

IN INNER LONDON CROWN COURT

R

-v-

JASON PLACE

NOTE OF PROCEEDINGS
TUESDAY 17 NOVEMBER 2015

HHJ BISHOP
Court 5

SUMMARY [HYPERLINKED TO BODY OF TEXT]

1. [Prosecution Opening \[Suzanne Crane\]](#)
2. [Evidence of Navjot Sidhu QC](#)
3. [Evidence of Ally Howard](#)

Peter Corrigan ("PC")

Suzanne Crane ("SC")

Judge in: 10:05/ Jury in: 10:09

Prosecution Opening:

SC: [As read from opening note] Count 7 relates to web domain address found on business cards. Pg. 8 of jury bundle, tab 2 can see at para 6.1, required to give written notice of web domain. Count 8, this concerns the possession of software designed to delete computer files. Found on Toshiba computer seized 6th January. Examined and the engineer found the software was installed on 10th June 2014. In SCPO, JP not allowed to possess such at items, pg. 5 SCPO para 2.1, 2.2 may not delete files or history. Counts 9 – 11, all involve the use of email addresses some of which used in the harassment campaign. The registrant email address used was the same for both websites. These email addresses were not notified to the police. JP pleaded guilty to matters of fraud in 2012 and sentenced on 8th June 2012 and was released 10th March 2014. Website for cowboysolicitors was set up in

2011 but was dormant until JP released from his custodial term. There is evidence that the computers used by JP had emails on them in relation to garyninjatech address. JP said in interview it was his brother who managed the website. Mr Dubbey, the private investigator as well as police expert, realised activity on JP's website. Gmail account recovery process initiated on 26th March using garyninjatech email address. 27th March was the beginning of the harassment campaign. Proxify.com accessed using this email address again. So that you have an idea of what a proxy service is see pg.111 Jury bundle, tab 28. This is an example of a basic proxify account. This software hides your IP address and makes you anonymous online. Of note, once the forensic examination of computer undertaken between 30th March – 7th April a person with admin control, someone with a confidential verification code concerned with setting up of website, accessed the bentasianlawyer website. The name of the user profile was 'Jason' and on 6th September 2014 someone with admin control accessed the cowboysolicitors site. Internet history records of JP's Acer laptop, 10th March 2014 at pg. 1 para 11 Jury bundle. Acer Laptop reference is JEK/3. Immediately below, 7th April 2014 can see the use of Toshiba laptop JEK/ 4. JEK/3 examined and showed activity from 9 -11 Jan 2015 when garyninjatech email received and sent email. In addition JP worked for IMS4relocations for a period of time. Reference at pg.1 para 8. Used garyninjatech email address and registered Samsung mobile phone at the address to register company IMS. Gary Wilson left UK October 2014 came back for a week in December then left again. DI Amos spoke to GW on phone in July 2015 but he declined to provide a statement. Ms Howard received email dated 5th March 2015 from garyninjatech email address. Pg. 97 Jury bundle, tab 26 her emails can be found. Crown would say JP assumed identity of GW in many instances so you can draw inference JP orchestrating the campaign. In addition to that, police conducted google subscriber checks to find out who is using the garyninjatech address. Pg. 94 Jury bundle. Count 10 in relation to another email address silk1.net address. Profile user was Jason and in emails details of correspondence with unit manager, gave his 8 Littlecroft address. John Dalton was a contact of Mr Place. Content of emails relate to him from address intimate knowledge of JP sending emails to Mr Dalton using this email address, this address also appears on Toshiba laptop. Silk1safe email address also used in 2012 when there was a posting on the Indymedia website on 4th June 2012. That person, calling himself Barrington Smith, used the silk1safe email to post material about Bark & Co. Also reference to JP's court case made. In relation to Count 11, it is another email address police did not know about, jasonnicholas69. Police became aware of this address when they got documents in relation to his tenancy application. JP used this email address as a contact email pg. 51 Jury bundle, tab 19. Message appears at the bottom of the page, it is from JP. Asking to have his partner removed from the tenancy agreement. Pg.93 Jury bundle, IP logs represent addresses and give locations associated with where JP logged in and out. Count 12 refers to an Apple MacBook computer police seized from JP. Police

