

BINDMANS LLP

Port Reference: T5-A-0188-13
Our Ref: Miranda KAG.GGM
Date: 20 August 2013

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BY RECORDED DELIVERY

FAO: Secretary of State for the Home Office
2 Marsham Street
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First by fax

CC. *The Treasury Solicitor*

CC - *Commissioner of Police of the Metropolis*

****Letter sent under CPR 54 Pre-action Protocol for Judicial Review -
Response Requested by 12pm today - full response by 27 August 2013 ****

Dear Sirs

**Proposed Claimant: Mr David Michael Dos Santos Miranda (dob:10.05.85)
Proposed Defendants: Secretary of State for the Home Department and
Commissioner of Police of the Metropolis
Home Office - Port Reference: T5-A-0188-13**

1. We write to inform you that we intend to challenge our client's detention under Schedule 7 Terrorism Act 2000 at Heathrow airport on 18 August 2013, and the consequent unlawful taking and retention of his property including sensitive journalistic materials.
2. We have set out our proposed grounds of claim below. The purpose of this letter is to comply with the CPR 54 Judicial Review Pre-Action Protocol. We also want to give the Defendants an opportunity to reconsider their position and respond in a way that either makes the proposed claim unnecessary, or narrows what is in dispute, or at least makes their position clearer.
3. In terms of the timing of any proceedings which may be necessary, we require immediate undertakings, set out below, to prevent any further harm caused by the Defendants' actions whilst the legality of the seizure of his property is in the process of being determined. If undertakings in the following terms are not provided by 12pm on 20 August, we will be left with no option but to seek urgent interim injunctive relief in the High Court and seek costs on an indemnity basis.
4. We ask that the Secretary of State and the Commissioner of Police of the Metropolis undertake that there will be no inspection, copying,

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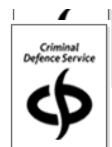
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disclosure, transfer, distribution or interference, in any way, with our client's data which was seized pursuant to Schedule 7, pending determination of our client's claim.

5. If there has already been inspection, copying, disclosure, transfer, distribution or other interference with that data we require undertakings that the product of that inspection or interference will not be disclosed, shared or used further in any way, and will be kept secure pending the outcome of our client's challenge to the legality of the seizure of that data.
6. If any other public authority or third party - either domestic or foreign - has been granted possession or access to that data (or copies of it) we require you to provide similar undertakings from each of those parties if you are in a position to do so. Further, or alternatively, we require immediate disclosure by you of the identity of those parties to whom such access or disclosure has already been given so that we may obtain similar undertakings from them directly.
7. Our client's electronic equipment, including his mobile phone, laptop, memory sticks, smart-watch, DVDs and games consoles were confiscated. In addition to the undertaking's outlined above, we would ask that the property be returned within 7 days of their being taken, and no later than 25 August, as set down in paragraph 11(2) of Schedule 7.
8. By way of remedy, we seek a quashing order, and a declaration that the decisions to detain our client, question him under pain of criminal sanction, and seize his property under Schedule 7 were wholly unlawful. We will also seek a mandatory order that all data seized and all copies be destroyed, and recalled if transferred to third parties. We will argue that the decisions were unlawful for the following reasons:
 - i. The Schedule 7 powers were utilised in relation to our client who was merely in transit in the UK. The Defendant is required to justify the use of Schedule 7 powers in relation to a person in such circumstances.
 - ii. The decision to detain and question our client and to seize his property pursuant to the powers in Schedule 7 amounted to a frustration of the legislative policy and objects of the Terrorism Act 2000 Schedule 7 power and/or was for an improper purpose, and was therefore unlawful.
 - iii. The decisions to use Schedule 7 powers in our client's case amounted to a grave and manifestly disproportionate interference with the Claimant's rights under Articles 5,6,8 and 10 ECHR.
 - iv. Further, or alternatively the powers under Schedule 7 are incompatible with Articles 5,6,8 and 10 ECHR.

