000 Andrew Storch solicitors 000

Tel: 0118 958 4407
Mobile: [redacted]
Email: [redacted]
Secure: [redacted]
Website:www.andrewstorchsolicitors.com

92 London Street
Reading
Berkshire
RG1 4SJ

Directorate of Legal Services
10 Lambs Conduit Street
LONDON
WC1N 3NR

My Ref: MP:TBA

Date: 5 July 2021

Dear Sirs

Our client - Hatun Bulut Tash

We write on behalf of the above-mentioned client in relation to two separate incidents. Our client seeks redress for their arrest and false imprisonment. We write in compliance with the Practice Direction on Pre-Action Conduct.

Factual background

Incident #1: Sunday 20 December 2020

Our client was at Speakers' Corner, Hyde Park on Sunday, 20 December 2020. Whilst there, she engaged in a peaceable discussion with a number of members of the public. At the same time, there was a man speaking from soap box to a large crowd. Police Officers observed this man and allowed him to preach for over an hour. In or about 15:30 hours, the officers intervened and stopped the speaker. Our client then approached the police and asked why they were interfering with the lawful exercise of free speech, when the Mayor of London, Sadiq Khan, had only recently confirmed in the London Assembly, that Article 10 rights should be protected. This encounter with my client, was caught on video.

The officers then alleged that our client breached specific Coronavirus regulations, in particular they alleged that she had crossed tiers and had congregated with more than six people. They alleged that she had contravened Regulation 10 (1) (A) and (2) and paragraph 2 (2) (A) of schedule 3 to the Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020 *'as a person living in tier 3 area participating in a gathering of more than six people in a public outdoor place outside the area'.*

They requested that she give her details, so that they could issue her with a Fixed Penalty Notice.

You will be aware that she was not legally obliged to give her details, see *Neale V DPP* [2021] EWHC 658 (Admin). Knowing her legal rights, she refused to accede to the request. The officers then arrested our client and detained her. Her bag was searched in public without lawful authority. She was then placed in a police van and driven to Charing Cross police station. The van had to wait outside the police station for 30 minutes. Our client was finally admitted in or about 16:50 hours. She was then placed in a cell.

In or about 22:00 hours she was informed that she was to be charged with breaching the Coronavirus Regulations. She was returned to her cell and remanded overnight and produced before the Magistrates Court the following morning. She was finally released in or about 13:00 hours Monday, 21 December 2020.

Our client pleaded not guilty and the matter was set down for trial. The charges were subsequently discontinued by the CPS on 5 May 2021.

In total she spent 21 hours in police custody.

Incident #2: Sunday 23 May 2021

Again, our client was at Speakers' Corner on Sunday afternoon, 23 May 2021. She was again preaching to members of the public and therefore exercising her rights under Article 9 & 10 of the European Convention on Human Rights. She was engaging in a conversation with passers-by and preaching about her faith. She was wearing a T shirt with picture of Mohammad; this created a number of discussions with those interested. Initially the discussions were polite. At point did our client say anything threatening, or abusive.

However, within a relatively short period of time, a large group of people engaged with our client in an aggressive manner. They used obscene language towards her, and physically assaulted her. The police intervened and directed that she should leave Hyde Park. However, because she was expressing her right to free speech and was not engaging in any unlawful activity, she refused to leave. Surprisingly, the police, instead of dealing with the angry and violent crowd, the police chose instead to arrest our client and remove her from the area.

She was arrested for a breach of the peace, although it was clear that the hecklers were the ones causing the disturbance as multiple digital records will show. In or about 17: 42 hours, on Sunday 23 May 2021, she was taken to Charing Cross Police Station. She was subsequently rearrested for an offence of s.4 A Public Order Action 1986. She was subsequently interviewed and eventually this matter was 'no further actioned', so she was released from custody.

In total she spent 23 hours in police custody.

