

Bittersweet day for Seaga

Loses Privy Council appeal

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THE PRIVY Council in Britain yesterday upheld a Court of Appeal ruling that former Jamaica Labour Party (JLP) leader, Edward Seaga, should pay former Deputy Commissioner of Police Leslie Harper J\$1.5 million for defamation of character.

Lord Carswell, who delivered the ruling, said the Privy Council is "in agreement with the conclusions reached by the judge (Justice Patrick Brooks) on liability, rather than those of the Court of Appeal".

Lawyers for Harper said his reputation was damaged by statements made by Seaga at a public forum in March 1996. There, the former prime minister challenged government's plans to replace Trevor MacMillan with Harper as police commissioner.

Seaga claimed that Harper was a supporter of the ruling People's National Party. Harper denied this and promptly sued the JLP leader for slander.

In December 2003, Supreme Court judge Justice Patrick Brooks ordered Seaga to pay Mr. Harper \$3.5 million. Seaga then took his case to the Court of Appeal which upheld the decision in December 2005, but reduced the award to \$1.5 million.

QUALIFIED PRIVILEGE

Seaga turned to the Privy Council in January 2006. His lawyers argued that he had had 'qualified privilege' when he spoke at the Wyndham Kingston Hotel on March 6, 1996; they said he had a duty as Opposition Leader to warn the public of Harper's perceived bias.

The Privy Council disagreed, saying, "It is in their Lordships' view that the appellant knew and intended at the time of publication that his words should receive such wide publicity."

Lord Anthony Gifford, who represented Harper, said the Privy Council's stance was a warning to public speakers.

"It means whether you are a journalist or politician, whenever you make allegations you'll have to take reasonable care," Gifford told **The Gleaner**.

Raymond Clough, who argued the case for Seaga alongside R.N.A. Henriques, said he (Clough) was "naturally disappointed".

"I thought we had a strong enough case to win," Clough said.

Harper, who served the Jamaica Constabulary Force for 36 years, could not be reached for comment.



HARPER



FILE

Former Prime Minister Edward Seaga.

Appointed as new pro chancellor of UTech

ON MONDAY night, Prime Minister Bruce Golding announced the appointment of former Prime Minister Edward Seaga as the new pro chancellor of the University of Technology (UTech).

The Prime Minister made the announcement during the opening ceremony of the 2008 Investment and Capital Market Conference at the

Rose Hall Resort and Country Club in Montego Bay, St James. He said Cabinet had given its approval the same day.

Seaga, who is now a distinguished fellow at the University of the West Indies, replaces Blossom O'Meally-Nelson, who held that position for more than 18 years.