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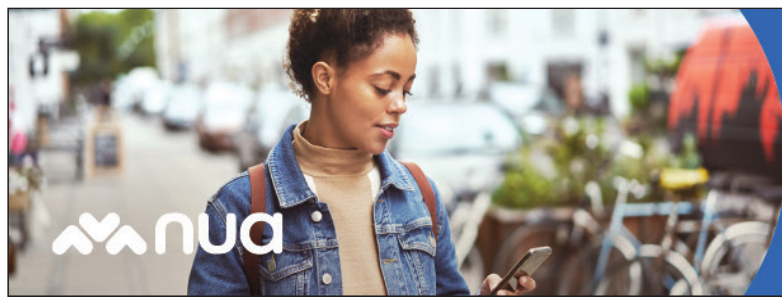
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JUSTICE BUT TOO LATE FOR BRAVE CLAUDIA

Govt liable for unlawful detention and rape of Claudia Edwards Bethel

By DAVID LEIGH
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THE highest court of appeal has confirmed the Bahamian government is liable for the unlawful arrest and detention of a young mother who was raped and sexually assaulted by a senior immigration officer while in custody.

In dismissing a final appeal by the office of the Attorney General, the Minister and Director of Immigration and the Commissioner of Police, the Privy Council in London

ruled on Thursday that the authorities were 'vicariously liable' for the crimes committed against Claudia Edwards Bethel because, having been detained unlawfully, she was in protective custody when they occurred.

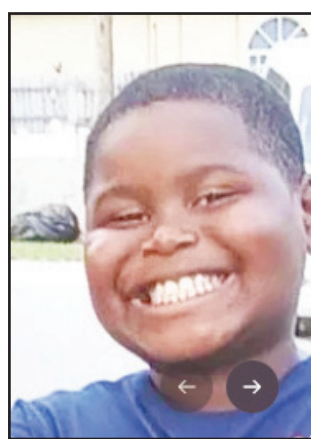
All that remains is for a ruling on the level of damages payable to her family.

Mrs Edwards never got to see her fight for justice vindicated. She died at Princess Margaret Hospital in May 2021, one day after giving birth to her fourth

JUSTICE - SEE PAGE THREE



Claudia Edwards Bethel



DURAN SAUNDERS

BOY IN SHOOTING ACCIDENT IS SCHOOL'S TOP ACHIEVER

By DENISE MAYCOCK
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THE 12-year-old boy accused of accidentally shooting his eight-year-old brother in the head has graduated as his Bimini school's Top Achiever, thanking the community for its prayers as his younger

sibling continues recovering in a Miami hospital.

Nearly three weeks after the May 23 shooting, eight-year-old Duran Saunders is out of intensive care, moving, undergoing physical therapy and preparing to begin speech therapy, his grandfather Lloyd

RECOVER - SEE PAGE SEVEN



KYRON CURRY

Abaco teen killed in boat driven by twelve-year-old

By LEANDRA ROLLE
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A 15-YEAR-OLD Abaco student was killed during a fishing trip near Nunjack Cay on Friday, fuelling calls for stricter enforcement of boating laws after police said a 12-year-old was operating the vessel

despite what a local official described as repeated warnings to his parents about unsafe boating practices.

Kyron Curry, a tenth-grade student at Patrick J Bethel High School, died after he fell into waters less than ten miles from Green Turtle Cay while on

TEEN - SEE PAGE FIVE

Gardiner petitions New York judge to dismiss criminal complaint against him

By RASHAD ROLLE
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JONATHAN Eric Gardiner, the convicted Bahamian drug trafficker whose rescue from an Election Day plane crash has ignited a political firestorm in The Bahamas, has asked a New York federal

judge to throw out the criminal complaint against him, arguing US authorities detained him for two days before filing charges and failed to indict him within the required 30-day window.

The motion is Gardiner's first major legal counterattack since he was rescued from waters off Florida on

May 12 and later charged in the Southern District of New York with cocaine importation conspiracy, a case that has drawn scrutiny to the Progressive Liberal Party.

In a motion filed on June 13, Gardiner's attorney, Susy Ribero-Ayala, asked

LEGAL - SEE PAGE FOUR



JONATHAN GARDINER

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COLINA

Delayed justice for brave mother

JUSTICE
from page one

child, son Emmanuel. She was just 35.

Her mother Valerie Thompson yesterday told *The Tribune*: "I thank the Lord, I am so joyful. I'm very, very happy and Claudia would be very, very happy. She will be smiling down from heaven at finally getting justice."

On Thursday, the Privy Council in London ruled that the State was responsible for everything senior immigration officer Norman Bastian did to her, because she was at all times a detained person in the custody of an immigration officer who was purporting to exercise the powers of his office. As counsel for the estate put it, Bastian never took off his "metaphorical uniform."

