

IN THE HIGH COURT OF JUSTICE

CO/2368/2016

QUEEN'S BENCH DIVISION

DIVISIONAL COURT

BETWEEN

**THE QUEEN ON THE APPLICATION OF
PRIVACY INTERNATIONAL**

Claimant

AND

THE INVESTIGATORY POWERS TRIBUNAL

Defendant

AND

SECRETARY OF STATE FOR FOREIGN AND COMMONWEALTH AFFAIRS (1)

and

GOVERNMENT COMMUNICATIONS HEADQUARTERS (2)

Interested Parties

**DEFENDANT'S NOTE
FOR THE PRELIMINARY ISSUE HEARING**

1. This Note has been prepared on behalf of the Defendant, the Investigatory Powers Tribunal ("the IPT"), to assist the Court in relation to the preliminary issue hearing that has been listed for 2 November 2016. The preliminary issue for consideration at

that hearing is whether the IPT is amenable to judicial review.

2. As the IPT indicated in its Acknowledgement of Service, the IPT does not intend to make any submissions in relation to the impugned judgment concerning to s.5 of the Intelligence Services Act 1994.¹ It would be inappropriate for it to comment any further on the judgment that it has delivered.
3. As to the question of jurisdiction and the amenability of the IPT to judicial review, the IPT has submitted this Note to assist the Court in relation to the IPT's history and statutory functions as well as the manner in which it performs its statutory functions.

The history of the IPT

4. The IPT was established by the Regulation of Investigatory Powers Act 2000 ("RIPA"). The IPT effectively replaced the Interception of Communications Act Tribunal, the Security Services Act Tribunal and the Intelligence Services Act Tribunal which are now defunct except in relation to complaints made before 2 October 2000.² The IPT also replaced the complaints provision of Part III of the Police Act 1997 (concerning police interference with property).
5. The President and Vice-President of the IPT are appointed by HM the Queen by Letters Patent. They are required to hold or to have held high judicial office (see paragraph 2 of Schedule 3 to RIPA). The members of the IPT are similarly appointed by HM the Queen by letters patent. They are required to have held the relevant legal qualification for at least ten years (see paragraph 1 of Schedule 3 to RIPA).
6. The IPT's first President and Vice-President were Mummery LJ and Burton J. On the retirement of Mummery LJ, Burton J was appointed President and Sales J (as he then was) was appointed as the Vice-President. Subsequently Mitting J was appointed to replace Sales J as the Vice-President.

¹ [2016] UKIP Trib 14_85-CH

² See ss 70, 82(2) and Schedule 5 of RIPA and the Regulation of Investigatory Powers Act 2000 (Commencement No 1 and Transitional Provisions) Order 2000 SI 2000/2543

7. A list of the IPT's current members is contained at Chapter 7 of the IPT's 2011-2015 report which was annexed to the IPT's Acknowledgement of Service in these proceedings. Since that report, three additional judicial members have been appointed to the IPT: Sweeney, Singh and Edis JJ.
8. The IPT's members are drawn from Scotland and Northern Ireland as well as England and Wales. The IPT's members are supported by a small secretariat who assist in the administration related to the investigation of each complaint.
9. The IPT's powers under RIPA are primarily investigative. Much of its work is paper based, with its members directing investigations of complaints and adjudicating upon the outcome of the investigations.
10. Although it is called a Tribunal, the IPT is not part of 'Her Majesty's Courts and Tribunal Service'. In his 2001 Report of the Review of Tribunals (Paragraph 3.11) Sir Andrew Leggatt explained this, outlining some of the exceptional features of the Tribunal:

“There is one exception among citizen and state tribunals. This Tribunal (IPT) is different from all others in that its concern is with security. For this reason it must remain separate from the rest and ought not to have any relationship with other tribunals. It is therefore wholly unsuitable both for inclusion in the Tribunals System and for administration by the Tribunals Service. So although the chairman [of the Tribunals system] is a Lord Justice of Appeal and would be the senior judge in the Tribunals System, he would not be in a position to take charge of it.

The Tribunal's powers are primarily investigatory, even though it does also have an adjudicative role. Parliament has provided that there should be no appeal from the tribunal except as provided by the Secretary of State.

