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Dear Lynda,

Nine pages + 3 page
letter to J.W.

I hope that you have now received my response to the letter from SMAB which I received from Sarah Percival. I look forward to speaking to you further on the matter.

I am grateful to Sarah for attempting to collect the response yesterday, Thursday 15th January. Sadly I was refused permission to hand it to Sarah and I was told by the Chief Officer, Mr Liburd, that it would have to be read and copied. I reminded Mr Liburd that Mr Dorset had said during an FCO visit that he did not need to read letters to or from lawyers, nor letters regarding legal matters, (a statement that Mr Liburd claims that Mr Dorset now denies).

I was refused access to Sarah and told, aggressively, by Chief Officer Liburd that, "this is a black man's country" and that "a white boy should know his place". I felt that I should not hand over the correspondence under such hostility and that my legal representation matters, should not be privy to him and the jail.

I subsequently attended the Court yesterday for the 2nd trial review. The judge had previously

asked me to make telephone contact with the two local law firms that I had nominated to assist James Wood QC in representation at my trial.

When I was called by the Court, ~~by the Court~~ I relayed to the judge that the superintendent had telephoned both firms to ask them to speak to me. I have been told by him that the first firm (Mr Gonzales) had said that he was only interested in civil work and had declined to even speak to me. The second firm (Mr Ferdinand QC) of Kelsick, Wilkins and Ferdinand (who are at the top of the FCO suggested criminal lawyers list) I was told by the superintendent that they had said that Mr Ferdinand was away from the office until 16th January.

I told the Court that I would still endeavour to speak to Mr Ferdinand QC. I further said that I was an innocent man and that I could not "afford to take a risk on my representation, and for the avoidance of doubt, in the event that neither of these firms are able to represent me that, in accordance with Article 10 part 2(d) of the Constitution of St Kitts and Nevis, I would be representing myself."

The judge made no rebuke what-so-ever of this position and said that she would set a date for trial at the next court appearance which would be 16th February. She asked if James Wood QC would support me as Advocate if I was acting for

myself.? I replied to her that I would write to James Wood next week to get a response to that question.

In respect of correspondence I explained to the judge that my only route for written communication with UK is via the visits of the Local Honorary British Consul of the British High Commission and that I was concerned at the events of the morning, which I respectfully relayed, (leaving out all the aggression and racial abuse that I had received). I asked the judge to make a High Court ruling now, on all my correspondence via the FCO, which I advocated, should be given "legal privilege" status, and not read by the prison.

My formal request was accepted by the judge. She asked the Chief Officer to stand, and Ordered him that all correspondence via FCO should have "legal privilege" status and not be read or copied by the prison. I thanked the judge.

This is an important milestone. I feel that the judge is not going to allow the prison to usurp my rights. The DPP rose to confirm whether the judge intended the next appearance would be "to review representation, or to set a date for trial". The judge replied that it was to set a date for trial and that she did not want to see the matter put off again. The DPP asked, "what if there

is no lawyer on file." The judge repeated that she did not want the matter to be put off again. The DPP sat down, seemingly unhappy.

I am pleased to get progress, and the ear of the judge. I do however, really, really need back up. It is likely that Mr Ferdinand QC of Kelsick, Wilkins and Ferdinand will say that they only do civil work (that's what they told Sarah previously) Perhaps you should delete them from your list along with Myrna Walwyn Associates and all the other lawyers that Sarah tried for me. Sadly this only leaves people who I would not suggest anyone were, "recommended to".

As you are aware lawyers in St Kitts such as Vernon Veira and Henry Browne QC have stolen money from me and whilst these may be two extreme examples, they are symptomatic of a problem that is brought about by having no Law Society, no accountability, and no Professional Indemnity insurance in this jurisdiction. This also accounts for the reference by my business peers to this island being the "wild west" Indies.

It's very sad, but until these above matters are addressed, the credibility of unproven local lawyers here, will remain, non-existent.

This morning Sarah kindly revisited, but was not allowed access. I was subsequently

told by Chief Officer Liburd (this afternoon) that this was because she was inappropriately dressed. I am certain that this excuse was just disingenuous nonsense. Sarah is always impeccably turned out.

When Sarah was purportedly outside the prison door, I was asked by a guard to give him the response to FCO to convey to Sarah. I declined on the grounds that the Court had ruled yesterday that my correspondence via FCO had "legal privilege" status and that I wished to give the document to Sarah myself, so as not to lose sight of it. I was taken to Chief Officer Liburd who, at that time, made no mention of "inappropriate dress". He said that he was not going to allow Sarah access to the prison, nor allow me to give the document to Sarah. But he said that if I brought out the document he would allow me to see him post it to Sarah through the prison door.

