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11th of December, 2017

To

the Honorable Minister of National Security

Ministry of National Security

Temple Court

31-33 Abercromby Street

Port of Spain

Dear Sir,

**Re: appeal against the deportation order against Sancia Samantha Sinclair, File NO**

I represent the above named Jamaican National.

The above named Jamaican National had a special inquiry on 4th of December, 2017 by the Special inquiry office Mr. A.Trail.The Officer had issued deportation under the immigration regulations 1974.

Aggrieved the decision we ask your kind self to lift the deportation order.

**History of the applicant**

The applicant came into this country on 5th of March, 2017. She married a citizen of Trinidad, by the name of Bunny Boyce, on 22nd of April,2016. They went to the National Security office to apply for a residency status. The officers there gave her a list of documents she needs.She went back to Jamaica to get the necessary papers. unfortunately she did not have the Certificate of Character with her when she came back on 5th of March, 2017.

She then approached the foreign affairs department where she was told that she should get the CSME certificate from Jamaica.She asked her mother in Jamaica to help her obtain this certificate. Her mother send her the document and Miss Sinclair was under the apprehension that the certificate was a genuine certificate. When she went to the immigration department to extend her stay permit she showed her the certificate to the officer. The Officer , without giving an acknowledgement misinformed her to come back later. The officer did not inform her that she would be breaking the law by overstaying after that date. Miss Sinclair thought , when the officer asked her to come back she is legally permitted to stay until she came back to see the officer.She went back to the officer a week later, when they sent her to the investigation department in Henry Street. The officer in Henry Street, put her on order of supervision and finally arranged a special inquiry on 4th of December, 2107. She has paid the landing deposit in the immigration department. On 4th of December, 2017 the special officer refused her application for voluntary departure eventhough she told the officer that she is married to trinidad citizen. Her friend who assisted her also pleaded with the office on humaitarian basis. The officer refused the pleas and proceeded to issue the deportation order. At that stage she asked for the forms to appeal to the Minister. The officer threatened her she would be detained for a very long time if she does that. This scared Miss Sinclair and did not appeal the decision within 24 hours of the decision as per the Act.

Sir, in these circumstances the officer in the immigration department when Miss Sinclair approached her should have informed her or told her that she is not getting the extension and should have explained the basis. She shouldn’t have misguided her into believing that she could come back at a later date and still would be within her legal stay.

Secondly the Special inquiry officer was not fair to her when he threatened her that she would be detained for a long time if she make an appeal to the Minister

He erred in not giving her the voluntary departure and was ultra vires in his action

In these circumstances I implore your kind self to consider this application on humanitarian basis. As an Honorable Minister you would clearly appreciated the due process of law and the conditions of Voluntary departure. There has been a protocol in the immigration department always that the applicants married to citizens of Trinidad should be given a chance and approve the application for voluntary departurte and give a chance to apply for residency status

Hence, we implore your good self to consider her situation and quash the deportation order.

Thanking you sir,

Your’s sincerely

C.R.Gidla