investigated matter of harassment and possible breaches of SCPO and when they did this they took the computer. When found the computer was switched on and connected to internet and had a hard drive connected to it .JP was interviewed twice that day and said laptop was a birthday gift for Lacy, his daughter. He declined to answer any further questions because he believed he had already answered them in an earlier interview. JP did not recognise other email addresses. He said the use of fraudulent details on tenancy agreement was because he was desperate to leave his current home. Hard drive seized was examined and a number of websites visited about NS from 5th March. Visit on the petition website and TOR browser used found on MacBook. It is software that hides activity on the dark internet. No direct evidence of JP typing in postings but Crown would say sufficient circumstantial evidence that JP involved in postings. Garyninatech email owned by JP and traced back to 2002 when it was used for JG4U.com. Paperwork seized in January this year from boot of JP car. Garyninatech used to register bentasianlawyers address. Person logged in at his home address when GW in Spain, cleaning software used before Police examination. Through past offending JP knows what he is doing. Evidence on hard drives between December 2011 – December 2012. Motive for harassment and SCPO matters to be considered. JP admitted fraud in interview but mitigating factors will have to be considered. Matters for you, Crown brings case responsibility on Crown, JP does not have to prove he is not guilty. You need to be sure.

Examination In Chief Navjot Sidhu QC:

- I am a QC known as Joe Sidhu called to the Bar in 1993 and became QC in 2012. Practice from 25 Bedford Row, specialise in criminal defence law.
- Undertake voluntary activities, President of ASL and have been for 2 years, Chair equality and diversity society, Lincoln Inn trainer and a Pupil supervisor. Mentor and provide Mini-pupillages and appear regularly on TV and Radio.
- Served as an elected local counsellor in Ealing, school governor.
- I remained active in professional work. Make as much of a good contribution as I can and get exposed to a lot of people.
- 27 March was date fixed for general annual meeting for ASL and annual elections. I was working in Southwark Crown Court defending a fraudster, when I was notified in the late morning by Ms Gohil who forwarded to me an email to alert me of the fact emails were circulating which were defamatory and contained a link to a website which contained further damaging and offensive material about myself.
- Pg.15 tab 5 – Seen this email before. This email was forwarded to me by a solicitor at Lloyds solicitors. As you can see it comes from Bobby Bhandal. Email misspells my name.
- Pg. 17 tab 6 – Seen this before. This came with the email that was circulated widely on that day, to my horror many people had seen this email. Attachment repeats ref to me being bent. When I looked at attachment this was deeply upsetting. On 27th March I had no idea the cyber assault was going to start. I

was trying to deal with a case in Southwark and had this horrific revelation people were going to cyber attack me. This was deeply disturbing. One of many times I've seen a manipulated photo. A man with a placard on his back saying I'm corrupt. That afternoon was very difficult for me to get through until I returned to Chambers.

- Pg. 15 – I know Paul Millan. I have known him for several years in a professional capacity. Met in Court at St Albans. Worked with him in several cases. I had a lot of respect for him, he single handedly made his firm. I worked with him on 4 cases prior to November 2013. I had a high regard for him as someone who built up his firm. His name comes up later in the context of awards. He was one of 6 award winners as the one who won Criminal Lawyer of year. ASL Co-chair was a barrister S Mehta. Award was given on 30th November 2013.
- 27th March 2014 – First thing I did upon being aware of email was to contact a solicitor who specialises in defamation, Simon Smith. Instructed him to contact High Commission of India. He had correspondence with them. He had contact with Indymedia. He had some success in removing some material but what remained was a link without the content.
- Annual General meeting took place on the evening 27th March. Had highest number of participants for candidates. Elected committee of 12.
- Pg. 18 tab 7 - 1st April 2014 first time heard of bentasianlawyers. When I saw this email it was deeply upsetting. I had hoped whatever the reason behind 27th March email was a one off. I had hoped someone who had a reason to damage my reputation had given up after elections but in fact on 1st April, second malicious email began to be circulated about me and repeated what had been in first email. From bentasianlawyers saying I needed to be investigated.
- Pg. 22 tab 8, bentasianlawyers.ua website link. That page appeared when you clicked on the link and it showed Jimmy Savile's face morphing into mine and back again. I was described as the Jimmy Savile of lawyers.
- Pg. 20 tab 7, 4th April I have seen this email. This is an email that repeats again the suggestion that I had done something improper in relation to the nomination of awards. It goes onto make other allegations, saying that I am bent, that I have committed plagiarism, that I pay solicitors to give me work. All the allegations were unsubstantiated by someone hidden behind an internet wall. It caused me a great deal of distress and alarm. It was cyber bullying of the very worst kind. Jimmy Savile needs no introduction and to have my picture morphed into his face I could not imagine a worse way to attack someone's reputation or humanity. My daughters saw this picture. I have a 10 year old and a 15 year old. To have my girls come down stairs and say to me...[NS emotional]
- Pg. 23, tab 9 – I have seen this before. I had never seen the email address garyninatech before seeing these emails. I do not know the Action against lawyers organisation.
- There was the repetition of the defamatory emails from 27 March – 1 April and I decided it would go on if I didn't do something about it. I contacted the police. On 2nd April I made police complaint. Police investigated the matter and tried to chase down the source of the email and the website. Police in the end couldn't take the matter any further forward.

