IN THE CROWN COURT AT SOUTHWARK

A20170003

English Grounds
Battlebridge Lane
London SE1

Monday, 10 April 2017

Before:

(JUDGE UNKNOWN)

R E G I N A

-v-

JASON PLACE

MR DALTON appeared on behalf of the Prosecution

MR ANDREW DAVID TROLLOPE and ANDREW ROBERT FITCH-HOLLAND appeared on behalf of the Defendant

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PROCEEDINGS
(10.04-10.23 11.07-13.35

14.31-15.04 15.40-15.46)

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JNP/01/JS

(10.04 am)Monday,10 April 2017

THE JUDGE: Mr Trollope, how nice to see you.

MR TROLLOPE: Your Honour, I appear on behalf of the appellant in this matter, together with my learned friend Mr Fitch-Holland. Mr Dalton appears on behalf of the prosecution.

THE JUDGE: Yes.

MR TROLLOPE: There are a number of preliminary matters to be resolved I think before we can proceed with the body of the appeal. The first difficulty that we face, Mr Fitch-Holland and I, is that having been brought relatively recently into the case Mr Fitch-Holland was due to see Mr Place at Thameside on Friday for a pre-hearing conference so that the issues could be plained to him and discussed with him. It was all properly booked in the usual way, however on arrival at Thameside for reasons that were not made plain they were refused entry and Mr Place was instead seen by a team of police officers. We don't know who those police officers were or why they wanted to see him and why the time allocated for the legal visit with my junior and my solicitor was taken over by policemen.

It is apparently nothing to do with the Lomu(?), the unit that to which Mr Amos and Mr Fox are attached which have responsibility for monitoring Mr Place's situation under the Serious Organised

Crime Prevention Order, and Mr Fox, who is present in court, says he knows nothing about the visit.

THE JUDGE: Yes.

MR TROLLOPE: We haven't had an opportunity of discussing the case with Mr Place and we'd very much appreciate an opportunity of doing so before the hearing proceeds.

However, once the hearing does proceed we have produced a relatively lengthy document containing legal submissions in relation to the facts and the legal matters arising from this case, which we hope will be of assistance to your Honour and your Honour's colleagues and my learned friend in understanding the basis of our appeal and the ground upon which we rely.

Together with that document we have produced a bundle which has been physically prepared and is being copied away from the building at the moment but there are difficulties in getting it physically here because of the security restrictions surrounding this particular building but we hope that that bundle will be with us relatively shortly. It will be I think a combination of the document that the prosecution relied on in the court below, with some additional documents produced by the defendant, mostly from official bodies such as the IPCC and so on, together with

learned friend either ought to be aware of the law or ought to have made himself aware of the law before he arrived at court. He could hardly complain that our fundamental arguments, the facts in this case, do not amount to harassment. He can hardly be taken by surprise. Of course he'll need time to consider the detail of our argument but that's the purpose of my giving him the document in the first place, designed to assist and not to hinder.

As for the documents in the bundle, they are almost entirely prosecution documents that will be ordered or reordered in order to assist the court.

THE JUDGE: Your skeleton referring to letters are the letters --

MR TROLLOPE: Exactly.

THE JUDGE: -- that Mr Sidhu refers to in his statement about which your client **[overspeaking]** --

MR TROLLOPE: Exactly.

THE JUDGE: But we all appear to say we're going to walk all over them, have a look at them, just for the purposes of seeing what your client was doing.

MR TROLLOPE: Well quite. I mean, we didn't know what documents the prosecution were going to place before the court and therefore we thought that the best thing to do would be to compile a bundle to

go with our submissions, both of documents and of authorities, so that the court had in a single bundle all the documents that are referred to in the narrative of the submissions, again designed to help.

And for my learned friend to claim that he's in difficulties as a result of having his own documents served on him, together with authorities that are referred to in my submission, strikes me, as I say, somewhat overstating his perceived difficulty. Beside which, the unit that instructs the SCO7 and the unit, the long-term offender management unit, they know everything there is to know about Mr Place and they know all about the complaints he has made over a period of time. They are well across the allegations of harassment that are made about Mr Sidhu. And Mr Fox, I think he is a Detective Sergeant, sit behind my learned friend. My learned friend has all the information available to him. If he needs an hour or two to get his papers in order and to decide what submissions he wants to make then that will be a matter for your Honour and your Honour's colleagues. But the fact of the matter is that this matter has been before the court, it's been subject to directions, Mr Place is represented, he's extremely unwell and hearings even by

videolink impose upon him a degree of stress that ordinarily appellants are not subject to.