9. Given the urgency of the matter, this letter is sent to outline our grounds and put the Defendants on notice of the claim. However, as further details emerge, we reserve the right to amend our grounds.
10. We are aware that there are a number of cases in which Schedule 7 powers are in the process of being challenged. However, the use of Schedule 7 powers in relation to our client in order to obtain access to journalistic material is of exceptional and grave concern.
11. We hope that the misuse of this power in these circumstances will be clear, and that we can reach agreement on the legality of our client's search, given the facts of the case. However, insofar as our client's claim also makes a wider challenge to the compatibility of Schedule 7 with fundamental rights and seeks declaratory relief, it appears to us that this will require Parliamentary action if the court agrees with the Claimant. Therefore, it will be incumbent upon us to issue proceedings, in any event. For that reason, we consider it appropriate to abridge the time of service for the detailed protocol response to **7 days**. If you disagree, please let us know by return and set out your proposed timetable. We stress, however, that we seek the undertakings set out above on a more urgent timetable.
12. We would be grateful if you would respond to this letter in line with the pre-action protocol for judicial review by close of business on 27 August.

Factual Background

13. Our client, Mr David Miranda, is a Brazilian citizen. He is in a long term relationship with Mr Glenn Greenwald a journalist, who has written a series of stories for the Guardian including articles relating to mass surveillance programmes by the US and UK government agencies.
14. Our client assists Mr Greenwald in his legitimate journalistic work and was doing so when he was detained, pursuant to Schedule 7 powers.
15. At that time, our client was travelling from Berlin to the couple's home in Rio de Janeiro via Heathrow airport on 18 August 2013. During his trip to Berlin, he visited Laura Poitras, a film-maker who has been working with Mr Greenwald. The Guardian paid for our client's flights because of the work he was doing with Mr Greenwald.
16. At 8.05am our client was detained, shortly after he had begun changing flights and was in transit at Heathrow airport.
17. Guardian News contacted Kate Goold, Associate in this firm's crime team. She arranged for Mr Gavin Kendall to represent Mr Miranda.
18. After multiple efforts to make contact with our client through an initial telephone call, Mr Kendall attended in person as he was given no telephone access to our client.

19. Mr Kendall arrived at Terminal 5 at 3.25pm. He called a sergeant who said he would send someone to collect him. Twenty minutes later he was brought through by an officer whose warrant number was 203654. The only explanation proffered by the police for our client's treatment was that he was detained pursuant Schedule 7 Terrorism Act 2000 at 8.05am. They confirmed that he would be released at 5.05pm.
20. At 4.05pm Mr Kendall was finally granted access to our client - just one hour before the 9 hour statutory maximum detention power expired and after our client had been subject to intensive, intrusive questioning by approximately six different officers over the day.
21. Mr Kendall asked whether our client was being detained as a result of a suspected offence in the UK or on behalf of another state, country or government organisation abroad. He was told the police could not say and was not provided with any explanation for his detention. They refused to confirm what our client had been asked before his representative arrived, nor would they provide him with a record of what was discussed. Our client asked for a pen to write down the questions and this too had been refused. Our client was not provided with an interpreter and found the whole experience most distressing.
22. At 8.15am our client was issued with the **appended** Schedule 7 Notice of Examination TACT 1 form which described the purpose of his detention as follows:

“This notice is to inform you that you are being questioned under the provisions of Schedule 7 to the Terrorism Act 2000 as someone whose presence at a port of in the border area (in Northern Ireland) is connected with entering or leaving any place in Great Britain or Northern Ireland.

This applies to a person travelling by air [...]

This in itself does not necessarily mean that the Examining Officer who is questioning you suspects that you are a person who is, or has been, concerned in the commission, preparation or instigation of acts of terrorism. The purpose of the questioning is to enable him to determine whether you appear to be such a person.

At this stage you are not under caution, arrest or detention. However, should the circumstances change you will be notified.

Your Duties”

[...you must answer all questions and hand over any data or documents requested]

“If you deliberately fail to comply with any of these duties, you could be prosecuted under paragraph 18(1) of Schedule 7 to the Terrorism Act 2000.”

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23. At 8.25am he was served with the TACT2 Notice of Detention (INTERIM 2011). A copy of that notice is **appended** hereto.
24. The following items were listed on our client's 'Detained Property List' which is **appended** to this letter signed by examining officer 206005:
1. Samsung Laptop
 2. Samsung Phone
 3. 1 x Gold, 1 x Silver Memory Stick
 4. 2 x DVDs (The Oath My Country My Country)
 5. Sony Games Console
 6. Smart Watch
 7. Hard Drive."
25. These items contain sensitive, confidential journalistic material and should not have been seized. It is axiomatic that if the police seek access to sensitive/personal/confidential/journalistic material of this kind they will ordinarily be required to do so by way of a production order and will have had to satisfy a number of important legal requirements that protect journalistic material of this nature. The use of Schedule 7 powers against our client appears to have enabled the police to circumvent all of those important legal protections and obtain that information from him by coercive means accompanied by the threat of prosecution if he failed to comply.

