



Nathaniel Heller <nathaniel.heller@globalintegrity.org>

Legal Warning

Innis Bethel <adv.innisbethel@yahoo.com>
Reply-To: Innis Bethel <adv.innisbethel@yahoo.com>
To: Nathaniel Heller <nathaniel.heller@globalintegrity.org>

Sat, Feb 23, 2013 at 12:17 AM

Dear Sir/Madam,

How many times should i tell you that i cannot take my client's name? The Law doesn't give me permission to take his name. So, please don't embarrass me by asking the same thing again and again.

Regards,
Innis Bethel

From: Nathaniel Heller <nathaniel.heller@globalintegrity.org>
To: Innis Bethel <adv.innisbethel@yahoo.com>
Sent: Friday, February 22, 2013 7:10 PM
Subject: Re: Legal Warning

You will need to provide your client's name before we consider any action. In addition, I would appreciate you forwarding me proof of your status as an accredited lawyer before the court in T&T.

Nathaniel

On Friday, February 22, 2013, Innis Bethel wrote:

I am afraid, I cannot mention my client's name as its against some rules and regulations that i have to follow.

And why i am saying that an article that includes the words "corruption" and "scandal" used against someone is a problem under T&T law because of the following points:

According to Chapter 11:16 of Defamation and Libel Act of Trinidad and Tobago:
An Act respecting defamatory words and libel.

1. This Act may be cited as the Libel and Defamation Act.
2. No action for defamation shall be maintainable in any Court of justice in Trinidad and Tobago in respect of words spoken, except in those cases in which an action would be maintainable in respect of the same words in England.
3. In any action for defamation or for libel, the defendant may plead the truth of the matters charged by way of justification in the same manner as he might do in a like action in a Court in England and the plea shall be a sufficient answer in law to any

such action; and if, on the issue joined on such plea, a verdict is given for the defendant, the defendant shall have final judgment and recover his costs of suit.

4. In any action for defamation, the defendant may (after notice in writing of his intention to do so duly given to the plaintiff at the time of filing or delivering the plea in the action) give in evidence in mitigation of damages, that he made or offered an apology to the plaintiff for the defamation before the commencement of the action or as soon afterwards as he had an opportunity of doing so in case the action was commenced before there was an opportunity of making or offering the apology.

5. In any action for a libel contained in any public newspaper or other periodical publication, it shall be competent to the defendant to plead that the libel was inserted in the newspaper or other periodical publication without actual malice, and without gross negligence, and that before the commencement of the action, or at the earliest opportunity afterwards, he inserted in the newspaper or other periodical publication a full apology for the libel, or, if the newspaper sustained by the prosecutor by reason of the plea, such costs to be recovered by the defendant or prosecutor respectively to be taxed by the proper officer of the Court before which the indictment is tried.

13. (1) a fair and accurate report in any newspaper of proceedings publicly heard before any Court exercising judicial authority shall, if published contemporaneously with the proceedings, be privileged, but nothing in this section shall authorise the publication of blasphemous or indecent matter.

(2) It is an offence to print or publish, or cause or procure to be printed or published—

(a) in relation to any judicial proceedings, any indecent matter or indecent medical, surgical or physiological details being matter or details the publication of which would be calculated to injure public morals;

(b) in relation to any judicial proceedings for dissolution of marriage, for nullity of marriage, or for judicial separation, any particulars other than the following, that is to say:

(i) the names, addresses and occupations of the parties and witnesses;

(ii) a concise statement of the charges, defences and counter charges in support of which evidence has been given;

(iii) submissions on any point of law arising in the course of the proceedings, and the decision of the Court thereon;

(iv) the judgment of the Court and observations made by the Judge in giving judgment.

(3) Nothing in subsection (2) shall be held to permit the publication of anything contrary to the

provisions of paragraph(a)of that subsection.

(4) Any proprietor, editor, master printer, or publisher who acts in contravention of this section is, in

respect of each offence, liable on summary conviction to a fine of twenty thousand dollars and to

imprisonment for four months.

(5) Nothing in this section shall apply to the printing of any pleading, transcript of evidence or other document for use in connection with any judicial proceedings or communication to persons concerned in the proceedings, or to the printing or

publishing of any notice or report in pursuance of the directions of the Court; or to the printing or publishing of any matter in any separate volume or part of any bona fide series of law reports which does not form part of any other publication and consists solely of report of proceedings in Courts of law, or in any publication of a technical character bona fide intended for circulation among members of the legal or medical professions.