We oppose this application, except to the extent that your Honour may think that if my learned friend needs an hour or two to get himself in order then so be it. But it ought not to go off and that this fixed hearing over these two days ought to remain.

THE JUDGE: Mr Dalton, I'm afraid our view is unanimously that this should go ahead now. I'm reading from my colleague's note here, "Issue relatively straightforward and narrow." I don't see there's anything, with all due respect to Mr Trollope and Mr Fitch-Holland, that comes as a surprise in the submissions that are made in the skeleton that we've seen today. There's always that point about(?) I'm pursuing the investigation of crime which was certainly in -- I'm sure you've seen or you have in your papers, voluminous letters and documents sent by the appellant and by Mr Kasani(?), I think, where that issue has been touched upon and otherwise it's just, as far as I can see and I've seen from the time I've been involved in this, he says it doesn't amount to harassment.

UNKNOWN SPEAKER: Or has a reasonable excuse for sending these letters.

but let's see.

Back then to Mr Trollope.

Cross-examination by MR TROLLOPE

MR TROLLOPE: Mr Sidhu, can you hear me?

A. I can indeed.

Q. Well as we heard Mr Place was convicted under section 4 of the 1997 Act on 15 December 2015 following a trial in which he had pleaded not guilty, correct?

A. Correct.

Q. And you had given evidence in that trial, yes?

A. Yes I did.

Q. And in short accusing him of taking part in the campaign that you have described that took place in the electronic and social media, yes?

A. Correct, yes.

Q. His position prior to the trial and during the trial was that you had made a false witness statement, yes?

A. His position was that he was not guilty of the offence of stalking. What transpired was that he was alleging that I had (Inaudible) false witness statement in possession of the Metropolitan Police.

Q. Yes. I think the answer to my question was yes. In short he accused you of making a false witness statement, yes?

A. Not by this (Inaudible) because my participation (Inaudible words) to give evidence. I wasn't aware of what other questions were asked of other witnesses, or indeed how his counsel then --

Q. No, no.

A. -- presented him. All I can tell you is that I was asked to see (Inaudible) and to my recollection I don't recall his counsel, then Mr (Inaudible), suggesting that I had colluded with the Metropolitan Police to give a false witness statement.

Q. But the complaints, both before the trial and after the trial, repeat the allegation that you have made a false witness statement. That's what the complaints contain, in essence, don't they?

A. (Inaudible) documents, yes.

Q. Yes. And in addition, they say that you colluded with Detective Inspector Amos in producing such a false statement, yes?

A. Yes.

Q. You have practised at the Bar for 24 years or so, have you not, Mr Sidhu?

A. (Inaudible words).

Q. And you know that it's commonplace for suspects and defendants to make grave allegations against prosecution witnesses accusing them of giving false evidence. You know that as a commonplace,

don't you?

A. No, I don't know as a commonplace, Mr Trollope --

Q. Well --

A. -- the offence is that I had -- well, if you ask the question (Inaudible words) and bear in mind that I had been practicing for a very long period of time (Inaudible words). Some are now (Inaudible words) beyond that suggest there's a conspiracy to pervert the course of justice. But I say some. In my experience, since you've asked the question, only in a minority, and I mean a tiny amount of cases in the last 24 years, have I come across a defendant who, as part of his defence, alleges a conspiracy on behalf of a complainant. The (Inaudible words) course of justice in colluding with police officers. It's therefore not commonplace as you suggest.

Q. We'll see about that. But witnesses whose credibility is attacked includes witnesses of prior good character or of impeccable character. That's correct, is it not?

A. You mean of the issues(?) in a case?

Q. Yes.

A. In terms of the issues(?)?

Q. Yes.

A. (Inaudible words).

Q. Of course. And of course police officers,

IN THE CROWN COURT AT SOUTHWARK

A20170003

1 English Grounds
(off Battlebridge Lane)
London
SE1 2HU

Tuesday, 11 April 2017

Before:

HIS HONOUR JUDGE GRIFFITHS
JUDGE NOT KNOWN
JUDGE NOT KNOWN

R E G I N A

-v-

JASON PLACE

MR DALTON appeared on behalf of the Prosecution

MR A TROLLOPE and **MR A FITCH-HOLLAND** appeared on behalf of the Defendant **PLACE**

PROCEEDINGS

(10.20 am - 10.59 am, 11.22 am - 12.53 pm, 1.04 pm - 1.37 pm, 2.31 pm - 3.01 pm, 3.12 pm - 3.19 pm)