Legal Framework and Submissions

Schedule 7 to the Terrorism Act 2000

26. Schedule 7 gives police officers and other officials broad powers to detain, question and search individuals travelling through ports and airports in the United Kingdom to determine whether or not a person appears to be a terrorist, as defined by section 40(1)(b) of the Act.
27. Paragraph 2 applies to a person if (a) he is at a port or in the border area and (b) 'the examining officer believes that the person's presence... is connected with his entering or leaving Great Britain or Northern Ireland or his travelling by air within Great Britain or within Northern Ireland'.
28. Importantly, those powers do not require reasonable grounds for suspicion (or even subjective suspicion) on behalf of the officers exercising them. On the contrary, they are only capable of being exercised where the individual in question is not suspected of being involved in terrorism: individuals who are suspected of involvement in terrorism must immediately be cautioned and advised of their legal rights (including the right to remain silent) and cannot be compelled to answer questions.

Application of Schedule 7 powers

29. Our client had not entered through UK immigration, nor was he travelling by air within Great Britain or the UK.
30. In such circumstances, the Defendant is required to justify how Schedule 7 powers could apply to an international traveller who is at an airport in transit without ever passing into the United Kingdom.

Misuse of power / improper purpose

31. The decision to detain, question and search our client involved an unlawful exercise of the powers under Schedule 7. The powers under Schedule 7 are intended to facilitate inquiries aimed at determining whether the person being questioned is or has been concerned in the 'commission, preparation or instigation of acts of terrorism'. 'Terrorism', for these purposes, means the use or threat of violence designed to influence the government or intimidate the public and which is done for the purpose of advancing a political, religious, racial or ideological cause (section 1).
32. Our client is a Brazilian citizen. He is in a relationship with an American journalist who writes for international newspapers such as *The Guardian* and *The News York Times*. At the time of his detention and search under Schedule 7, our client was travelling to Brazil in connection with his and his partner's legitimate journalistic activities. Our client has no criminal record. Neither our client nor his partner has any connection with any terrorist or extremist groups of proscribed organisations. The Defendant's use of Schedule 7 powers in the present case was therefore plainly not aimed at investigating whether our client was involved in the commission, preparation or instigation of politically motivated acts of violence. This is evident from the nature of the questions that were put to our client during his Schedule 7 interviews, which did not suggest any involvement in the preparation etc. of unlawful violence.
33. Instead, in the absence of any other explanation, it appears clear that the decision to detain, question and search our client was driven by a desire to obtain access to the confidential journalistic material that was in our client's possession. The Defendant's exercise of the Schedule 7 powers was not pursuant to the proper statutory purpose, but was for a different, improper purpose. In frustrating the legislative purpose, the Defendant has acted unlawfully: *Padfield v Minister of Agriculture, Fisheries & Food* [1968] AC 997.
34. Schedule 7 is not intended to be used as a mechanism for gaining access to journalist and others' private information merely because journalists are passing through a UK port. A number of legal mechanisms are available to a public authority that wants to obtain confidential information held by a journalist, including application to the Crown Court for a production order. Those mechanisms contain explicit safeguards that are designed to protect the confidentiality of journalistic sources and to prevent disproportionate infringements of journalists' Article 10 rights.

35. For example, the Police and Criminal Evidence Act 1984 (PACE) enables public authorities to apply for search warrants or production orders that enable the police to search premises and seize property and computerised information connected with the commission of criminal offences. Under the Act, some classes of material are subject to additional protection from seizure. These include legally privileged material, journalistic material and certain types of material held in confidence. "Special procedure material" is defined in section 14 of PACE and includes journalistic material and material acquired in the course of a trade, profession or similar and which is held subject to a duty of confidence. Schedule 1 of the Police and Criminal Evidence Act 1984 sets down conditions for the police to apply to court for a warrant to compel a person to hand over (or to seize) special procedure material, if certain conditions are met.
36. Similar provisions are contained in schedule five to the Terrorism Act 2000. Broadly, in terrorist cases, the court can order the production or seizure of special procedure material where the order is sought for the purposes of a terrorist investigation; there are reasonable grounds for believing that the material is likely to be of substantial value to that investigation; and there are reasonable grounds for believing that it is in the public interest for the material to be disclosed, having regard to the benefit likely to accrue to the investigation, and the circumstances under which the person had the material in his or her possession. These conditions are reasonably similar to those under PACE, albeit slightly less stringent.
37. By using Schedule 7 to obtain our client's confidential journalistic information, the Defendant deliberately bypassed the appropriate statutory regimes for obtaining confidential journalistic information and circumvented the important safeguards (including the requirement to obtain a court order before seizing material) contained in those mechanisms. The decision was a flagrant misuse of the Defendant's statutory powers.