14. (1) A fair and accurate report published in any newspaper of the proceedings of a public meeting, or (except where neither the public nor any newspaper reporter is admitted) of any meeting of a council, board, or local authority formed or constituted under the provisions of any written law or of any committee appointed by any of the above-mentioned bodies, and the publication at the request of any Government office or department of any notice or report issued by them for the information of the public shall be privileged, unless it is proved that the report or publication was published or made maliciously.

(2) The protection intended to be afforded by this section shall not be available as a defence in any proceedings if it is proved that the defendant has been requested to insert in the newspaper in which the report or other publication complained of appeared a reasonable letter or statement by way of contradiction or explanation of such report or other publication, and has refused or neglected to insert the same.

(3) Nothing in this section—

(a) shall authorise the publication of any blasphemous or indecent matter; or

(b) shall be deemed or construed to limit or abridge any privilege now by law existing, or to protect

the publication of any matter not of public concern and the publication of which is not for the public benefit.

(4) For the purposes of this section “public meeting” means any meeting bona fide and lawfully held for a lawful purpose, and for the furtherance of discussion of any matter of public concern, whether the admission thereto be general or restricted.

15. (1) It shall be competent for a Judge or the Court, upon an application by or on behalf of two or more defendants in actions in respect of the same, or substantially the same, libel brought by one and the same person, to make an order for the consolidation of the actions, so that they shall be tried together; and after the order has been made, and before the trial of the actions, the defendants in any new actions instituted in respect of the same, or substantially the same, libel are also entitled to be joined in a common action upon a joint application being made by the new defendants and the defendants in the actions already consolidated.

(2) In a consolidated action under this section the Court shall assess the whole amount of the damages (if any) in one sum, but a separate verdict shall be taken for or against each defendant, in the same way as if the actions consolidated had been tried separately; and if the Court finds a verdict against the defendant or defendants in more than one of the actions so consolidated, the Court shall proceed to apportion the amount of damages so found between and against such defendants; and the Judge at the trial, if he awards to the plaintiff the costs of the action, shall also make such order as he considers just for the apportionment of the costs between and against the defendants.

16. At the trial of an action for a libel contained in any newspaper the defendant shall be at liberty to give in evidence in mitigation of damages that the plaintiff has already recovered (or has brought actions for) damages or has received or agreed to receive compensation in respect of a libel or libels to the same purport or effect as the libel for which the action has been brought.

17. No criminal prosecution shall be commenced against any proprietor, publisher, printer, editor, or any person responsible for the publication of a newspaper for any libel published therein without the sanction of the Director of Public Prosecutions.

Now, i hope you will understand why my client want this link to be remove. So, again i request you to remove it.

From: Nathaniel Heller <nathaniel.heller@globalintegrity.org>
To: Innis Bethel <adv.innisbethel@yahoo.com>
Sent: Thursday, February 21, 2013 10:05 PM
Subject: Re: Legal Warning

Dear Innis -- I'm afraid I cannot assist you until you provide the following information:

1) The name of your client. Without this there is no way we can consider taking any action; we have no idea who is possibly involved otherwise.

2) Why an article that includes the words "corruption" and "scandal" is a problem under T&T law. I am not familiar with local defamation law but speaking globally, reporting on previously published information is not defamation and certainly would not compel us to remove the piece. Because a piece is simply uncomfortable for someone is insufficient justification for us to remove a previously published article.

Thanks,
Nathaniel

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Nathaniel Heller // Executive Director // www.globalintegrity.org

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My calendar: <http://doodle.com/nathaniel>

On Thu, Feb 21, 2013 at 12:12 AM, Innis Bethel <adv.innisbethel@yahoo.com> wrote:

"Trinidad and Tobago: Playing Politics Through Football Scandal and Corruption Allegations". This article contains the words Scandal and Corruption. My client don't want his name to get involved in all these things. As this is creating problem for him. People had made this perception that he did corruption in Trinidad and Tobago. Although all these fake charges have been abolished by the law also, that he is not a corrupted man. So, now i want you to remove this article soon. As i don't want that now anything went wrong with him, Earlier also it was mis-understanding due to which he faced lot of problems in his personal as well as professional life. So, now remove it soon. Otherwise, i have to go to court because i can't wait anymore Although i am trying to contact you since last 20-25 days. And you replied me today. So, now i can't wait anymore. You have to remove it soon.

From: Nathaniel Heller <nathaniel.heller@globalintegrity.org>
To: Innis Bethel <adv.innisbethel@yahoo.com>
Cc: Hazel Feigenblatt <Hazel.Feigenblatt@globalintegrity.org>
Sent: Wednesday, February 20, 2013 9:59 PM
Subject: Re: Legal Warning

Dear Ms. Bethel -- Many

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Nathaniel Heller // Executive Director // www.globalintegrity.org

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