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Date : 05/04/2019
Our Ref : JH/AWA/P13573-1
Your Ref :
Email : [REDACTED]
Doc Ref : 33843838

Dear Sir

Our Client Peter Gregson

We are instructed by the above named to pursue a claim for compensation against Merseyside Police.

Causes of action: Breaches of Articles 9, 10 and 11 of the European Convention on Human Rights

Incident: 23 September 2018

Personal details of the proposed Claimant:

Full name: Peter Gregson

Address: 27 Riversdale Grove, Edinburgh, EH12 5QS

Date of birth: 08 February 1957

Subject Matter of the Claim

On Sunday 23 September 2018 our client, a member of the Labour Party attended the Labour Party Conference at the Arena and Convention Centre (ACC) on Waterfront Estate, Liverpool.

Mr Gregson erected at one of the entrances to the ACC site (Keel Wharf Footbridge) a 2x2 meter banner displaying a political cartoon by the artist Carlos Latuff (hereafter "the banner"), a copy of which is attached hereto. Mr Gregson was handing out flyers to delegates and visitors to the conference who passed within the vicinity of his position.

At approximately 8.30 am Sergeant 1773 Scraggs approached Mr Gregson at Keel Wharf Footbridge, prevented him from handing out his flyers and demanded that he remove the banner.



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The officer went as far as to order Mr Gregson to leave the site, and made him go and stand at the Stone Arch at Wapping, opposite the Police Headquarters, quite a distance from the conference venue.

Furthermore, during this interaction, PS 1773 Scraggs forcibly snatched from Mr Gregson's hands flyers which he was distributing, and thrust them into Mr Gregson's bag, with the evident intent of intimidating him from continuing to distribute them. A copy of one of these flyers is attached hereto.

As he was being marched off the bridge, Mr Gregson pointed out a lone Marxist campaigner standing on the bridge handing out flyers, observing that it was unfair that he was being moved on and the Marxist was not. PS 1773 Scraggs told Mr Gregson as he deposited him off the bridge that the Marxist would be moved on as well. But when Mr Gregson looked back a minute later he saw PS 1773 had walked past the Marxist back to the Conference Centre. The Marxist was allowed to continue leafletting undisturbed.

A short while later Mr Gregson, who did not accept that his ejection from the site was lawful, returned to the site and started to distribute his flyers again, close to the ACC venue's main entrance.

Numerous other campaigners, of various political persuasions were operating across the ACC site, including as our client noticed, members of groups such as Remain and Brexit, socialist groups, Jewish Voice for Labour, and the Jewish Labour Movement. Numerous political banners were being displayed, as is entirely normal in the vicinity of a Political Party Conference.

After some time in the vicinity our client met with members of the Labour Against the Witchhunt group (LAW) who had their own banner displayed on railings within the ACC grounds. They agreed to allow Mr Gregson to display the banner alongside theirs.

A few minutes later PS 1773 Scraggs returned and once again demanded that Mr Gregson take the banner down. When Mr Gregson asked why it was his banner alone that was apparently being targeted, the officer indicated that the owner of the land had specifically objected to the banner because it had the word "anti-Semite" upon it. This encounter was witnessed by [REDACTED].

Mr Gregson asked the officer why there was a problem with that word.

PS 1773 Scraggs replied that the cartoon was 'inflammatory' and likely to cause offence. After some debate, during which time PS 1773 commented "The Law is an ass; just do as you are told." Mr Gregson took the banner down, under protest.

After a period of approximately 2 hours had passed since his last conversation with PS 1773 Scraggs, Mr Gregson decided that he would once again display the banner, which he strongly felt he had been unlawfully prevented from doing by the previous interventions of PS 1773.

However, no sooner was the banner placed on display again, then 2 further officers of Merseyside Police, Police Sergeants 2043 Pope and 2820 Bluett approached and demanded that Mr Gregson take down the banner.

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Mr Gregson challenged the officers, asking why his banner alone appeared to be targeted in this way. The attitude of the officers towards Mr Gregson was such that he feared he might actually be arrested if he did not take the banner down. This encounter was witnessed by [REDACTED], who were holding the banner at the time, as Mr Gregson feared that he would be arrested if he was holding it. The officers then told [REDACTED] to furl the banner.

No explanation as to why the banner was deemed offensive was provided by PS 2043 Pope or his colleague, until after repeated questioning from Mr Gregson lead PS 2043 Pope to assert that the 'landowner' had asked that Mr Gregson's specific banner be banned from the conference area.

Shortly thereafter Mr Gregson saw a more senior officer, a Police Inspector, whom he challenged about the behaviour of the other officers towards him. The Inspector maintained that the banner could not be displayed, but was unable to offer any further clarity as to why this banner was deemed unlawful. It was vaguely asserted that 'the landowner' of the site had the right to dictate what could be said or exhibited on the land, irrespective of the fact that the Labour Party had clearly rented the venue for their conference. This encounter was witnessed by Jack Thomas of Merseyside.

It is understood that Liverpool City Council is in fact the owner of the ACC Liverpool site.

In response to representations made by our client to all seventy City Councillors, Councillor Liz Parsons of Liverpool City Council wrote to him on 30 September 2018, stating that the Council had in fact issued no instruction to the police to ban the banner.

Liability

The actions of multiple police officers as identified above, in repeatedly preventing our client from displaying his banner at the venue of the Labour Party Conference on 23 September 2018, and in preventing him from handing out political flyers, constitute breaches of the Human Rights Act 1998, specifically being breaches of Articles 9 (Freedom of Thought, Conscience and Religion), 10 (Freedom of Expression) and 11 (Freedom of Assembly and Association) of the European Convention on Human Rights.

As a result of these said breaches, the Claimant has suffered violation of his convention rights, inconvenience and distress including psychological harm.

Furthermore, by reason of the Claimant having suffered additional humiliation and suffering and as a result of your actions constituting arbitrary, oppressive and unconstitutional conduct the Claimant claims aggravated and exemplary damages.

Furthermore, the Claimant will seek a declaration that you have breached the Human Rights Act 1998 and the Claimant's right under Articles 9, 10 and 11 ECHR.

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Letter of Response

In accordance with the Practice Direction-Pre-Action Conduct, please provide a prompt acknowledgement of this letter of claim and a full written response and disclosure within a reasonable stated period. As you will be aware, the Practice Discretion envisages that for many claims, a normal reasonable period for a full response may be one month.

Unless your client accepts the entirety of this claim, please set out in your response the reasons why the claim is not accepted, identifying which facts and which parts of the claim (if any) are accepted and which are disputed, and the basis of that dispute.

Please also list the documents in your possession relevant to this matter and provide copies of the same.

We consider that a non-exhaustive list of relevant documents includes the following-

1. PNB entries by Sergeants 1773 Scraggs, 2043 Pope and 2820 Bluett for 23/5/18
2. Any statements or other written account of these events made by the Officers identified above
3. Records of any complaints made by the owner of the ACC site or members of the public regarding Mr Gregson's banner/ flyers
4. Operation Plan – specifically those sections relating to the displaying of banners and political leafleting/ protesting around the ACC site during the Labour Party Conference.
5. Any video footage in the possession of Merseyside Police, including Officer's body worn cameras, showing our client/ the banner on the day in question.

Costs

We seek our client's costs of this claim on the standard or indemnity basis as appropriate.

We await to hear from you.

Yours faithfully

DPP Law Ltd