

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of NAVJOT SIDHU QC:

01

Age if under 18 Over 18..... (if over 18 insert 'over 18') Occupation: BARRISTER

This statement (consisting of: 6..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature:

Date:

19/05/15

Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

This statement relates to a campaign of harassment and stalking that I have been subjected to since 27th March 2014. In the course of that campaign I have feared that I will be subjected to violence. I have also suffered serious alarm and distress which has caused substantial disruption and harm to my daily life over a prolonged period of time.

By way of relevant background I am a practising barrister and known at the bar as Jo Sidhu QC. I was called in 1993, took silk in 2012 and I am a Benchers at Lincoln's Inn. I practise from chambers at 25 Bedford Row and also hold associate membership at No 5 Chambers. I specialise in criminal cases.

In addition to my work as a barrister I undertake a number of voluntary activities related to my legal career: I am President of the Society of Asian Lawyers [SAL], Vice Chair of the Equality & Diversity Committee of the Bar Council, a lead advocacy trainer for Lincoln's Inn which includes the teaching of ethics to junior barristers, a pupil supervisor, a regular speaker at universities and conferences offering careers advice to law students, and I also mentor and provide mini pupillages to aspiring barristers. I appear regularly on radio and television programmes to discuss current legal issues.

Outside my legal career I have served in the past as an elected local Councillor in Ealing and sat as the Chair of my former junior school governing body in Southall for the last 17 years.

Due to the range of my above-mentioned professional and voluntary work and the long period over which I have pursued those activities I believe my profile has been exposed to a very large number of people both within and outside the legal profession. As such, the impact of the harassment campaign against me has been particularly distressing and damaging.

In this statement I will provide a summary of the history of the attacks targeted at me. I should emphasise that this is only a summary and it does not therefore purport to be a complete or comprehensive account of the extent and intensity of the harassment and stalking that I have lived with on a daily basis and without respite over a period of nearly 14 months and which continues to date. The harassment has been perpetrated primarily through the medium of numerous websites posted on the internet but also via Facebook and Twitter, and by direct emailing to a very large number of recipients within the legal services industry. I believe it has also been sustained and encouraged by the activities of a particular individual (Bobby Bhandal) who has had a key involvement in organising the campaign.

The perpetrators of the harassment and stalking campaign have remained anonymous. Indeed several of the websites in question have been hosted by servers located outside the UK and Europe, presumably in a deliberate effort to hinder me in identifying the source. Over the period in question new websites and postings about me have appeared and reappeared at varying intervals and sometimes at a frequency of several new websites in one day.

In order to illustrate the nature and extent of the harassment I exhibit with this statement examples of the material published about me.

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It is evident from the exhibited documents that the harassment has comprised false and deeply malicious attacks on my character and reputation. I have been accused variously of fraud, corruption, bribery, plagiarism, and I have been compared to Jimmy Saville.

The content of some of the websites is also expressly intended to destroy my professional integrity and my practise by exhorting solicitors and lay clients alike to boycott me on the basis that I am corrupt and that I work in collusion with law enforcement agencies to the detriment of my clients. It is common practise these days for both solicitors and defendants to research counsel's profile before deciding whether to instruct him or her on a case. On any search of my name the said websites would have appeared prominently on search listings. In addition, on page 1 of any such Google search there appeared a photograph of me superimposed on a news story falsely stating that I had been arrested. The fact that I could never know how many fellow lawyers, clients, judges and indeed jurors had viewed this offensive material and been adversely influenced by it only aggravated my feelings of distress.

Indeed, over the last 14 months I have lost count of the number of fellow professionals and other individuals known to me who have reported seeing the websites. I have no doubt that the long period over which these websites have been placed on the internet and the substantial efforts made by the perpetrator(s) to promote them on the search listings of all the major search engines (Google, Bing, Yahoo etc) means that they will have been viewed by many thousands of people both within the UK and abroad. The vast majority of these people will not know me on a personal level and may therefore believe that there is truth in the accusations of criminality made against me. This realisation has only compounded the feelings of anguish and distress I have experienced since the commencement of the attacks.

The websites have also been viewed by my wife and by my two children (aged 10 and 15) who have independently googled my name on several occasions to find out why their father was being attacked. As a family we have therefore endured enormous and unrelieved distress and anxiety in consequence of the posted material. Furthermore, one of the websites contained an implied threat to my life by suggesting there was a bounty of £1 million on my head with a picture of a bullet hole next to me. This has left me and my family feeling extremely anxious and fearful to the point that we have installed enhanced security equipment to our home and we are now particularly vigilant about our personal safety.

I will now deal with a summary of relevant events.