The Board found that the arrest was unlawful from the very first moment: the police had no reasonable cause to suspect Mrs Edwards of any immigration offence – she was dressed for work behind the bar where she worked, was plainly distinguishable from the scantily-dressed women, and had produced a copy of her spousal permit before she was arrested – and no immediate arrest was necessary.

Human Right Bahamas president Mrs Stephanie StFleur said: "This judgment is a triumph for Claudia Bethel and her family, and a disgrace for the authorities who failed her.

"A woman who proved her lawful status was arrested without cause, locked up for a weekend, and delivered by the State into the hands of her rapist.

"The Government then spent eleven years and untold public funds fighting her instead of compensating her. Justice has finally been done – but Claudia did not live to see it. That is a stain on our country that no damages award can remove."

In demanding a public apology to her family, Mrs St Fleur described the ruling as a "damning indictment of the Bahamian authorities, who failed Claudia at every stage – when the police arrested her without lawful cause, when they detained her despite proof of her legal status, when they handed her into the custody of the man who raped her, and when, for more than eleven years, they fought her claim through three courts rather than accept responsibility for what was done to her.

"It is heartbreaking that justice took so long. Cases like Claudia Bethel's remind us why many victims of rape and sexual violence never come forward. The fear, the trauma, the stigma, and the years of waiting for justice can be overwhelming.

"Our mothers, daughters, sisters, aunts, nieces, and grandmothers deserve better when it comes to how rape cases are handled in The Bahamas. They deserve to be heard, protected, respected, and believed.

"We need more upstanding Bahamian men to stand with women and girls, to speak out against abuse, and to help protect their precious daughters, sisters, wives, and loved ones from predators. The safety and dignity of women is not just a women's issue—it is a national responsibility.

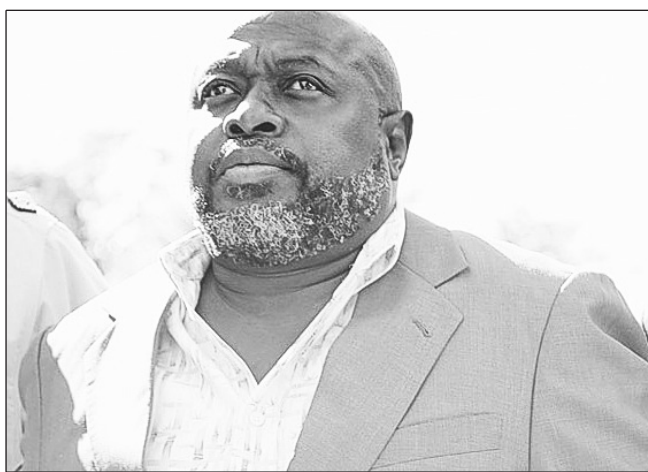
"May Claudia Bethel's legacy inspire a Bahamas where victims are supported, predators are held accountable, and justice is not delayed for years."



CLAUDIA'S MOTHER VALERIE THOMPSON

Human Rights Bahamas calls on the Government to:

- issue a full public apology to the family of Claudia Bethel and pay all damages without further delay.
- commission an independent review of arrest and detention practices under the Immigration Act, including the conduct of raids targeting migrant women and conditions at the Carmichael Road Detention Centre.
- introduce binding statutory safeguards for women and other vulnerable persons in police and immigration custody, including mandatory female-officer escort requirements with real enforcement.
- account publicly for the cost of more than a decade of litigation pursued against a victim of State wrongdoing.



FORMER SENIOR IMMIGRATION OFFICER NORMAN BASTIAN

Mrs Edwards was arrested in the early hours of Saturday December 13, 2014, when police raided the Twilight Bar in New Providence and detained a group of Jamaican women, including Mrs Bethel, a bartender.

She had been married to a Bahamian citizen since 2010 and showed officers a copy of her spousal permit - issued by the Immigration Department itself - proving her lawful right to remain in The Bahamas.

Despite that, she was arrested, told only that it was for 'immigration purposes,' and was never charged with any offence.

She was held first at the Central Police Station and then at the Carmichael Road Detention Centre over the entire weekend - supposedly pending "verification" of a permit that could not be verified because the Immigration Office was closed.

On Monday December 15, senior immigration officer Bastian lied to his superior to obtain custody of Mrs Edwards, falsely implying that a female immigration officer would accompany them. He then drove her around New Providence before taking her to his home, where he raped her, detained her overnight, sexually assaulted and raped her again the following morning.

It was said Mrs Bethel had a fear of the immigration authorities generally and was also afraid of Mr

Bastian. He had indicated to her that he had a licensed firearm and that a very bad man, known as 'Death,' was his nephew.

At trial, the judge accepted Mrs Edwards' evidence that she repeatedly asked to go home to her three children and was refused, finding that Bastian 'misused and abused his authority as a senior immigration officer.'