- June 2014 – I asked a barrister Ally Howard to ask google and yahoo to take down the offensive material. Had some success but material came down and went back up again. It was a cat and mouse game.
- 3rd July 2014 – Pg. 24, tab 10 – This was posted online and it is a demand that I be debarred from working as a barrister. It purports to be signed by 8 people. Rinda Sand was the wife of a member of the ASL committee. Obvious to me the perpetrator stepping up the attacks and now trying to stop me from working. This made me feel deeply insecure, being a barrister is all I know.
- 20 August 2014 – After my twitter account was hacked and I had been informed that a bogus account in my name had been set up I was beginning to realise that this cyber attack was moving into twitter and facebook and was not going to stop. Police had tried their best but their investigations came to a stop. Ms Howard had tried to get websites down and when I found that I couldn't remove material I employed a private investigator firm, Harod Associates, Martin Dubbey.
- 7th October 2014 Martin Dubbey reported back and I passed on info to police.
- 5 September 2014 – Pg.29, tab 14 I have seen before it is a page that was posted which contained malicious content about me and new material that was derogatory in nature. It put a picture of me on a mock Sky TV screen saying I had been arrested. This picture would come up against any search of my name on google. I saw this in September and can't remember exact time I first saw it.
- Pg. 90, Tab 25 – I think this was subsequent to earlier site on 5th September. This appeared on the internet after 5th September.
- Pg. 91 – Shows picture of me with Jimmy Savile and repeats malicious content.
- Pg. 92 – Saw that as well using photo imagery now my face appears on front of daily newspaper saying that I'm corrupt. See imagery repeating itself.
- 7th September – Facebook account using name Shakeel Patel, which I assume is bogus, started posting malicious material about me on facebook, posted links to offensive material.
- Pg. 25, tab 11 – This is cowboysolicitors.com and has a drop down ladder with abusive commentary on it. Accusing innocent committee members of having protected me. People had a bounty placed against their heads. You can see in google box a picture of me with corruption of dummies. It has a bullet hole in the top right hand corner. I thought this was now a threat against me. I did not know who was behind it, I had my suspicions. This was scary stuff. This person was not only trying to pull my career down. To say I was alarmed would be a serious understatement. I put up security measures at my home.
- Pg. 26, tab 12 – This is the mock book cover of my face.
- Pg. 11, tab 3 – This appears to be a listing on a search engine showing my name.
- Pg. 13, tab 4 – This is a repetition of certain websites, about me being corrupt to the core. Every time my name was put into a search it would produce a mixture of these websites. Search engine optimisation workings made these results come higher up the listings that mixed up the proper and appropriate links. To have my name appear like this knowing that people I'd never met would see this and having no means to defend myself and I couldn't stop it I just felt my entire reputation was being destroyed. My integrity was destroyed. I hadn't come to the Bar with a silver spoon in my mouth, I was a

comprehensive schoolboy and was being taken apart bit by bit as was everything I'd ever worked for.

- Mr Dubbey handed me a report and identified Jason Place. I had heard of his name before but do not know him. Gary Wilson meant nothing to me either.
- 6th November 2014 – Handed Mr Dubbey's report to the police. I hoped this report would kick start the police investigation again.

S.100 Application Re NS XX:

Judge: I can't see what any answer he could give would provide substantial probative evidence in the case re Rubin Italia's phone call. Nothing in Italia's statement that is probative.