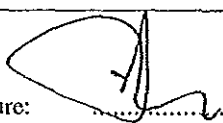
On 27th March 2014 SAL was due to hold its AGM at 7pm at 25 Bedford Row. Written Notice had been distributed in advance to all the members of the Society. The Notice confirmed that elections would be held to choose a new committee and officers (Chair, Secretary and Treasurer). It was well known that I would be seeking to be re-elected to the committee and to stand for Chair of SAL having served as Co-Chair over the course of the preceding year.

On that day I was part heard at Southwark Crown Court on a long trial. In the late morning I received an email from a fellow committee member (Anjali Gohil) alerting me to the circulation of an email that had been received by her chambers in Bristol earlier that day. She forwarded the email in question to me. It purported to emanate from the Indian High Commission. The subject title was "Joe Sidhu Is One Corrupt & Bent Lawyer". In the body of the email I was described variously as a "Low Life Individual" who heads SAL, that I had "previous for being bent", "more bent and corrupt than the clients he defends", that I had made SAL a "laughing stock", and that I was guilty of plagiarism. The email further accused me of personally giving a lawyer of the year award to a leading solicitor Paul Millan in exchange for "silk briefs". It also provided a hyperlink to a web page hosted by Indymedia UK and attached a PDF document also relating to Indymedia, each of which repeated the substance of the content of the email. The attachment carried a photograph of a person wearing an advertising board on which were written the words "Joe Sidhu Corrupt" and carrying the sub title "Stop the Bent Joe Sidhu".

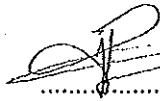
Having read the forwarded email I felt shocked and upset. It came completely out of the blue. The accusations were insulting, offensive and utterly baseless. The timing of the email to coincide with the day of SAL's AGM did not seem coincidental. It was clear to me that there was a concerted attempt being made to prevent my re-election to the committee that evening by a wholesale assault on my character.

I therefore immediately instructed a solicitor specialising in libel to write to the Indian High Commission to prevent the further dissemination of the email. The Commission denied all knowledge of the email and asserted that their email server must have been hacked or their email address spoofed.

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My solicitor also contacted Indymedia to remove the web page linked in the email. This request was partly successful in that the text content was removed the following day although the offensive title to the web page and the photograph with the advertising board remained viewable.

When I returned to my chambers after court on 27th March I learned from my clerks that the email in question had in fact been widely sent to numerous chambers and firms of solicitors. I also learned that many members of SAL and the committee had received the same email. These revelations only added to my alarm and upset.

Whilst in chambers I was then informed by one of my clerks (John Carson) that he believed he knew who might be behind the email and website. He told me that it was likely to be the work of Jason Place and Bobby Bhandal who were apparently very close friends. The basis for his belief was that Jason Place was known previously to have launched a similar attack on a well known criminal firm named Bark Jones & Co using the same Indymedia platform. He had apparently turned on the firm after falling out with them as their client. Further, I was told that Jason Place was known as a leading cyber criminal who had been convicted in April 2012 as the main defendant in a conspiracy to defraud that involved a sophisticated use of the internet. This was the first time I had ever heard the name Jason Place.

It subsequently transpired that the two particular standalone websites responsible for a substantial amount of the malicious material posted on the internet www.bentasianlawyer.com.ua and www.cowboysolicitors.com were both linked to Confidential Access, the site admitted by Jason Place to have been used by him to execute the fraud for which he had been convicted in 2012.

Bobby Bhandal was believed also to be involved for a number of reasons in addition to his close association and longstanding friendship with Jason Place:

Firstly, I knew that Mr Bhandal had previously expressed strong antipathy towards me to other members of the legal profession. Some years after first meeting him I became aware that he was a convicted criminal who had been operating within the criminal legal services industry as an unqualified "consultant" with various firms. He had built up a reputation for obtaining criminal clients from other firms by unethical means and for securing referral fees not just from solicitors but also from barristers in exchange for cases. He had become accustomed to getting his own way with a variety of legal professionals and chambers' clerks and I had been told that he was not averse to using threats of violence to enforce his will. He was well aware that I and my chambers had boycotted him because of our desire to maintain our good reputation and integrity. We were not the only chambers that had done so. In talking to other criminal lawyers I had also on a number of occasions expressed my strong disapproval of his unethical practises and my view that he was seriously damaging the reputation of the bar and was bringing the legal profession as a whole into disrepute. I had therefore made clear to solicitors whom he and I knew in common that I would not work with him under any circumstances. Indeed, I have never done so. Further, on a number of occasions when we both were in attendance at various social events for lawyers I made it a point to avoid speaking to him. Having understood the reality of his operating methods I felt that any association with him was extremely undesirable.