The Free Speech Union (of which she is a member of), wrote to the Metropolitan police concerning the arrest. On 25 June 2021, Trevor Phillips of the Metropolitan Police wrote to the FSU on behalf of the Commissioner for the Metropolis. He wrote in the following terms:

> *I am an Inspector in the MPS Royal Parks operational command unit who are responsible for policing London's Royal Parks, including Speaker's Corner, Hyde Park. I am also the second line manager of the arresting officer.*
>
> *As you are aware (as am I), Ms Tash has been attending Speaker's Corner for some time now. Ms Tash is well known to Royal Parks officers. She is a controversial and forceful speaker whom Muslim attendees often find offensive. She has been known to deface the Koran in front of Muslim attendees for example. She broadcasts events via a YouTube channel, attracting worldwide praise and condemnation in equal measure. Ms Tash has received advice about potential threats to her safety at Speakers Corner and elsewhere. She has had threats made against her, and suffered a minor assault, the suspect of which is known and is currently under investigation by Royal Parks officers. There has also been a third-party allegation made of Ms Tash being a victim of an offence on the day of her arrest that is currently under investigation by Royal Parks officers.*
>
> *Officers at Royal Parks police Speaker's Corner every week and are aware of the "provocative" nature of some of the speakers but also of their right to freedom of speech. They have been previously and continue to receive regular training inputs into the unique nature of policing Speaker's Corner.*
>
> *I was aware of this matter you have highlighted and had spoken to the officer concerned and other officers at Royal Parks prior to receiving your correspondence.*
>
> *The incident was exacerbated by the attendance of an unconnected protest group who do not normally attend Speaker's Corner and were offended by Ms Tash's t-shirt and her speaking. The group numbered 30-40 persons and there were 2 officers present at the time. The focus of the groups attention was directed at Ms Tash which was becoming volatile and threatening. The officers initially requested Ms Tash leave for her own safety. She refused and was then directed to leave under The Royal Parks and Open Spaces Regulations 1997 s.3(1) – Intentionally or recklessly interfere with the safety, comfort or convenience of any person, this was again done more in fear of her safety and clearly as asking a group of 40 volatile persons to leave would have been impossible.*
>
> *Also of note under the regulations is s.3(14) – Fail, when in the public speaking area in Hyde Park, to comply with a direction given by a constable to move from some place in that area or to leave the area.*

Officers then describe having bottles thrown towards them, necessitating the need to call for the assistance of more officers. On arrival of other officers, a decision was made to arrest Ms Tash to prevent a Breach of the Peace and to remove her from the area. This decision was made primarily to protect the safety of Ms Tash, prevent an escalation of a developing public order incident and made in what was becoming a hostile and threatening environment for the officers. A decision to further arrest her for s.4(A) Public Order Act was made later.

As previously stated, I have already spoken with the officers to discuss the incident and other options that were available to them, including under the Royal Parks and Open Spaces Regulations.

I can assure you the Royal Parks officers who regularly police Speaker's Corner, are regularly provided input and training and indeed have updated training scheduled for July.

As far as your request to be assured that MPS wide, officers are receiving training around the fundamentals of free speech, I believe Detective Inspector Chibber answered this in his e-mail to you dated 3rd June.

Regards,

Trevor Richards

Legal Framework

The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020

The Defendant was charged under The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020.

Under Regulation **10** (1) A person commits an offence if, without reasonable excuse, the person—

(a) contravenes a Tier 1 restriction, a Tier 2 restriction or a Tier 3 restriction,

(c) fails to comply with a reasonable instruction or a prohibition notice given by a relevant person under regulation 9, or

(2) An offence under this regulation is punishable on summary conviction by a fine.

Under Schedule 3, the Tier 3 restrictions, s1 (2) (a): No person living in the Tier 3 area may participate in a gathering outside that area which—

(a) takes place outdoors in a place which satisfies the conditions in sub-paragraph (4) and consists of more than six people.

The Public Order Act 1986. Under section 4 A states:

> (1)A person is guilty of an offence if, with intent to cause a person harassment, alarm or distress, he—
>
> a) uses threatening, abusive or insulting words or behaviour, or disorderly behaviour, or
>
> b) displays any writing, sign or other visible representation which is threatening, abusive or insulting,
>
> thereby causing that or another person harassment, alarm or distress.

Articles 9 & 10 European Convention on Human Rights (ECHR)

The interpretation of the above regulations must be compliant the Human Rights Act 1998. This incorporated the following rights into law:

Article 9 concerns the Defendant's rights to Freedom of thought, conscience and religion and says:

1. *Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief and freedom, either alone or in community with others and in public or private, to manifest his religion or belief, in worship, teaching, practice and observance.*
2. *Freedom to manifest one's religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others.*

Article 10 concerns the Defendant's rights to Freedom of expression and says:

1. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This Article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.

2. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

Free speech jurisprudence

For a restriction on a person's Article 9 and 10 rights to be justified and lawful under paragraph 2 of Articles 10 or 11, the interference in question must be: (1) prescribed by law; (2) in pursuit of a legitimate aim; (3) and necessary in a democratic society. These three conditions must be met concurrently for the interference to be justified.

Only "*convincing and compelling reasons*" (*Jehovah's Witnesses of Moscow v Russia Application no 302/02 [2010]* para 108) can justify a restriction on freedom of expression or assembly. Moreover, there is very little scope under the Convention for restrictions on the debate of questions of public interest[1] and Contracting States "have only a limited margin of appreciation"[2] in restricting freedom of expression and assembly.

The State must still demonstrate that the interference was "necessary": that is, meeting a "pressing social need" and proportionate to the legitimate aim pursued. In considering proportionality, several factors need to be taken into consideration.

Very strong opinions will be protected, even if these cross the sensibilities of the majority of the population. Generally, the court will only intervene if there is a personal threat to an individual. That controversial opinions expressed in strong language are protected under Article 10[3], was most clearly seen in the seminal case of *Brutus v Cozens* (1972) 56 Cr App R 799, when Lord Reed held:

> *"Parliament had to solve the difficult question of how far freedom of speech or behaviour must be limited in the general public interest. It would have been going much too far to prohibit all speech or conduct likely to occasion a breach of the peace because determined opponents might not shrink from organising or at least threatening a breach of the peace in order to silence a speaker whose views they detest. Therefore vigorous and it may be distasteful or unmannerly speech or behaviour is permitted so long as it does not go beyond any one of three limits. It must not be threatening. It must not be abusive. It must not be insulting. I see no reason why any of these should be construed as having an especially wide or specially narrow meaning. They are all limits easily recognisable by the ordinary man. Free speech is not impaired by ruling them out. But before a man can be convicted it must be clearly shown that one or more of them has been disregarded."*

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[1] ECHR, *Vajnai v. Hungary*, Application no. 33629/06, judgment of 8 October 2008, § 47.

[2] ECHR, *United Communist Party of Turkey and Others v. Turkey,* [G.C.], Application no. 133/1996/752/951, judgment of 30 January 1998, § 46.

[3] Such protections do not extend to statements that incite violence against an individual or a sector of the population. See ECHR, *Surek v. Turkey* (No. 3), [G.C] Application no. 24735/94, judgment of 8 July 1999.

In *Kokkinakis v Greece*[4] [1993] the right to engage in voluntary conversations with persons (within or without the work environment) was protected by Article 9. Here a Jehovah's Witness had been arrested multiple times for seeking to convert persons from the Greek Orthodox Church. It was alleged that the applicant had the [judgment para 9] "*intention of undermining those beliefs by taking advantage of their inexperience, their low intellect and their naivety.*" It was held that there was no counter-veiling right not to be exposed to ideas that one finds offensive or dislikes[5]. The court found that there was a difference between proper and improper proselytism. The latter is characterised by the following [judgment 48]:

> *"the latter represents a corruption or defamation of it. It may, according to the same report, take the form of activities offering material or social advantages with a view to gaining new members for a church or exerting improper pressure on people in distress or in need: it may even entail the use of violence or brainwashing, more generally, it is not compatible with respect for the freedom of thought, conscience and religion of others."*

Judge Martens found that there was considerable protection afforded to persons who seek to persuade otherwise to change their religion [14]:

> *"These absolute freedoms explicitly include freedom to change one's religion and beliefs. Whether or not somebody intends to change religion is no concern of the State's and, consequently, neither in principle should it be the State's concern if somebody attempts to induce another to change his religion."*

He continued [15]:

> *"In principle, however, it is not within the province of the State to interfere in this 'conflict' between proselytiser and proselytized. First, because-since respect for human dignity and human freedom implies that the State is bound to accept that in principle everybody is capable of determining his fate in the way that he deems best-there is no justification for the State to use its power 'to protect' the proselytised*."