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describing, ie complaints about conduct of my members. Equally, the administrator would hold information about Mr Sidhu's diary commitments. All she was asked for were the number of clients that he either represented or prosecuted, the result of the trial and the identities or the locations of the Crown Courts where he appeared. This went to the point as to how busy he was at the time he alleged he was so severely affected by the communications of Mr Place that it might have been difficult for him to maintain an ordinary, busy practice. Our submission is, as I said, that given as a lawyer, you are in a regulated profession and are therefore subject to complaint procedures and the like, as I have already said, it is one of the hazards of professional life that complaints, including serious complaints, will be made against you. That is why we say as a matter of proper interpretation of the section, buttressed by the authorities to which I will come shortly, the court has to have regard to all the relevant circumstances. Crucially, this is a convicted prisoner, convicted he says wrongly, a conviction that depended either wholly or importantly on the evidence

of a witness who Mr Place says is lying, a prisoner who seeks to appeal against that conviction and who is making enquiries in order to discover evidence or material that would either undermine that statement and/or prove Mr Place's innocence of the charge. That is what he was trying to do. If I may say so, given that it is incontrovertible that if you look at the correspondence, it is in one way or another repetitious of that single theme, namely an allegation against Sidhu that he has made a false statement. He puts it in various ways, but it comes to the same thing. It is developed when he drafts a draft indictment by way of a private prosecution, but again covers the ground against Sidhu and DI Amos who was the officer in the case and with whom Mr Sidhu had very considerable connection. Amos is the man in charge of this monitoring unit that is dealing with Mr Place's case at the moment. A repetition of broadly the same allegation on these occasions, given as I say, that Mr Place does not accept that Mr Sidhu has told the truth, on that basis is firmly of the view that Sidhu has made a false statement. He does not accept the

verdict of the jury. He wishes to appeal and he is pursuing the these enquiries. Now I do not accept my learned friend's suggestion that there is a proper or legitimate way of gathering evidence to go to the Court of Appeal. Of course you cannot use unlawful means, you cannot hire a man to go and force a witness to give a false alibi or something. But if you are unrepresented, you might have a neighbour or a friend who can make enquiries of an individual who might give relevant evidence. You might scrape together some money to construct an enquiry agent or a private detective or something though make enquiries of some fact or matter relevant to your appeal. Or given that the person who you said has made a false statement is a barrister, you might complain to one of the appropriate **(Inaudible)**, including the Bar Standards Board or chambers, or in relation to the police to the Metropolitan Police, whom he had already complained to and part of his appeal had been upheld by the IPCC, in order that those bodies might make enquiries into the allegations and as a result of those enquiries, evidence supportive of the appeal

might be produced. Now as we say in our document, the Metropolitan Police, the IPCC and the Bar Standards Board all treated Mr Place's complaints with respect. They examined them and it is right to say that they did not find the complaint upheld, although in the case of the Bar Standards Board, the second Bar Standards Board, it is well worth looking at that, your Honour and your Honour's colleagues, because what the assessment officer says in that case is not that "Your complaint is groundless", but "We are not the appropriate body to whom you should complain because your complaint is that your conviction is wrong. Therefore the redress you require is legal redress by going back to the court or going to the Court of Appeal". I make that point in the course of our written submission. But the point is this, the Bar Standards Board looked at it in a cool and measured way and they said actually this is not for us, you really need to go back to court on this one because what you are doing is you are contesting your conviction and you are asserting your evidence and therefore you have got to go back to court to have that verdict

overturned. The assessment officer got it spot on but treated Mr Place's complaint not as a piece of vexatious nonsense, but as a genuine complaint that merited proper conviction. Equally, the Metropolitan Police in that letter that was handed up to you in the little clip of two documents that I handed in to you yesterday said in relation to Mr Place, who made the self same complaint to the Metropolitan Police to Mr Amos, serious allegations against Mr Amos. They say over the page on the third paragraph down:

"We are grateful to you for raising this issue and giving us the opportunity to review the actions of those concerned. It is always useful to receive feedback on how our officers and staff perform. As an organisation it allows us to learn and develop and identify ways we can improve our service in the future."