I felt that this was pure awkwardness and him wanting the final "say" over a High Court ruling. However, in a spirit of magnanimity, I duly agreed. I brought my legal file containing the document to the gate house yard. Mr Liburd insisted on me showing him where in the file the document was, before we went into the gate house. When I showed him he snatched the document from my file. Then he and another guard roughly manhandled me back to the prison yard refusing me access to the gatehouse.

I had been tricked and lied to, and abused.

I believe that Liburd did post the response to FCO, through the door, to Sarah, but I obviously never saw Sarah. He could have given it to anyone, or copied it. He was back in the yard afterwards and I told him he had just acted against a High Court ruling. He knows the full meaning of "legal privilege" and that him taking the document by physical force is in fact contempt.

In response to my assertion, two guards were ordered to "escort" me back to my cell. They proceeded to aggressively tell me through the cell door that the judge does not rule "their jail" !! These people clearly need medication.

This afternoon I was taken to the office of Chief Officer Liburd and he threaten me with removal to punishment cells for my recent actions. I told Mr Liburd politely but firmly that if he or his guards put his hands on me once more, I would be making a formal complaint to the Court. I pointed out to him that yesterday I had not told the judge of his racist abuse that morning and that such abuse did not engender respect for him.

There ensued a very "serious" conversation for around half an hour. It was pure intimidation and menace. My response was cast iron defiance and a call on morality. It was very tense. He is

an absolute bully, but gained nothing. I was polite, but emphatically maintained my right of recourse if he abuses his power.

I will never get conned like that again. I am annoyed at myself for being tricked. In the future if I don't see Sarah or yourself I will not proffer any documents. I ask that in accordance with the ruling of Justice Marlene Carter that no document of mine is accepted by you in future if proffered by the prison staff.

I'm sure Mr Liburd would not wish to have the above events and his previous racist abuse relayed to Justice Carter. Mr Liburd knows now that I would unequivocally do so if he abuses me further and so I believe things will get no worse. However Mr Dorset is more brutal than Liburd and tells bigger lies, he also has a nasty malicious temper.

The constant hostility and threats, together with being a target for the last three years, are very wearing and I am somewhat ground down.

I humbly request that Prisoners Abroad are asked to consider assisting me to retain James Wood QC to work with me at the trial. I feel his expenses being covered would influence his position on this, because I understand that he is considering accepting a security against my property for the bulk of his fee.

At the next hearing on 16th February 2015, I will have an expansive and detailed proposal for the judge requesting her ruling on empowering my representation so that I can undertake the necessary pre-trial due diligence. This is the vital due diligence which Saul always promised he would facilitate, and yet never made good on his promise.

I will obviously need Justice Carter's empowerment, but since no one else has yet stepped up, I will have to do my utmost on my own. I would be so grateful if I was able to have guidance from James Wood QC.

According to the current court schedule the prospect is that a trial will be set for late March or early May. Due diligence, unimpeded, would no doubt take someone two to three weeks on the matters (if not ^{impeded by being as} I am incarcerated.) I hope that we get the opportunity to discuss in person, how I can achieve this, in my circumstances.

At trial there will inevitably be an initial 'voir dire' contesting the alleged confession statement. If that were to be successful and the alleged statement is ruled inadmissible then there is nothing else for the prosecution to go into the trial with. This is why I need James Wood at the 'voir dire'. That one day can end this nightmare.

If it goes to a St Kitts jury, our preparation needs to be thorough, meticulous, comprehensive and cast iron. All the contemporaneous facts

Speak for themselves. They must be presented to the jury fastidiously and scrupulously.

I am stoically determined that if I am empowered I will collate and put the defence together. However, I would be so pleased to be advised on this process via phone and e-mail by SMAB as I have been in previous matters.

There is no other viable option for me, considering the "reality" here which attorney Dan McMullin has spoken of in detail, and yet Saul just keeps his head in the sand.

For me the reality is stark. I have a trial imminent. I can only work with the reality and whatever tangible support there is. I can not put my head in the sand. It is already on the block.

It seems that I have the ear of the judge. If only I had some quality legal back up I would feel heartened after the last hearing and be looking forward to the 16th February and the prospect of being freed by the judge within 3 months.

I look forward to speaking to you on the phone shortly and I humbly request that my letter to James Wood enclosed be followed up with him together with any support for his input by Prisoners Abroad.

Please don't follow up the recent abuse against me yet, unless you hear that I have been transferred to punishment cells. In that event, I would be most grateful for help, and rescue.

Sincerely and respectfully Kevin