

10 October 2025

Right to Protest Ltd

By email only: [righttoprotestuk@protonmail.com](mailto:righttoprotestuk@protonmail.com)

DIRECTORATE OF LEGAL SERVICES

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**Re: Allegation of unlawful arrests and criminality by MPS senior officers at the Defend Our Juries  
'Lift the Ban' protests**

I write in response to your letter dated 4 October 2025. While it was not made clear within that letter, it is understood to have been intended as a 'letter before claim', in accordance with the Pre-Action Protocol for Judicial Review. Accordingly, this letter is a Letter of Response under that Protocol.

**The proposed claimant**

1. The proposed claimant in this matter is the Right to Protest Ltd.

**The proposed defendant**

2. The proposed defendant is the Commissioner of Police of the Metropolis.

**The details of the matter being challenged**

3. The letter before claim refers to a letter sent by T/Assistant Commissioner Ade Adelekan, dated 2 October 2025, to "Defend Our Juries" (organisers of a proposed protest assembly to take place on 4 October ("the assembly")) and a subsequent statement made by the Defendant ahead of the assembly.
4. While the grounds of claim are insufficiently particularised, it is broadly understood that the claimant asserts that:
  - i. The content of the MPS communications constitutes acceptance that the assembly was lawful and not terrorism;
  - ii. The assembly was in support of deproscription of Palestine Action, rather than support for Palestine Action, and so all arrests of participants under s13 of the Terrorism Act 2000 (TACT) were unlawful;
  - iii. The content of the MPS communications amounts to entrapment and a breach of the Public Sector Equality Duty;
  - iv. The MPS communications constitute an offence contrary to section 12 TACT.

## **Response to the proposed claim**

### Standing

5. The letter before claim provides no detail to assist the Defendant in determining the Claimant's standing to bring the claim. The Defendant reserves the right to make further representations on this point on receipt of further information but draws attention to the Divisional Court's comments in the case of *R (GLP & Runnymede Trust) v The Prime Minister & The Secretary of State for Health and Social Care* [2022] EWHC 298 (Admin) at [57], cautioning against an organisation seeking to confer standing upon itself by establishing widely applicable founding objectives. Furthermore, in respect of the matter being challenged there appear to be many better-placed claimants, such as the assembly organisers and individual participants.

### Merits of the challenge

6. The grounds are insufficiently particularised and require contortions of logic. The Defendant reserves the right to make further, more detailed or alternative representations if the claim is pursued.
7. Notwithstanding the above, the Defendant denies that an appeal to organisers to postpone an event is, in any way, an express or implied admission that those responsible for arranging the event are doing so lawfully. It is also denied that such an appeal implies that the conduct of individuals attending that event would be lawful. Clearly, this is a determination to be made on consideration of the conduct of those attendees.
8. The claimant asserts that the objective of the assembly was "unequivocally in support of de-proscription" and, as a consequence, MPS officers could not have had reasonable suspicion that attendees were committing offences contrary to section 13 TACT. This assertion is unsustainable. Even in circumstances where an organiser of an assembly has an entirely legitimate and lawful objective (which is not admitted in this case), it would not provide individual participants with immunity from arrest if they engaged in criminal conduct at that assembly.
9. The claim of entrapment has no basis in law and is unarguable. Further, this aspect of the claim (and much of the content of the letter of claim) appears to be founded on the misunderstanding that every person attending the assembly was arrested merely for being present. This is demonstrably not the case; arrests were made where the conduct of individuals gave rise to grounds for arrest (such as the holding of placards explicitly expressing support for a proscribed organisation). Nothing within the MPS communications or conduct of any MPS officers/employees could reasonably be asserted to have given rise to a legitimate expectation that such conduct would not result in police enforcement. It is denied that lawful enforcement of terrorism legislation amounts to a breach of the Public Sector Equality Duty.
10. It is denied that any conduct of the Defendant or his officers, whether through the identified MPS communications or otherwise, could conceivably satisfy the elements of an offence under s12 TACT. Clearly, the request to organisers to cancel or delay the assembly does not amount to support of a proscribed organisation, nor could it be construed as arranging or managing (or assisting in arranging or managing) the assembly.

### Conclusion

11. This claim is misconceived in fact and in law – it is totally without merit. If proceedings are commenced the Defendant will defend them vigorously and seek to recover from the Claimant the costs of doing so.
12. For avoidance of doubt, all points at paragraphs 6(i)-(iii) of the letter before claim are denied, as is the assertion that such denials confirm the allegations at 6(iv).

### **Address for further correspondence and service of court documents**

13. All correspondence should be directed to me at [Andrew.Holt@met.police.uk](mailto:Andrew.Holt@met.police.uk). Electronic service of proceedings is preferred, provided it is forwarded in accordance with any 'out of office' automated response received.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'A Holt', enclosed within a large, loopy circular flourish.

**Andrew Holt**  
**Solicitor**