That is an unhappy contrast to the dismissive and peremptory attitude adopted by Mr Mendell in his reply letter and if I may say so, which characterised Mr Sidhu's evidence yesterday, when he repeatedly alleged, not only that Mr Place's allegations

were groundless and baseless, but malicious and vexatious and so on. It causes one to make observation for the court's consideration, in judging the attitude of his chambers and of Mr Sidhu himself in relation to these complaints, was his reaction not consistent with outrage and indignation and anger at being accused of lying? Was it Mr Sidhu saying "I am a barrister and Queen's Counsel of impeccable character and reputation and I am outraged that I should have these complaints made about me to my heads of chambers and to my regulatory body"? If I may say so, much of what we saw yesterday in his lengthy answers are as consistent with outrage and indignation at being accused of these matters by Mr Place as it is with alarm or distress as defined. Outrage and indignation and angry rejection, or even upset at being accused of grave misconduct is not the same as alarm and distress as defined. What we respectfully submit is that the response of the BSB of the Metropolitan Police are indicators that Mr Place was actually pursuing an entirely legitimate and reasonable course in endeavouring to gather evidence which would

charge might have been laid against him, the court cannot come to any sensible conclusion. If I may say so, it is clutching at straws.

JUDGE GRIFFITHS: No, I am trying to work out what -- we have not had the benefit of your client telling us what the --

MR TROLLOPE: I know.

JUDGE GRIFFITHS: -- the letter meant, so I am just trying to work out what his writing:

"I was convicted of the wrong offence. I never threat you -- meant you alarm or distress. I just did what I was asked to do."

Which yesterday Mr Sidhu told us, as far as he was concerned, was an admission of guilt.

MR TROLLOPE: Well, that is Mr Sidhu's opinion --

JUDGE GRIFFITHS: Yes.

MR TROLLOPE: -- which is neither here nor there and from a highly partial source because Mr Sidhu plainly believes -- believed and believes -- that Mr Place was instrumental in managing this campaign, including the publications with the bullet holes and the tombstones and RIP. We have no idea what Mr Place's defence to the charge was and we know that he has repeatedly denied being part

of the campaign. I have taken you to two passages. I can take you to others. In this self same statement, he accuses Mr Sidhu of deliberately helping SCO7, ie Mr Amos' squad, at New Scotland Yard:

" ... to convict me by providing a false and misleading statement that I have caused him serious alarm and distress, which is ludicrous nonsense."

That was the essence of the charge against him at Inner London. If he is making any admission that he was responsible for other conduct that might have meant that he might have been convicted of a lesser offence or a different offence in the magistrates' court, that does absolutely nothing to affect our argument that my client protested evidence of his conviction for this offence on the basis of the facts --

JUDGE GRIFFITHS: Yes, even if in a back doorway he was admitting he could have committed the offence of harassment, he is entitled, you would say, to say "But the evidence that I caused him fear and distress is false and therefore I am entitled to pursue it".

MR TROLLOPE: Well, it also means that if the matter was being tried in the magistrates'

court on the summary only offence, the test would have been different. We do not know what the evidence would or would not have been, but it might have amounted to harassment. If he is saying on the worst case scenario he might have been guilty of a summary offence, that is no admission that he either was implicated in the web campaign and certainly it is no admission that he was party to a course of conduct that caused him alarm and distress in relation to the matter of which he is convicted. But if I may say so, this diversion demonstrates the danger of re-running the conviction at Inner London.

JUDGE GRIFFITHS: I am not.

MR TROLLOPE: But your Honour you are, with respect. That is exactly what you are doing.

JUDGE GRIFFITHS: I am trying to work out -- in the absence of an explanation, no evidence from your client -- what he meant by those references that he made in letters that he wrote. Obviously part of this is the consideration that the passage to Mr Dalton referred us to about whether or not it was logical or naive and what have you to pursue this line of conduct. I am just asking for what you say, you say we should ignore it

spoken to about this by other officers, his attitude and conduct towards Mr Dowson improved. The question is whether this conduct constituted harassment. I have concluded it did not.

"This was a stressful working environment in which case hardened officers were dealing with career hardened criminals. Although this was more than simply a clash of personalities, this was not conduct which was calculated to cause distress and although it was unacceptable, it was not oppressive in the sense described in the cases. It was not a tormenting by constant interference or intimidation. Rather, it was a curt and dismissive attitude which was likely to have the effect, even if unintended, of undermining both Mr Dowson's self confidence and the esteem in which he was held by others."