Secondly, Bobby Bhandal had similarly expressed an antipathy towards Paul Millan who had received one of SAL's awards (criminal lawyer of the year) at the annual awards event on 30th November 2013. His dislike of Paul Millan was based on the fact that Mr Millan, the Managing Director of Noble Solicitors, had told him in no uncertain terms that he did not want his firm being associated with Mr Bhandal given the latter's unsavoury reputation. Bobby Bhandal had been making considerable efforts to build a connection with Noble solicitors and did not appreciate his efforts being thwarted by Mr Millan.

A number of other subsequent developments (set out later in this statement) have led me even more firmly to the conclusion that Bobby Bhandal has played a part in orchestrating the internet attacks on me.

At 0217 hours on the day the attack was launched (27th March) he appears to be the first person to whom the email purporting to emanate from the Indian High Commission was sent. It is received at his email account with Rustem Guardian Solicitors (the firm that represented Jason Place in his cyber fraud case). That email account was bb@rustemguardian.co.uk Mr Bhandal used the same account later the same day to forward the malicious email on to Harsha Rupasinghe one of the partners of the criminal firm Lloyds PR Solicitors and someone well known to both of us. The message sent by Mr Bhandal with the email read as follows: "Hi mate see below I can not believe joe would have done this he is a really nice man can't

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believe it a man as good as him he must find out whTs going on" (sic). Having regard to the fact that Mr Bhandal and I were not even on speaking terms I regarded his message as, at the very least, sarcastic and, more likely, an expression of gloating.

Despite the disruption caused by the malicious emails and website the AGM proceeded to take place on the evening of 27th March and I was democratically elected by our members to serve on the new committee and as Chair of SAL.

On 1st April 2014 a second malicious email began to be circulated about me repeating in substance much of the content contained in the first email 4 days earlier. It was titled "Jo Sidhu needs to be investigated". This second email emanated from an email address asianlawyer@mail.ru and referred the recipient to a Ukrainian based website www.bentasianlawyer.com.ua. Bobby Bhandal was again a primary recipient of this email at his Rustem Guardian address. Later the same day a third email was circulated from the same address as the second email and again referred the recipient to the same website in the Ukraine. This third email was titled "Jo Sidhu QC – Bent & Corrupt To The Core". These ongoing repetitions of the attacks on my character only heightened my sense of alarm and distress as I realised that this was not to go to be a one-off event.

It should be noted that the aforementioned second email on 1st April was also forwarded to Mr Rupasinghe by Mr Bhandal on 4th April accompanied by the message: "My god I can't believe all this crap, Jo is such a decent man". I regarded this comment as no more than mock sympathy.

The same www.bentasianlawyer.com.ua website was used to post a particularly unpleasant web page showing my face and that of Jimmy Saville repeatedly morphing one into the other under the title "The Jimmy Saville of Lawyers". This web page with its underlying imputation of grave sexual misconduct was deeply upsetting and disturbing and indicated to me that there was no line that the perpetrator(s) would not cross.

Following the repetition of the attacks by email on 1st April I made a formal complaint of harassment to the Metropolitan Police on 2nd April.

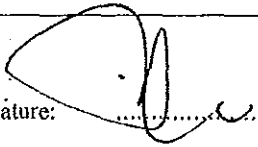
On 28th May 2014 I was engaged in a trial at the Central Criminal Court leading Andy Anastasiou, a fellow member of the bar. After court that day he informed me that he had found himself in a lift with Mr Bhandal and several other people. Mr Bhandal asked him about his case and enquired who was leading him. When Mr Anastasiou gave my name Mr Bhandal said to him "Do you know Jo Sidhu is bent?". When my junior took issue with him he was told he should google the words Jo Sidhu Bent and find out for himself.

Some days later Mr Anastasiou informed me that he had had a second encounter with Bobby Bhandal, this time just outside the exit doors of the Central Criminal Court after court. As Mr Anastasiou emerged he bumped into Mr Bhandal and informed him that I was due to be exiting the building very soon. Mr Bhandal then said to Mr Anastasiou that he had a brown envelope containing cash waiting for me. Mr Anastasiou walked off and ignored him.

In June 2014 I enlisted the help of a barrister, Ms Alyssa Howard, to draft written representations to Google to request the de-linking of the offensive websites. Over the course of the ensuing months she achieved very limited success. Typically, if a website was successfully de-linked it would soon be replaced by others. The perpetrator was well versed in Search Engine Optimisation (SEO) techniques and indeed boasted about his ability in some of his comments on the websites he created. Seeking to de-link the websites therefore became an endless and debilitating exercise in dealing with the various search engines and, in particular, the domain hosts for www.cowboysolicitors.com who were based in Canada. However, Ms Howard persisted with take down requests on my behalf until March 2015.