PC: Sidhu chosen to ring a solicitor that is representing JP. NS has presented himself in such a way that renders the need for it to be established why he called RI.

Judge: Only focusing on this trial. You say it has substantial probative value.

PC: Effect on jury so far, NS presented himself as a very respectable member of the Bar but this is evidence he has acted in an unprofessional fashion. Credit on issue in the eyes of the jury.

Judge: This is an application to xx NS on one aspect, which is the allegation that NS telephoned Mr Place's solicitor at a stage in March 2015. PC wishes to put that to NS in support of contention that it is an inappropriate way for a barrister to behave. He submits in the context of NS evidence in chief, he has presented himself to appear as a respectable member of the Bar and that it becomes relevant and probative to jury that he contacted RI. Seen RI statement, unsigned, what the statement says in essence is that NS telephoned the solicitor and indicated to him that he may be representing someone who set up the website. He says no more than that. To permit xx I must be satisfied it is important explanatory evidence, PC wants to put that point as a bad character attack or have substantial probative value and substantive importance in case as a whole. I am not satisfied that the question is important explanatory evidence or is substantial probative value in relation to the matter in issue. Does not meet that threshold. I make the ruling that the question cannot be asked. I'll keep the matter under review but ruling that question cannot be asked for now.

Cross Examination Navjot Sidhu QC:

- First heard name Jason Place on 27th March 2014, unfamiliar to me at that point. It was in context that Indymedia platform was used to post about Bark & Co.
- Not heard about Gary Wilson before this case. I learnt through this case who he is.
- Report matter to commissioners officer around 2nd April. Cyber crime investigated the matter and then passed it to my local police station.

- Informed the Met Police that there were certain individuals behind it. I learnt that myself.
- Nowhere on CRIS does the name Jason Place appear but I have an email in my possession that I sent to the Police detailing it, in my bag. Email dated 2nd April.

Lunch- Out 13:00: / In:14:02

- Email provided goes from NS to Police and mentions JP suggesting he put up a web page attacking Bark & Co, was something someone else told me. My understanding was that JP had been involved setting up a malicious website against Bark & Co on Indymedia platform.
- Indymedia first one behind tab 6, 1st April leads to bentasianlawyer site represented at tab 8, I say to police I have IP address linking JP. At that stage having been on receiving end of attack I asked for help and someone told me that IP address related to the Westminster area. I passed this onto the Police because they would have needed it. The 3 page email you have sight of sets out picture I had at that time.
- On first page of email I describe my relationship with IP lawyer.
- Bulk of material repeats again and again allegations about 30th Nov award.
- ASL committee historically had one or two people deciding the awards. When I came onto the committee in Spring 2013 S Mehta and I became co-chairs. We were told we'd need to nominate people for awards. S. Mehta led the discussion. He, Sunil and myself were invited by the Committee to make suggestions who should be nominees. S Mehta asked me to come up with names for Criminal and Commercial award.
- Award to Paul Millan was a decision made jointly by 3 people who were asked to come up with the names. That was put to committee all I did was come up with one name.
- I instructed Harod and Co and said S. Mehta had deep seated resentment towards me. I also noted that Sunil Sheth undermined my position. I gave all the information to the inquiry agent I could. The reason why I mentioned certain key names because the 4/5 questions on that website referenced to meeting notes.
- There were disagreements in committee about the way forward. Asked to come on to the society by Sunil, thought committee had lost the focus of their aims. They wanted to revive society, they asked me to be co-chair with S. Mehta, I agreed because believed in it. Like coming onto all committees there was a disagreement of views etc. There were things that went on beforehand. There I was asked to make a nomination, I stand by my recommendation, no doubt others will stand by their recommendations. I have minutes to testify to the discussions we had. Subsequently when this whole thing erupted. S. Mehta wrote on 27th March to Indian High Commission. He noted that he approved of the recommendations I had made.
- Method of selection for the awards was going to be altered and they were.
- In relation to Paul Millan, S Mehta and Sheth and myself emailing back and forwards.

