



KINGSLEY WALESBY LL.B, M.A, BVC, LEC.

Attorney-at-Law

The Minister of Finance and the Economy
Ministry of Finance and the Economy
Eric Williams Financial Complex
Brian Lara Promenade
Port of Spain.

29th October, 2013

Dear Sir/Madam,

Re: Request for Information by Mr. Afra Raymond made pursuant to the Freedom of Information Act 1999 on the 18th March, 2013

I refer to the above-captioned matter in which I am led by Senior Counsel Mr. Gilbert Peterson. I represent the interests of the Applicant/Intended Claimant Mr. Afra Raymond of Emrond House, #111 Oxford Street, Port of Spain. I write to you pursuant to the Pre-action Protocols of the Civil Proceedings Rules 1998.

I am instructed as follows:-

- a) That by email dated the 18th March, 2013 my client wrote to you attaching a Freedom of Information Request form pursuant to Section 13 of the Freedom of Information Act in which he requested the following information in hard and soft copies:-

"Details of the creditors of CL Financial- in particular EFPA holders – to include the identities of those who have been repaid as well as details of the dates of those repayments and the amounts received."

(A true copy of which is enclosed for ease of reference and marked "A.")

- b) That by e-mail dated the 19th March, 2013 the said letter was acknowledged by Ms. Alison Lewis, the Permanent Secretary to the Ministry of Finance and the Economy, who indicated that same had been forwarded to the relevant officer of the Ministry for attention. **(A true copy of which is enclosed for ease of reference and marked “B.”)**
- c) That to date you have failed to make a final determination of my client’s request for the requested information that was originally made on the 18th March, 2013.

Please be advised that your continuing failure and/or refusal to make a decision as to whether or not you intend to provide the requested information is in breach of Section 15 of the said Act which requires such a decision to be made within thirty (30) days of the request. Further and/or alternatively if you have refused to provide the requested information then you are in continuing breach of Section 23 of the said Act in failing to provide my client express notice in writing of same including the findings on any material findings of fact, referring to the material on which those findings were based, the reasons for its decision, the name and designation of the person giving the decision and in failing to inform my client of his right to apply for judicial review.

Furthermore, assuming, but not admitting, that the requested information is exempt to date you have failed to indicate in writing what consideration, if any, has been given to the overriding provisions of Section 35 of the Act having regard to inter alia the following factors:-.

- i. That there is reasonable evidence in the public domain that there was an abuse of authority and neglect in the performance of official duties by the Directors of CL Financial Limited and its subsidiaries, CMMB, CIB, CLICO and British-American Insurance which ultimately led to this series of collapses. There is no accountability for the vast sums of Public Money which have been paid-out since the commencement of this bailout in January 2009. According to Paragraphs 21 & 22 of the affidavit of the then Finance Minister, Winston Dookeran dated the 3rd April 2012, the sum of Public Money to be consumed by this bailout is twenty-four billion dollars (\$24,000,000,000.00).

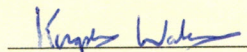
- ii. That the granting of access to the said information is justified in the public interest having regard both to the benefits of transparency in government and the possible public perception of misfeasance in public office and the resulting damage to the reputation of the Ministry of Finance and the Economy and the Government at large that may arise from failing to provide the said information both of which far exceed any potential damage that might otherwise arise from doing so.

In the circumstances, I am instructed to indicate that should you fail to supply the requested information within twenty-eight (28) days of the date hereof, or alternatively, to provide the grounds for any refusal to do so then I am instructed to apply without further notice for judicial review of your said decision on the basis that same is illegal, irrational and unreasonable and amounts to a failure to perform a statutory duty and to seek the following relief:-

- a) A Declaration that the continuing refusal and/or failure of the Minister of Finance and the Economy to provide the requested information is illegal, null and void and of no effect.*
- b) An order pursuant to Section 15 of the Judicial Review Act that there has been an unreasonable delay by the Minister of Finance and the Economy in making a decision as to whether to provide the requested information.*
- c) An order of Mandamus compelling the Minister of Finance and the Economy to provide the requested information free of charge.*
- d) Costs*
- e) Such Further and/or other relief as the Court may deem just.*

Please be guided accordingly.

Yours Sincerely,


Kingsley Walesby

CC: The Office of the Solicitor General, No. 23-27 Cabildo Chambers, Port of Spain

“A”

Afra Raymond
EMPROND HOUSE
#111 Oxford Street,
Port-of-Spain
625 6230/678 9802
afraraymond@gmail.com

18th March 2013

Attention – Ms. Alison Lewis
The Ministry of Finance & the Economy,
Eric Williams Financial Complex
Brian Lara Promenade
Port-of-Spain

Dear Sirs,

Freedom of Information request

I have attached for your attention a completed form, as required by S.13 of the Freedom of Information Act, detailing the requested information in relation to the CL Financial bailout.

I await your early, positive reply.

Thank You.

Afra Raymond



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www.afraraymond.com

SCHEDULE

(Section 13)

THE FREEDOM OF INFORMATION ACT, 1999

Request for Access to Official Document(s)
(pursuant to section 13)

1. Name of Public Authority Ministry of Finance and the Economy
2. Name of Applicant Afra Raymond
3. Address of Applicant EMROND HOUSE, #111 Oxford Street, Port-of-Spain or www.afaraymond.com
4. Telephone Number of Applicant 625 6230 or 678 9802 or afaraymond@gmail.com

5.	Doc. No.	Description of Document Requested	Form of Access
	1.	Details of the creditors of CL Financial - in particular EFPA	Hard copy and
		holders - to include the identities of those who have been	Soft Copy
		repaid as well as details of the dates of those repayments	
		and the amounts received.	
	2.		
	3.		

[Note: Applicants shall identify the document(s), or provide sufficient information to enable an officer/employee of the public authority who is familiar with the relevant documents, to identify the documents, to identify the document(s) with reasonable effort.
Continue on a Separate Page if necessary.

Subject to the provisions of the Act access to a document may be granted by supplying a printed copy of it or by making it available for inspection or, if appropriate, by supplying a copy of a tape, disk, film or other material containing the information, by supplying a transcript of such tape, disk, film or other material or by making arrangements for the hearing or viewing of such tape, disk, film or other material].

6. Assuming that all documents requested are exempt documents, give the Document Number of the documents described above of which you would like to have access to an edited version, if possible.

The making of this request is free of charge, but where access to a document is to be given in the form of a copy (printed or otherwise), the applicant shall be required to pay the prescribed fee.

Date of Application 18th March 2013

Signature of Applicant 

“B”



Alison Lewis <lewisal@gov.tt>
To: Afra Raymond <aftraraymond@gmail.com>
Cc: kingsley walesby <kingsleywalesby@gmail.com>

Tue, Mar 19, 2013 at 11:20 AM

Dear Mr. Raymond,

I acknowledge receipt of your email and letter and advise that it has been forwarded to the relevant officer for attention.

Alison Lewis

From: Afra Raymond [mailto:afrraymond@gmail.com]
Sent: Tuesday, March 19, 2013 10:00 AM
To: Alison Lewis
Cc: kingsley walesby
Subject: Freedom of Information request

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