On 3rd July 2014 a petition was posted online demanding that I be debarred as a barrister. It purported to be signed by nine people. It was clear to me that the perpetrator(s) was prepared to use any means to discredit me. Once again, my distress was aggravated by the knowledge that the petition could be seen by my fellow legal professionals and by my friends and family.

On 20th August 2014 I learned from a number of friends on Twitter that they had received a message encouraging them to view a malicious website about me. It was clear that the perpetrator(s) had accessed my Twitter contacts and set up a bogus Twitter identity <https://mobile.twitter.com/josidhuisbent/status/502064409922240512> in order to target them with offensive material about me. The objective again seemed to be to damage my character and to isolate me from people who knew me. I lodged a formal complaint to Twitter which resulted in the bogus account being suspended.

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By now it was also becoming clear that the police were struggling to make progress in their investigation into my complaint. The websites remained highly visible and our take down requests with the major search engines were either only partly or temporarily successful in removing the websites. By this stage I had been living with the harassment and stalking for nearly 5 months.

On 22nd August 2014 I therefore instructed a private investigative firm Harod Associates to use their expertise in internet crime to try and identify the perpetrator(s) of the harassment campaign.

On 3rd September 2014 at around 5.30pm I passed Bobby Bhandal on Fleet Street. He looked at me and nodded. I ignored him. He then shouted "Oi" at me as we passed one another. I again ignored him and continued walking.

On 5th September 2014 a website called www.cowboysolicitors.com appeared on the internet and posted malicious content about me which included new material that was derogatory in nature.

On 7th September a Facebook profile using the name Shakeel Patel stated posting malicious content about me on both Facebook and on SAL's own website. All of the content posted by this profile related to me and the majority of the content consisted of links to www.cowboysolicitors.com

On the same day www.cowboysolicitors.com launched an attack on various members of the SAL committee including myself. These were highly threatening in nature as they consisted of photographs of committee members with images of a bullet hole and a bounty for each of them. The largest bounty of £1 million was posted against my face. This web page created a new and enhanced sense of fear and alarm as it was apparent that the perpetrators were escalating their attacks to threats of violence if not worse. The deeply distressing impact upon my wife and myself is difficult to convey in words. Further, my concerns were exacerbated by the knowledge that several members of the SAL committee were seriously disturbed and frightened by the fact that they were now also individually being targeted.

Unfortunately, the police investigation into my complaint of criminal harassment was still not making any significant progress and on 7th September I was informed by the police that, without new evidence, they could not take the investigation any further.

On 8th September 2014 www.cowboysolicitors.com started using a privacy protection service presumably to evade detection.

Two other websites emerged subsequently which repeated the harassment: firstly, www.telluswhyjo.yolasite.com which aligns me with Jimmy Saville. Secondly, www.josidhuqc.weebly.com which also contains similar images of Jimmy Saville.

On 7th October 2014 Martin Dubbey, the Managing Director of Harod Associates produced his reports on the investigation into the identity of the perpetrator(s) responsible for the harassment and stalking campaign. The reports identified Jason Place as the person responsible for the websites and Bobby Bhandal as playing a directing role in the campaign.

On 6th November 2014 I provided copies of Mr Dubbey's reports to the police.

Many of the malicious websites remained online into the new year.

On 18th March 2015 I realised that the perpetrator(s) had posted two new web pages on the Indymedia platform containing derogatory content about me. These then multiplied into a number of Indymedia based web pages each separately linked on a search of my name.

On 24th March 2015 one of the Indymedia web pages carried a picture of a Headstone engraved with the words "Jo Sidhu QC 1993-2015 His Corruption Finished His Career". The effect of seeing this image was chilling. Taken together with the above-mentioned images from the cowboy website of a bullet hole next to my head I genuinely feared that the perpetrator was making a threat to my life.

I sought to persuade the moderators at Indymedia to take down the content but without success. Only when solicitors instructed by me made full representations to Indymedia did they eventually agree on 27th March to remove the offensive material. Regrettably, this action still has not resulted in the disappearance of all of the Indymedia websites from the internet.

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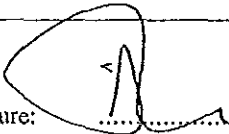
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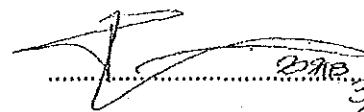
Indeed, notwithstanding continuing efforts by my solicitors to persuade the major search engines to de-link various websites a number of these remain outstanding and continue to display deeply malicious content about me whenever my name is searched on Google, Bing, Yahoo etc. As such, the considerable distress and alarm that I still feel after nearly 14 months of harassment and stalking continues unabated. Further, the fact that there appears to be no end in sight only adds to the fear and severe distress and alarm felt by me and my family

I will support a prosecution of this matter.

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