- There were 4 out of 22 committee members names that I mentioned for the private investigators to conduct their enquiries. I gave them the name of other people I thought were interested parties.
- **[Matter of Law]** *NS attempting to bring before the court irrelevant names and contents of email he sent to the police. 3 times dragged irrelevant matters before the Court. **Judge rules:** that he is answering questions appropriately.*
- Requests to private enquiry agency sent. I use phrase “two other website emerge subsequently Tell us Why Joe and www.Joesidhuqc”. They came to our attention, when they were posted I don’t know but I assume after 18th September.
- Looked at, pg. 24 tab 10 Jury bundle, fake petition, Rina Song the partner of a member of someone on the committee. All the material was asking for my Chambers and me to be boycotted. You will understand full well that I take it very seriously. BSB allegation against me about corruption was dropped.
- **[Matter of Law]** *BSB Complaint was relating to phone call from R. Italia. Now it has been raised in this way PC feels entitled to raise the matter. Jury here to decide whether JP posted material. Essence of BSB complaint about the phone call and the jury are completely unaware of that if the question is not asked. PC wants to put complaint to BSB not about corruption but about NS talking to the solicitor. Want to correct impression given to jury about BSB relating to corruption when it was actually about the phone call. **Judge rules:** Allow you to put to Mr Sidhu 1) Allegation that Mr Place made to BSB not about corruption but about NS speaking to his solicitor 2) Result of that complaint dismissed because it was not substantiated.*
- Complaint to BSB was about me ringing up solicitor in March 2015 and was found to be without substance and dismissed.
- Do not know if Ms Howard had been in contact with Rubin Italia. Someone using name Gary Wilson sent a threatening email to Ms Howard.

Examination In Chief Ally Howard:

- I am a barrister practising out of number 5. NS is a colleague of mine.
- NS a good friend of mine, he is a mentor, taught me advocacy at Lincoln’s Inn. Asked me to help him with applications to websites to take down material. Made applications to google, yahoo, bing and an application to site registrants of cowboysolicitors. Asked google to de-link material.
- I was successful to start with, google de-linked a few websites but new ones were recreated. I stopped for a while and then started again in January 2015.
- I wrote to Tucows compliance department. I simply sent them an email asking them on behalf of NS to take down the website. I received a response from them saying there was nothing that they could do. Pg. 96A – D.
- Pg. 96 E – Email I wrote to paul@opensrs.org, a compliance officer I complained to at Tucows, the host of the domain.

- I had a response from this website, from the person I complained to effectively saying that there was nothing they could do about it and he forwarded my email to garyninjatech unbeknown to me.
- Pg.96A email dated 5th March addressed to me at No.5. I had never heard of Gary Wilson prior to receiving this email.
- Pg. 99 – 100 – Information appears because I spoke to the Met about it, Sarah Hutton, asked me to find the IP address so they could locate where the email came from. Took me a while to find where the IP address was, this shows where it is. Response on pg.98, referring to me as a Bent barrister, my email, phone number, email address was put online.

Cross Examination:

- My details appeared on the cowboysolicitors website after the email I received.
- Pg. 96 D – I received a response thinking I was male, at the back of 96C that is from Gary Wilson to me and copied to Rubin Italia and Paul at Tucows.
- I sent an email to Rubin Italia at Duncan Lewis.
- Pg. 96C – “previously convicted cyber criminal” I got that information from Mr Sidhu, not given a name just told someone had been arrested. I was wholly ignorant at the time Duncan Lewis representing JP. I did not know that, I just replied to Duncan Lewis. I had no knowledge whatsoever of him representing anyone, I simply saw it was Duncan Lewis and I replied to him in that way. I just wanted it to stop immediately. I was panicking and just wanted the whole thing to stop.
- I changed my name to Alyssa from Ally Howard because of this. I did not apologise to the solicitors. I was appealing to him, as any good solicitor should know that the threats were not necessary. I was appealing to him to stop.
- I supplied NS with a copy of the email chain because I was very upset that it happened then I spoke to DS Hutton.
- Did not find out that solicitor was for JP when I spoke to the police.
- When I sent the long email I did not realise who it was, I was simply doing a job on behalf of a friend of mine and did not know any of the details. I assumed it was from Gary Wilson.
- I was asked to deal with around 4/5 websites. I was successful with Indymedia. I would have forwarded to NS any applications I had made. This was not a job it was a favour. Think Mr Sidhu would have forwarded the applications I’d made. I had cervical cancer so was not really focused on this matter.
- Assuming NS would have forwarded on the applications, but all I did was send them to him.

End: 15:51