Arts 5,6,8,10 ECHR

38. The Defendant's actions in detaining, questioning and searching our client and confiscating his confidential journalistic material breached our clients rights under Articles 5, 6, 8 and 10 of the European Convention on Human Rights (as incorporated into English law by the Human Rights Act 1998).

Article 5

39. Our client was detained by police for almost nine hours in a secure area at Heathrow Airport. During this time out client was not permitted to leave the room in which he was held and was prevented from contacting his family and friends. His detention therefore constituted a deprivation of liberty for the purposes of Article 5 ECHR.

40. The European Court of Human Rights has previously indicated that, in relation to a 'stop and search' lasting between 20 - 30 minutes, the '*element of coercion involved was indicative of a deprivation of liberty*' (*Gillan v United Kingdom*). Similarly, in *Shimovoulos v Russia* (App. No. 30194/09, 21 June 2011) the Court found a deprivation of liberty in circumstances where an applicant was taken to a police station to establish his identity and to answer questions regarding his movements, during a process that took 45 minutes. It is therefore clear that detaining an individual in a secure zone at an international airport lasting for almost nine hours engages Article 5.
41. The Applicant's detention was not 'in accordance with law'. *Gillan v United Kingdom* establishes that a power to stop, search and question a person through coercion will not be 'in accordance with the law' if it is insufficiently circumscribed and lacks sufficient safeguards against its arbitrary exercise and abuse. The Schedule 7 powers used against our client fail to meet those requirements.
42. Our client does not, of course, suggest that all powers of questioning and search at airports and ports should be curtailed or are invalid. Immigration officers properly use other more carefully circumscribed and focused powers that enable them to question passengers at airports. However unlike Schedule 7, those powers are proportionate and are significantly curtailed because they are directly connected to the context in which the person is travelling, their immigration status and their movement of goods into or out of the country.
43. In contrast, the powers under Schedule 7 are too broadly drawn. They provide wide scope for disproportionate and discriminatory use:
 - (a) First, in the absence of a requirement of reasonable grounds for suspicion, there is no meaningful way of properly focusing on who will be examined and preventing subjective and illegitimate factors - for example, a desire to obtain information unrelated to potential involvement in terrorism - from contaminating the exercise of those powers.
 - (b) Second, the powers themselves are disproportionate. The breadth of searching, questioning and investigation that officers may undertake has no rational connection to a person's presence at a port or his activity at that location. The powers therefore go far beyond the activity that triggers them (namely, a person's arrival at a port). Accordingly, merely because a person happens to be travelling, police officers may require him to answer questions about matters entirely unconnected with his travel, or to seize and copy his possessions. Persons may be subjected to questioning or searches that would be entirely inappropriate in any other location (or which would at least be accompanied by certain legal protections if conducted elsewhere).

This scope for abuse, while theoretical in some cases, is illustrated vividly by the use of the powers on our client in this case.

- (c) Third, in general terms, there is no way to prevent improper racial, religious or other discrimination in the exercise of Schedule 7 powers other than through encouragement not to do so in the accompanying Code. Statistics consistently reveal a significant disparate impact of the exercise of Schedule 7 on minority communities.

Nor is there any way of sufficiently ensuring that the powers are not applied for an improper purpose.

44. Our client's deprivation of liberty cannot be justified under Article 5(1). The only potentially relevant ground for justifying the detention is contained in Article 5(1)(b): '*lawful arrest or detention... in order to secure the fulfilment of any obligation prescribed by law*'. The case law of the Strasbourg Court demonstrates that, for this ground to apply, the '*obligation*' must be '*already incumbent on the person concerned*' prior to the police exercise their powers to compel the fulfilment of that obligation (see *Vasileva v Denmark* Application No. 52792/99, 25 September 2003).
45. At the point in time when our client was subjected to Schedule 7 powers he was lawfully progressing through transit at Heathrow Airport and had not failed to comply with any order or obligation prescribed by law. Accordingly, there was no lawful basis under Article 5(1) for depriving our client of his liberty.