The case of *United Communist Party of Turkey* [1998], provides important normative guidance on the idea of democracy and on its relationship to human rights. It is clear that the Court has in mind the model of liberal democracy, constituted by popular elections, the rule of law and human rights. The Court held that there can be no democracy without pluralism and the *State is a guarantor of that pluralism*. An expression of pluralism is the existence of political parties reflecting different shades of opinion, and the *State has a duty to guarantee the rights of political parties to freedom of association and freedom of speech.* Importantly, the Court confirmed in this case that political parties were entitled to invoke article 11 of the Convention.

[4] (1993) 17 EHRR 397: in particular paragraphs [31] and [48]
[5] *Appel-Irrgang v Germany* 45216/07 of 6th October 2009

In the well-known High Court matter of *Redmond Bate v DPP*[6] *[1999]*, Sedley J opined that it was only speech that tended to provoke that would be unlawful, but only if the violence was a natural consequence of the speech. He contrasted the reaction to the Salvation Army's activities in *Beatty v. Gilbanks* (1882) 9 Q.B.D. to a Liverpool Protestant preacher in *Wise v. Dunning* (1902) 1 K.B. 167. The conduct in the latter case was calculated to provoke violent and disorderly reaction:

> *"Free speech includes not only the inoffensive, but the irritating, the contentious, the eccentric, the heretical, the unwelcome and the provocative, provided it does not tend to provoke violence. Freedom only to speak inoffensively is not worth having."*

There is no right *not* to be offended, or subject to views that one does agree with. So, in *Percy v DPP* (2001) JP 166 93 the Divisional Court gave primacy to freedom of expression in relation to the *purposive insulting act* of burning a United States flag in front of serving US military personal. The presumption in favour of freedom of expression meant that the fact that a message could be delivered in a less insulting way was not conclusive and the conviction breached Article 10 [para 31]

> *"The fact that the Claimant could have demonstrated her message in a way which did not involve the use of a national flag of symbolic significance to her target audience was undoubtedly a factor to be taken into account when determining the overall reasonableness and proportionality of her behaviour and the state's response to it. But, in my view, it was only one factor."*

Again in [33]:

> *"In my judgment, at the crucial stage of a balancing exercise under Article 10 the learned District Judge appears to have placed either sole or too much reliance on just the one factor, namely that the Claimant's insulting behaviour could have been avoided."*

In *Hoffer and Annen v. Germany,* Application nos. 397/07 and 2322/07, (judgment of 13 January 2011 concerned events from 8 October 1997) when [7]

> *"the applicants distributed four-page folded pamphlets to passers-by in front of a Nuremberg medical centre. The front page contained the following text: "'Killing specialist' for unborn children Dr. F. [is] on the premises of the Northern medical centre, Nuremberg". The middle pages contained information on the development of the human foetus and about abortion techniques. It further contained the appeals: "Please support our struggle against the unpunished killing of unborn children" and "Therefore: No to abortion" The verso read as follows: "Support our protest and our work. Help to ensure that the Fifth Commandment "Thou shall not kill" and the Basic Law of the Federal Republic of Germany are in future respected by all doctors in Nuremberg! Stop*

[6] (1999) 7 BHRC 375, 163 JP 789

the murder of children in their mother's womb on the premises of the Northern medical centre. then: Holocaust today: Babycaust."

The Court found there was a [44] "*special degree of protection*" afforded to expressions of opinions which are made "*in the course of a debate on matters of public interest*."

In *Kirk Session of Sandown Free Presbyterian Church's Application* [2011] NIQB 26, involved a Judicial Review against the Advertising Standards Agency prohibition of the church's advert in a local paper concerning the forthcoming *Pride Parade.* The advert contained the following strong words [15]:

"The act of sodomy is a grave offence to every Bible believer who, in accepting the pure message of God's precious Word, express the mind of God by declaring it to be an abomination. (Leviticus, ch18 v22, 'Thou Shalt not lie down with mankind, as with womankind; it is an abomination.') This unequivocal statement clearly articulates God's judgement upon a sin that has been only made controversial by those who are attempting to either neutralise or remove the guilt of their wrongdoing…..It is a cause for regret that a section of the community desire to be known for a perverted form of sexuality".