Now there are not precise parallels here but there are sufficient broad lines of similarity to compare the occupation of a barrister with all the advantages and hazards it brings, one of which is that in dealing with clients, either prosecuting or defending or appearing on one or other side in civil

matters, one of the eventualities that may occur are complaints of misconduct by clients or defendants. As an experienced barrister, you become case hardened, just like an officer. Police officers are routinely accused of lying in court, but they accept that they have their job to do and when they give evidence in the witness box, even if it is a person against whom they have given evidence before, who has previously accused them of lying, it is part and parcel of the job. We say that the context in which this must be seen is a context which includes an experienced barrister, it includes a defendant who says that he is wrongfully convicted as a result of the misconduct of that barrister and a case of a convicted prisoner seeking to gather evidence to overturn his wrongful conviction by appeal to the Court of Appeal and no doubt beyond if that fails. The way in which he went about it was persistent, but if you are wrongfully convicted you are likely to be convicted, and it was to bodies who had a proper interest in the complaints that he was making about both Mr Sidhu and, as a matter of fact, about Mr Amos as well, not a complainant in these

matters.

Your Honour, unless there is anything else about which I can help you, I think that completes all I have to say because my conclusions are all set out --

JUDGE GRIFFITHS: Yes.

MR TROLLOPE: -- at paragraph 11 and from (a) to (i). We say that he was doing what he was entitled to do. There is an important constitutional point that persons must be entitled to seek to overturn their convictions, if they believe them to be wrongful, and that there is no class of person who ought to be subject to or able to have a special protection. Indeed, as I have already said, a case hardened barrister must be bound to accept from time to time that grave allegations may be made against him or her. I do not concede -- I do not concede -- that any of these communications amounted to harassment, but in any event he did what he was entitled to do, either to protect his legal rights or that which was reasonable in all the circumstances.

JUDGE GRIFFITHS: Thank you. Nothing on the law, is there, Mr Dalton? No, fine. Thank you very much. Right, we will rise now we will

rise now to discuss this because one of my colleagues would like to go to lunch somewhere in west London and 2.00. But if he cannot, then he cannot. But at least rather than my adjourning this straight until 2 o'clock and then we will discuss it, we will discuss it now. How is that?

MR DALTON: As your Honour pleases.

JUDGE GRIFFITHS: Right, okay. Then if you do not mind, sorry. We have had discussions before we started.

MR DALTON: Yes.

JUDGE GRIFFITHS: So it is not completely afresh. Right, okay.

(12.53 pm)

(A short adjournment)

(1.04 pm)

RULING

JUDGE GRIFFITHS: This is the appeal by Mr Place against a conviction recorded against him in the Westminster magistrates' court for an offence of harassment contrary to section 2 of the Protection from Harassment Act 1997. The conviction arises from four letters, and I have made it clear throughout that this is a case about four letters, sent by him to

directly or indirectly the witness, Jo Sidhu, Queen's Counsel, in January and February 2016. The letters follow his having been convicted of stalking Mr Sidhu, a conviction arising at the end of a trial in November/December of 2015, in the course of which Mr Sidhu gave evidence. Mr Place was sentenced to an immediate term of custody. The letters which gave rise to this offence were sent while Mr Place was in prison. The first, dated 5 January 2016, came in the form of an indictment threatening private prosecution of Mr Sidhu for conspiracy to pervert the course of justice; second, two letters dated 22 January of 2016, the first a Freedom of Information request addressed to data protection of Mr Sidhu's chambers, asking for details of all of his clients between March 2014 and November 2015. The second, on the same date, a letter addressed to the complaints department at Mr Sidhu's chambers requesting that the names of all clients during the same period be provided so they could be served with a transcript of Mr Sidhu's evidence given at the trial, that the stalking had caused him to be rundown, unable to concentrate and had affected his

work deeply. Mr Place complained that Mr Sidhu was obviously not fit to practice as a barrister in that period if that evidence was right. Mr Place said he wanted to complain on behalf of all Mr Sidhu's clients in that period. The third date is 24 February, dated as it happens, after he was served with a notice concerning continuous harassment, addressed to one of the heads of chambers, complaining that he, Mr Place, had been asked to act as a whistleblower on Mr Sidhu, he should have been convicted of a summary offence. It ended by stating that if Mr Sidhu refused to admit that he had tailored his evidence, his legal assault, Mr Place's legal assault would be relentless in both UK and India.

Mr Trollope, who appears on behalf of Mr Place, has characterised those letters as complaints made by a layperson in a layperson's terms, but which fundamentally amount to no more than his attempts to complain to the Bar Standards Board and/or the Court of Appeal, against what he perceived to be a conviction for whether it is the wrong offence or whatever we need to the concern ourselves.