Article 8

46. Our client was held for almost nine hours, during which time he was prevented from contacting his partner and he was required to answer a number of personal questions including about his relationships. Our client was physically searched and prevented from boarding his flight to his home country of Brazil. In addition, his personal belongings, including electronic devices, his mobile telephone and laptop were seized for the purpose of searching their contents. In these circumstances, there was clearly an interference with our client's Article 8(1) right to respect for his private life and correspondence.
47. That interference must be justified under Article 8(2) and must be 'in accordance with the law'. For the reasons explained above in relation to Article 5, the interference with our client's rights under Article 8(1) was not in accordance with the law. In addition, since our client has no involvement in any terrorist activities, his detention also failed to pursue any legitimate objective. For all these reasons, the Defendant's decision to detain, question and search our client violated Article 8.

Article 10

48. The case law of the Strasbourg Court repeatedly emphasises the importance of protecting journalists' sources. In *Goodwin v UK* (1996) 1 BHRC 81 the Court stated:

'Protection of journalistic sources is one of the basic conditions for press freedom, as is reflected in the laws and the professional codes of conduct in a number of contracting states and is affirmed in several international instruments on journalistic freedoms (see amongst others the Resolution on Journalistic Freedoms and Human Rights, adopted at the 4th European Ministerial Conference on Mass Media Policy (Prague, 7-8 December 1994) and the Resolution on the Confidentiality of Journalists' Sources by the European Parliament of 18 January 1994 (OJ 1994 C44, p 34)). Without such protection, sources may be deterred from assisting the press in informing the public on matters of public interest. As a result the vital public watchdog role of the press may be undermined and the ability of the press to provide accurate and reliable information may be adversely affected. Having regard to the importance of the protection of journalistic sources for press freedom in a democratic society and the potentially chilling effect an order of source disclosure has on the exercise of that freedom, such a measure cannot be compatible with art 10 of the convention unless it is justified by an overriding requirement in the public interest.'

49. In his concurring judgment Judge De Meyer emphasised that:

'The protection of a journalist's source is of such a vital importance for the exercise of his right to freedom of expression that it must, as a matter of course, never be allowed to be infringed upon, save perhaps in very exceptional circumstances...'

50. The Court recently restated these principles in *Financial Times v United Kingdom* (2009) 28 BHRC 616:

*'The court reiterates that freedom of expression constitutes one of the essential foundations of a democratic society and that, in that context, the safeguards guaranteed to the press are particularly important. Furthermore, protection of journalistic sources is one of the basic conditions for press freedom. Without such protection, sources may be deterred from assisting the press in informing the public on matters of public interest. As a result, the vital 'public watchdog' role of the press may be undermined and the ability of the press to provide accurate and reliable reporting may be adversely affected. Having regard to the importance of the protection of journalistic sources for press freedom in a democratic society and the potentially chilling effect that an order for disclosure of a source has on the exercise of that freedom, such a measure cannot be compatible with art 10 unless it is justified by an overriding requirement in the public interest (see *Goodwin v UK* (1996) 1 BHRC 81 at para 39)'*

51. These principles are reflected in section 10 of the Contempt of Court Act 1981, which prevents a court from ordering a person to disclose the source of information contained in a publication for which he is responsible unless the court is satisfied that disclosure is necessary in the interests of justice or national security or for the prevention of disorder or crime. They are also reflected in a long line of domestic authorities (see, for example, *X Ltd v Morgan-Grampian (Publishers)* [1990] 2 All ER 1; *Ashworth Hospital Authority v MGN Ltd* (2002) 12 BHRC 443; *Mersey Care NHS Trust v Ackroyd (No. 2)* [2007] EWCA Civ

101) as well as the additional protections afforded to journalists; sources in legislation such as PACE.

52. The decision to seize our client's journalistic material constituted a clear infringement of our client's rights under Article 10(1). For the reasons explained above, the infringement of that right was not '*in accordance with law*' for the purposes of Article 10(2). Nor did it pursue a legitimate objective or represent a proportionate restriction on our client's right.
53. In addition, the fact that journalistic material may be seized for examination without prior warning or explanation is likely to have a seriously chilling effect on the ability and willingness of journalists to travel to and from the United Kingdom.
54. For all these reasons, the coercive powers under Schedule 7 and their application against our client violate Article 10.