Mrs Edwards, who waived her right to anonymity, claims Mr Bastian raped her and forced her to commit oral sex after lying in wait for her in his bed naked. Within hours of finally being returned home on Tuesday 16 December, Mrs Edwards went to the police, reported the rapes and handed over physical evidence.

Mr Bastian's attorney, Wayne Munroe, now the Attorney General, sought to poke holes in certain aspects of her story, asserting that the whole narrative stemmed from her fear of her immigration status in the country. He specifically attacked Ms Bethel's evidence concerning the date she said she arrived in The Bahamas, as well as where she said she lived at the time she got married to her Bahamian husband.

Though Bastian denied being liable for the offenses, Senior Justice Charles found him guilty of the sexual assault charges. Mr Bastian's liability for false imprisonment, assault and battery was



CLAUDIA EDWARDS BETHEL

'In Loving Memory of Claudia Edwards'

Human Right Bahamas president Mrs Stephanie StFleur writes:

"Today, I honour the memory of Claudia Edwards, a woman whose courage, resilience, and determination inspired many. Despite the challenges she faced, she continued to fight for justice, dignity, and the right to be heard.

"As we remember Claudia, we also remember every woman who has experienced sexual violence, especially those who were vulnerable while in custody or under the authority of those entrusted to protect them. Their voices matter. Their pain matters. Their pursuit of justice matters.

"No woman should ever have to choose between her safety and her freedom. No survivor should be silenced, ignored, or forgotten.

"May Claudia's legacy remind us of the importance of accountability, human rights, and the protection of all people, regardless of their status, nationality, or circumstance.

"To every survivor: you are not alone. Your story matters. Your life has value. Your courage is seen.

"May Claudia Edwards rest in eternal peace, and may her memory continue to inspire.

"In loving memory of Claudia Edwards."



MEMBERS of Claudia's legal team outside the Privy Council in London: Suzanne Ter-Minassian of Serle Court; Theo Solley of Sheridans; R. Dawson Malone and Frederick Smith KC of Callenders & Co.; Ruth Jordan of Serle Court; and Doneth Cartwright of Callenders & Co.

established at trial and is no longer in dispute.

Following an initial complaint, the Supreme Court found that Mrs Edwards was at first initially lawfully arrested and detained, but that this subsequently became unlawful and she was entitled to damages from the State.

For the latter period, Mrs Edwards could only claim for damages from the state agent, Mr Bastian. She could also claim damages from the State only for her rape and sexual assault.

The Court of Appeal held that, for the initial period, she was entitled to common law damages from the State, and that the State was vicariously liable for all of Mr Bethel's conduct, and that only common law damages were required. The Court of Appeal then refused the Appellant's request for permission to appeal to the Privy Council. The State then appealed the Court of Appeal's decisions to the Privy Council, which rejected it.

"Instead of acknowledging these grave failures, the government litigated against Mrs Bethel – and, after her death, against her estate – for over a decade," said Human Rights Bahamas in a statement.

"It contested her claim at trial presided over by SC Judge Indra Charles

who ruled that Mrs Bethel was unlawfully arrested for part of the time, and that Bastian did rape her, but that the Government was not responsible because he was on a "frolic of his own".

"Mrs Bethel appealed to the Court of Appeal and judges of appeal, Sir Michael Barnett, Milton Evans and Crane-Scott ruled unanimously that the Government was responsible for the rapes by Bastian and by a majority that she was unlawfully detained for the entire time she was in custody.

Sir Michael stated: "In my judgement, Bastian's actions after he obtained custody of Bethel from the Detention Centre were sufficiently connected to his employment as an immigration officer as to make the Immigration authorities vicariously liable for his actions. This relates both to his detaining Bethel until she returned to her home as well as the assault and battery occasioned by the rape.

"Bethel had been at the detention centre under the control of the Department of Immigration. She was 'released' from the detention centre, not to her freedom, but to the custody of Bastian."

The Government pursued a final appeal to the Privy Council in London at public expense. Mrs Bethel

died of COVID-19 on 25 May 2021, before judgment was even delivered in her own case. She never lived to see her name vindicated.

But on Thursday, the Board concluded: "That Mr Bastian's employers are vicariously liable for the torts of false imprisonment, battery and assault (the detention and rapes of Mrs Bethel) committed by Mr Bastian.

"The Privy Council has now rejected the State's case in its entirety."

In 2021, her attorney Fred Smith, part of the team that successfully fought the authorities' appeal, praised Mrs Bethel's courage.

"Learning to read and write, focus on her legal case, rebuilding her sense of dignity, her sense of self, her respect, she was tremendously respectful to others as well."

He said she had 'high hopes' for herself, having gained a bachelor's degree in cosmetology and was about to graduate with a master's degree.

He added: "She has inspired me and her children. She has inspired lawyers in our office. To see how strong she was and how she persevered in pursuing her rights. She stands as a shining example. She didn't hide in the shadows. She was brutally honest and was courageous."