

Personal Information

Name: ALRIC JEREMY LINDSAY

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Mailing Address *Postal Code*

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Email: ALRICLINDSAY@gmail.com

Please indicate preferred contact method: Email Mail Phone Best time to call: _____

Are you making this appeal on behalf of another person? Yes No

If YES, please attach all documentation which shows that you have the authority or consent of that individual to act on his/her behalf.

Signature: Alric Lindsay Date: September 5, 2024

Information about the request / appeal

Name of Public Authority: DEPARTMENT OF ENVIRONMENT

Name of person who assisted you: Sonya van de Wouw, Deputy Information Manager

Select one or more of the following options to describe what your appeal is about:

- The records I requested were withheld in full or in part (redacted)
- My request for an internal review was ignored for 30 days or more
- My request was improperly deferred
- The records I requested were not found
 - Have you discussed what records you believe are missing with the Information Manager?
 - If the answer is no, we request that you bring this matter to the Information Manager's attention for possible resolution before filing an appeal.
- I was charged an unreasonable fee/my request for a fee waiver was refused
- My request was improperly transferred to another Public Authority
- My request was refused on the grounds that it is vexatious
- My request was refused on the grounds that they have previously responded to a similar request
- My request was refused on the grounds of unreasonable diversion of resources
- I did not receive the requested information in the format I asked for
- The Public Authority intends to disclose my personal information over my objections
- Otherwise the Public Authority did not comply with an obligation imposed under the FOI Law.

If any of the above applies, have you requested an **internal review** with the Public Authority that holds the information?

Yes No

Further Details

Please summarize your appeal and the issues you would like reviewed:

Department of Environment failed to indicate whether or not it holds a record

Department of Environment failed to communicate the information contained in a record

DoE otherwise failed to comply with the FOI Act

DoE failed to provide a record of a reasons that no legal action was taken in the case of extensive environmental damage

How do you think the OMB can help you? Describe the result or outcome you seek:

Outcomes:

1. Order that DoE provide records, including any legal opinion, containing the reasons For not filing charges or taking legal action against TDE Maritime superyacht M/Y Tatoosh. This is the expectation following the Doctors Express ruling regarding reasons for the DPP not pursuing a prosecution against Dr John Lee.
2. Order that DoE provide records showing total fines paid by TDE Maritime.
3. Order that DoE provide records showing a copy of the settlement agreement with TDE Maritime superyacht M/Y Tatoosh.
4. Order that DoE fell foul of section 18 of the Bill of Rights in not taking legal action.

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For an explanation of your rights under the Data Protection Act (2021 Revision), please consult the guidance for the general public on our website: <https://ombudsman.ky/data-protection/public>

Your views are valuable to us. If you have any questions or concerns, please contact us: <https://ombudsman.ky/get-in-touch>

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