Article 6

55. Article 6 ECHR protects the privilege against self-incrimination (see for example *Saunders v United Kingdom* (1997) 23 EHRR 313; *JB v Switzerland* [2001] Crim LR 748; *Heaney and McGuinness v Ireland* (2001) 33 EHRR 264). The breadth of the principle is reflected in *O'Halloran and Francis v United Kingdom* (2008) 46 EHRR 21:

'in all cases to date in which 'direct compulsion' was applied to require an actual or potential suspect to provide information which contributed, or might have contributed, to his conviction, the Court has found a violation of the applicant's privilege against self-incrimination.'

56. Paragraph 5 of Schedule 7 provides that a person who is questioned under paragraph 2 must give the examining officer '*any information in his possession which the officer requests*'. Failure to comply with such a request is punishable by up to 51 weeks' imprisonment. Importantly, the Act contains no provision restricting (a) the scope of permissible questioning or (b) the admissibility of statements or evidence obtained through the exercise of those coercive powers. Incriminating statements and evidence obtained through questioning under Schedule 7 are therefore admissible, in principle, in a subsequent criminal trial against the individual subjected to compulsory questioning.
57. Our client was required to answer numerous questions and to divulge the confidential passwords to his personal computers, telephone and encrypted storage devices. The abrogation of our client's privilege against self-incrimination cannot be justified merely by reference to any national security or public interest arguments: in *Heaney and McGuinness v Ireland* the Strasbourg Court expressly held that security and public order concerns '*cannot justify a provision which extinguishes the very essence of the applicants' right to silence and against self-incrimination guaranteed by Article 6(1)*'. The use of the compulsory powers of questioning against our client violated Article 6.

Action which the Defendant is requested to take

58. We ask that the Defendant agree that the detention, questioning and seizure of our client's confidential journalistic and other material was unlawful, and consequently agree to return all property and undertake to destroy all copies of materials retained, and confirm that they have not been shared with any third parties.
59. Our client is also entitled to other relief, including damages for his unlawful detention and other breaches of his fundamental rights.

Disclosure Sought under Pre-Action Protocol CPR 54

60. Please provide with your reply the following information requested in line with the duty of candour, which applies equally under the pre-action protocol for judicial review to assist the court and in furtherance of the overriding objective. (It is in any event information to which our client is entitled under section 7 Data Protection Act 1998 and section 1 Freedom of Information Act 2000).
- a. Please provide a full copy of our client's records including:
 - Tape and transcript of our client's police interviews;
 - The incident report, notebooks/pocket books of officers involved;
 - Any other records held by the police in relation to the incident and our client;
 - Any statements taken;
 - Copies of all other documents, correspondence, internal memos and emails in relation to our client;
 - A print out of our client's Police National Computer records.
 - b. Please confirm ho authorised the use of Schedule 7 powers against our client and on what grounds?
 - c. Please confirm whether or not any UK government ministers, or any third parties, such as US government ministers, were consulted prior to the use of the power and, if so, whether they approved of its use.
 - d. Please confirm whether any information obtained in the course of our client's detention has been passed onto third parties including foreign state powers - if so, who, when, what and on what legal basis?
 - e. Please confirm the number of times Schedule 7 has been used to stop and seize journalistic material in the last 5 years, with a breakdown by year.
 - f. Please explain why the use of Schedule 7 powers was considered appropriate in relation to the seizure of journalistic material in this case.

Concluding remarks

61. As is hopefully clear, our client has embarked upon this course of action in order to prevent further harm being caused as a result of the consequences of the decision to detain and question him. In relation to the parts of his claim that do not require the involvement of a Court (e.g. the return of his belongings and all related data) he would be willing to consider ADR. However, other issues in the case are such that judicial oversight is likely to be necessary. We seek the Defendant's views on mediation in your reply.
62. Should you have any queries please contact Gwendolen Morgan, solicitor with conduct of the case in the Public Law and Human Rights department on 020 7833 5393.
63. We look forward to hearing from you by 12pm today, 20 August, in relation to the undertakings requested and your substantive response by close of business on 27 August 2013.

Yours faithfully

Bindmans LLP

Bindmans LLP

Enc.