Mr Justice Treacy found that as article 10 protects not just what is said, but the means of saying it [73]:

"But Art 10 protects expressive rights which offend shock or disturb. Moreover, Art 10 protects not only the content and substance of information but also the means of dissemination since any restriction on the means necessarily interferes with the right to receive and impart information. Whilst, in principle the manner in which beliefs and doctrines are opposed (or propagated) can engage the responsibility of the State and justify restriction under Art 10(2), the necessity for any restriction must be convincingly established. In the present case I consider that the respondent has failed to convincingly establish the necessity for such restriction which, in my view, disproportionately interferes with the applicant's freedom of expression."

One of the most frequently cited formulations of the proportionality test is that of Lord Reed JSC in *Bank Mellat versus HM Treasury* (No 2) [2014] AC 700 [74] where he said that an assessment of proportionality involved four questions: (A) whether the objective of the measure is sufficiently important to justify the limitation of a protected right; (B) whether the measure is rationally connected to the objective; (C) whether a less intrusive measure could have been used without unacceptably compromising the achievement of the objective, and (D) whether, balancing the severity of the measure's effects on the rights of the persons to whom it applies against the importance of the objective, to the extent that the measure will contribute to its achievement, the former outweighs the latter. In essence, the question of step four is whether the impact of the rights infringement is disproportionate to likely benefit of the impugned measure.

Ziegler v DPP [2019] EWHC 71 (Admin) it was held that the magistrates have a duty to act in a way which is compatible with the Convention rights of a defendant. The importance of human rights protesters was put in the centre of the judgment which stressed the fair balance that must be struck between protesters and road users. Article 10 and 11 were capable of giving rise to a lawful excuse for the purposes of section 137 of the 1988 Act. There was no primacy given to the right to road users over the rights of protesters. (See paragraph 69).

In the recent Scottish Judicial Review decision of *Reverend Dr William Philip and others* [2021] CSOH 32, in the Opinion of Lord Braid, of the Outer House, Court of Session, found that the Scottish Ministers had violated the Petitioners (Church Ministers) rights under Article 9. Central to the finding was the inadequate weight that the Ministers had placed on the Petitioners' Article 9 rights:

"[120] Considering next the importance of the affected right, it is not clear that the respondents have fully appreciated the importance of article 9 rights. They have admittedly paid lip service to article 9 by referring to it, but there is no evidence that they have accorded it the importance which such a fundamental right deserves."

His conclusions were [127] *"For all these reasons, I have concluded that the Regulations do constitute a disproportionate interference with the article 9 right of the petitioners and others. As such, they are beyond the legislative competence of the respondents for the reasons set out above. [128] Reverting to the constitutional issue, for the same reasons I therefore find that the Regulations are also a disproportionate interference with the petitioners' and additional party's constitutional rights."*

Wrongful Arrest

It is axiomatic that our client was detained. The burden of proof therefore shifts to the police to show that the five tests under sections 24 and 28 of the Police and Criminal Evidence Act 1984 ("PACE") were met, viz:

(i) the arresting officer honestly suspected the arrested person was involved in the commission of a criminal offence ("**the subjective test**")

(ii) the arresting officer held that suspicion on reasonable grounds ("**the objective test**")

(iii) the arresting officer's reasons for effecting an arrest amount to a reasonable belief that the arrest was necessary, usually to allow the prompt and effective investigation of the offence or of the conduct of the person in question ("**the necessity test**")

(iv) the officer informed the arrested person of the fact and grounds of arrest as soon as reasonably practicable ("**the section 28 test**")

(v) the arresting officer's exercise of his or her discretion to arrest was reasonable in public law terms because PACE confers a discretion, not a duty to arrest. ("**the Wednesbury test**").

Unlawful imprisonment

Even if arrest and detention is deemed lawful initially it may subsequently become unlawful. The burden is on the police to show that the detention was lawful "minute by minute" because, as Lord Donaldson said in 1991 in Mercer v CC Lancashire: *"what may originally have been a lawful detention may become unlawful because of its duration or of a failure to comply with the complex provisions of the Police and Criminal Evidence Act 1984."*

Claims

Incident #1: Sunday 20 December 2020

Our client had not in fact 'crossed tiers' she lived in London W1H at the time of the alleged incident and therefore was in the same tier as Hyde Park. Secondly, she was not congregating with 'more than 6 people'. There were a number of members of the public in a public area, of whom she spoke to one.