We turn to the necessary steps we must consider

in this appeal. The prosecution must prove that Mr Sidhu was caused alarm or distress. In order to consider that, we heard a thumbnail sketch by Mr Sidhu of the facts of the first case which did not arise from his acting for Mr Place in any capacity, but were part of a sustained series of events. Mr Sidhu referred to letters he had received outside the period of the stalking offence, which are in our bundle. Although at first blush -- and I think Mr Trollope would like us to take this approach, firstly, as a barrister, he should have been able to brush these letters off and secondly, we should not look at the previous matters in deciding whether they did cause alarm or distress to Mr Sidhu. But having heard from him, we accepted his evidence that coming after the conviction and in the light of the events of the conviction and intervening letters, he was indeed caused alarm and distress.

That then leaves us to consider the question which both sides agree is the one for us to decide, was his conduct in writing those four letters to be objectively seen to be improper, oppressive and unreasonable, calculated to produce alarm or distress? In

our view, coming as it did after the conviction which Mr Place considering was an unjust conviction, and containing as they do requests which relate to what he considers to be Mr Sidhu's false evidence, our view is we are not sure that they can be seen objectively to be calculated to be produce alarm. They are, in our view, as Mr Trollope says, a layman's rough use and rough steps taken towards obtaining something for the Court of Appeal to consider. So as far as we are concerned, the prosecution have not proved that this was harassment in those circumstances. Even if we consider that they were harassment, we do not have to go on to that, but we consider that 1(3)(b) and (c) would probably have meant that the appellant would have been entitled to the protection of the Act. So in those circumstances, we are allowing the appeal.

APPLICATION FOR COSTS ON BEHALF OF THE DEFENCE

MR TROLLOPE: Your Honour, in those circumstances, there is an application for a defendant's costs order. It can be submitted for taxation.

JUDGE GRIFFITHS: Am I entitled to make an order

from central funds?

MR TROLLOPE: Your Honour, yes, I think that on an appeal from the magistrates' court, the court has powers under the Prosecution of Offences Act 1985 to make such an order. The restrictions on making the order that now apply in relation to an acquittals after an indictment --

JUDGE GRIFFITHS: Trial indictment only.

MR TROLLOPE: -- do not apply in these circumstances. I can take your Honour to chapter and verse, if necessary, but I had to deal with the other day in a different capacity and I looked at the point then and granted costs in that case. Whether I did that wrongly or rightly, I believe I did it correctly.

JUDGE GRIFFITHS: Right.

MR TROLLOPE: But I do not think my learned friend has anything to say about it as to the court's powers, because as I say I am not asking for an amount to be tacked, but I think that one of the orders that the court can make is that the bill of costs should be subject to taxation by the national taxing team.

JUDGE GRIFFITHS: Yes.

indeed before my colleagues, we would have remanded him in custody for carrying out that sort of activity with regards to a prosecution witness. Before and after the letters which were the subject matter of this appeal, he wrote letters directly or indirectly to Mr Sidhu.

We consider that the factual background, the evidence given by Mr Sidhu of the matters which are the subject of the stalking case can be taken into account by us in considering whether it is necessary to make this reduced order so as to protect Mr Sidhu from harassment by Mr Place. Although we have allowed the appeal and we were not sure that these four letters amounted to harassment, we are concerned on the factual basis that any further contact with Mr Sidhu would amount to harassment. The authority of **Major** allows the court to grant the order that is sought, even if it is not satisfied that the evidence today amounted to harassment, but that it considers it is necessary to protect Mr Sidhu from harassment. The order that is sought will limit Mr Place's ability to contact Mr Sidhu or his chambers, because that would be

indirectly contacting him, both of which we consider to be hopeless sources of any material to assist the defendant in the rights that Mr Trollope quite rightly points out he has to defend himself to the limit. It will, however, not stop him complaining to the Bar Standards Board, if he has new grounds, nor will it stop him seeking other sources of evidence such as Mr Rubin Italia for the purposes of the Court of Appeal. All it will do is say that if he needs to contact Mr Sidhu or the chambers, because that would be indirect, he must do so through solicitors, which will protect Mr Sidhu from, as we found today, the alarm and distress that we accept he was caused by contact from this defendant in January and February, even though we found that that was not sufficient to uphold the conviction.

So the order that we are going to make is.one sought in the much reduced terms, that he is not to contact Jo or Navjot Sidhu, directly or indirectly, save through legal representatives regulated by a professional body and that will be an order that will last until further order. That is obviously an order made on the acquittal.