibbons
Creed. Sir are you making any claim against
that person or is it just Carol-Ann Furbert,
Albertha Harris Green-Jack, we're making a
claim against or are you making a claim against
anyone else?

MR. JUSTIN ROBINSON 50:33: Barbara Gibbons Creed

COUNSEL DIRK HARRISON 50:37: I thank you Mr. Stovell that the named person is
to be added also an Adverse Notice made

JUSTICE NORMA WADE-MILLER 50:52: And that is Barbara Yvonne?

COUNSEL DIRK HARRISON 50:54: No Barbara Gibbons Creed

JUSTICE NORMA WADE-MILLER 50:56: Barbara Gibbons Creed, I made the order that an adverse notice be issued against this individual as well. And again, Mr. Robinson, we'll ask you to assist us with supplying the addresses as soon as you are able.

COUNSEL DIRK HARRISON 51:34: Now, taking you back Sir you had mentioned earlier that three (3) documents were written on behalf of the Estate of Leonard Frederick Robinson by the firm Wakefield Quinn a document is being shown to you?
Is that the third document that you refer to sir?

MR. JUSTIN ROBINSON 52:10: Yes,

COUNSEL DIRK HARRISON 52:11: Madam Chair I'm asking that the document on the letterhead of Wakefield Quinn dated the 25th May, 2012. It has at the right top hand corner. The word exhibit you had asked that it be tendered and admitted as Exhibit JR8.

JUSTICE NORMA WADE-MILLER 53:18: Document on the letterhead of Wakefield Quinn dated the 25th of May 2012, is hereby entered as Exhibit JR8.

COUNSEL DIRK HARRISON 53:37: And just to reference, this one has exhibit the word Exhibit U at the top right hand corner. Could you please read that document?

MR. JUSTIN ROBINSON 53:43: Linda R. Simons, Legal Aid Administrator Assistant, Legal Aid Office, 2nd floor Ingham Wilkinson Building, 129 Front Street, Hamilton HM 12. Dear Miss Simon's Legal Aid Application for Leroy Frederick Robinson. We have been consulted by the above-named and who has passed to us your letter dated 11th of May 2012, in which he was advised that his legal aid application had been rejected. We will be grateful if you will kindly accept this letter as a form of appeal and ask the committee to revisit this application. It appears that the committee has assumed that Mr. Robinson is a member of the household where he resides, but this is not the case. The applicant's only source of income

is the financial assistance of 1027 per month he received from government plus his disability pension of \$464.20. Out of this he pays rent of 800 per month. It occurs that the committee has wrongly taken into account the income and assets of the house owners where he resides as a tenant. The applicant has a valid legal complaint, and we have advised that if necessary, he should apply to the Supreme Court in respect of his father, Frederick Hendrickson, Sr., either under Section 10 or 11 of the Power of Attorneys Act 1944. And or alternatively, for the appointment of him as receiver under the provisions of the Mental Health Act 1974. Steps may also have to be taken under the Senior Abuse Register Act 2008. The applicant is totally dependent upon the state and has no interest financially or otherwise in the property in which he resides and pays rent. Yours faithfully, Wakefield Quinn. Dennis Dwyer.

- COUNSEL DIRK HARRISON** 56:23: Now Mr. Robinson, this letter makes reference to legal aid application for Leroy Frederick Robinson?
- MR. JUSTIN ROBINSON** 56:31: Yes
- COUNSEL DIRK HARRISON** 56:32: As far as you understand is this in relation to your father or your grandfather?
- MR. JUSTIN ROBINSON** 56:36: My father.
- COUNSEL DIRK HARRISON** 56:46: Know in your statement you make reference to a document that's you or documents you wish to rely on. One such is tied to Supreme Court document probate jurisdiction you shared with the Commission of Inquiry two (2) documents titled Supreme Court Document Probate Jurisdiction, Sir.

END OF TRANSCRIPTION FEBRUARY 1 (MORNING SESSION A) AT 57:17