Even if this is wrong, she was clearly exercising her Article 9 and 10 Rights, which provide her a defence (see *Ziegler*) as the exercise of these rights amounts to a reasonable excuse.

It follows therefore, she has been false arrested, false imprisoned, and assaulted.

Incident #2: Sunday 23 May 2021

The email on behalf of the Commissioner, states the reason for our client's arrest was:

a) To **prevent a breach of the peace**, as there were a number of hecklers objecting to her message that were part of an "*unconnected protest group"* that *"numbered 30-40 persons"* who were becoming *"volatile and threatening*", and it was not possible for the two officers to ask *"a group of 40 volatile persons to leave".* Therefore, our client was directed to leave, and when she did not, she was arrested to prevent a *"Breach of the Peace and to remove her from the area".*

b) She was also arrested to *"**protect the safety of Ms Tash**".*

It is abundantly clear that the officers should never have arrested our client for the above-mentioned reasons. The officer's justification is almost exactly the same as the officer's justification for the arrest of Alison Redmond Bate (*Redmond Bate v DPP* (1999) 7 BHRC 375, 163 JP 789). This justification was found to be entirely unlawful by the High Court. The heckler's reaction to her speech was not a reasonable response. Therefore, they should have been arrested or dispersed, not our client.

Just because it was believed that it was operationally necessary to arrest our client, that is not what should have happened. The police should have protected her free speech by bringing more officers to Speakers Corner to facilitate her rights. It follows that her safety would have been protected.

It is averred that the police:

i) Did not believe our client was involved in the commission of a criminal offence, concerning the first incident it was clear that no regulations had been broken and concerning the second incident, the officers believed that the easiest solution to the problem was 'get rid of our client'.

ii) nor did they have reasonable grounds for such a belief. The officer's belief was unreasonable for both incidents.

iii) nor was it necessary to arrest. Concerning the first incident, our client could have been requested to come to the police station for a voluntary interview. Concerning the second incident, there were alternatives to arresting our client. For example: Her free speech could have been protected by providing more officers on location or giving a dispersal order to the hecklers.

iv) Nor was the exercise of their discretion to arrest reasonable. There were a number of alternatives to arresting our client.

Therefore, our client was assaulted, falsely arrested and her detention was unlawful.

Pre-action disclosure

The Claimants seek the following pre-action disclosure:

a) Pocket book notes of officers P 251683, P 252998 and P 251121 for incident #1 and for P 207830 for incident #2;

b) All body-cam footage of the police's interaction with her;

c) If any internal police investigations have been carried out concerning the actions of the officer in the case, details of those investigations, and all witness statements made for the purposes thereof.

Damages

The Claimant is seeking the following:

1. Damages for assault, false arrest, false imprisonment and harassment.
2. Legal fees.
3. An apology.
4. An undertaking from the police that they will not continue to harass her.

Alternative Dispute Resolution

Our client is mindful of parties' mutual responsibility to consider whether some form of ADR might enable settlement of this matter without proceedings being commenced and without the incurrence of significant costs; accordingly they would welcome an opportunity to meet with you in ADR.

We would however want to know your client's position in relation to liability and pre-action disclosure of key material, in order that we may make an informed assessment of risk and quantum.

Your client would also need to be clear as to his position regarding:

a) The provision of a written apology.
b) An open admission of liability.

Pre-Action Protocol

Whilst it is clear that the majority of the detailed provisions of the pre-action protocol are not applicable to police malpractice cases, we are prepared to adopt the spirit of the protocol. Accordingly, we would like an acknowledgement of receipt of this letter within 7 days and we shall allow you 3 months from the date of this letter to conduct a thorough investigation to notify us in writing as to:

a) Whether or not liability is disputed
b) If liability is disputed to provide us with an explanation as to why you have reached this conclusion together with a copy of all relevant documentation in your possession, including those documents identified in the schedule annexed hereto or your reasons for not disclosing them

Unless we receive within three months information satisfactory to our client, we are instructed to

commence proceedings against your client without further notice.

If you are unwilling to adopt the Civil Procedure Rules, please notify us accordingly together with your reasons for doing so. We reserve the right to bring all matters (as appropriate) to the attention of the court on issue of costs and generally.

We await hearing from you in due course and shall be grateful if you would acknowledge safe receipt of this letter by return.

Yours faithfully

Andrew Storch Solicitors