Subject to tribunal rules made by the Secretary of State the Tribunal is entitled to determine its own procedure. We have accordingly come to the conclusion that this Tribunal should continue to stand alone; but there should apply to it such of our other recommendations as are relevant and not inconsistent with the statutory provisions relating to it.”³

³ Report of the Review of Tribunals by Sir Andrew Leggatt: “Tribunals for Users - One System, One Service”, available at <http://webarchive.nationalarchives.gov.uk/+http://www.tribunals-review.org.uk/leggatthtm/leg-00.htm>

The statutory scheme

11. The IPT was established by s.65 of RIPA:

“65 **The tribunal**

- (1) There shall, for the purpose of exercising the jurisdiction conferred on them by this section, be a tribunal consisting of such number of members as Her Majesty may by Letters Patent appoint.
- (2) The jurisdiction of the tribunal shall be—
 - (a) to be the only appropriate tribunal for the purposes of section 7 of the Human Rights Act 1998 in relation to any proceedings under subsection (1)(a) of that section (proceedings for actions incompatible with Convention rights) which fall within subsection (3) of this section;
 - (b) to consider and determine any complaints made to them which, in accordance with subsection (4), are complaints for which the tribunal is the appropriate forum;
 - (c) to consider and determine any reference to them by any person that he has suffered detriment as a consequence of any prohibition or restriction, by virtue of section 17, on his relying in, or for the purposes of, any civil proceedings on any matter; and
 - (d) to hear and determine any other such proceedings falling within subsection (3) as may be allocated to them in accordance with provision made by the Secretary of State by order.
- (3) Proceedings fall within this subsection if—
 - (a) they are proceedings against any of the intelligence services ...
 - (b) they are proceedings against any other person in respect of any conduct, proposed conduct, by or on behalf of any of those services;
 - (c) they are proceedings brought by virtue of section 55(4); or
 - (d) they are proceedings relating to the taking place in any challengeable circumstances of any conduct falling within subsection (5).
- (4) The tribunal is the appropriate forum for any complaint if it is a complaint by a person who is aggrieved by any conduct falling within subsection (5) which he believes—
 - (a) to have taken place in relation to him, to any of his property, to any communications sent by or to him, or intended for him, or to his use of any postal service, telecommunications service or telecommunication system; and
 - (b) to have taken place in challengeable circumstances or to have been carried out by or on behalf of any of the intelligence services.

- (5) Subject to subsection (6), conduct falls within this subsection if (whenever it occurred) it is—
- (a) conduct by or on behalf of any of the intelligence services;
 - (b) conduct for or in connection with the interception of communications in the course of their transmission by means of a postal service or telecommunication system;
 - (c) conduct to which Chapter II of Part I applies;
 - (ca) the carrying out of surveillance by a foreign police or customs officer (within the meaning of section 76A);
 - (d) other conduct to which Part II applies;
 - (e) the giving of a notice under section 49 or any disclosure or use of a key to protected information;
 - (f) any entry on or interference with property or any interference with wireless telegraphy.
- (6) For the purposes only of subsection (3), nothing mentioned in paragraph (d) or (f) of subsection (5) shall be treated as falling within that subsection unless it is conduct by or on behalf of a person holding any office, rank or position with—
- (a) any of the intelligence services;
 - (b) any of Her Majesty's forces;
 - (c) any police force;
 - (ca) the Police Investigations and Review Commissioner;
 - (d) the National Crime Agency;
 - (f) the Commissioners for Her Majesty's Revenue and Customs;
- and section 48(5) applies for the purposes of this subsection as it applies for the purposes of Part II.
- (7) For the purposes of this section conduct takes place in challengeable circumstances if—
- (a) it takes place with the authority, or purported authority, of anything falling within subsection (8); or
 - (b) the circumstances are such that (whether or not there is such authority) it would not have been appropriate for the conduct to take place without it, or at least without proper consideration having been given to whether such authority should be sought;
- but, subject to subsection (7ZA), conduct does not take place in challengeable circumstances to the extent that it is authorised by, or takes place with the permission of, a judicial authority.
- (7ZA) The exception in subsection (7) so far as conduct is authorised by, or takes place with the permission of, a judicial authority does not include conduct authorised by an approval given under section 23A or 32A.
- (7A) For the purposes of this section conduct also takes place in challengeable circumstances if it takes place, or purports to take place, under section 76A.
- (8) The following fall within this subsection—
- (a) an interception warrant or a warrant under the Interception of Communications Act 1985;

- (b) an authorisation or notice under Chapter II of Part I of this Act;
 - (c) an authorisation under Part II of this Act or under any enactment contained in or made under an Act of the Scottish Parliament which makes provision equivalent to that made by that Part;
 - (d) a permission for the purposes of Schedule 2 to this Act;
 - (e) a notice under section 49 of this Act; or
 - (f) an authorisation under section 93 of the Police Act 1997.
- (9) Schedule 3 (which makes further provision in relation to the Tribunal) shall have effect.
- (10) In this section—
- (a) references to a key and to protected information shall be construed in accordance with section 56;
 - (b) references to the disclosure or use of a key to protected information taking place in relation to a person are references to such a disclosure or use taking place in a case in which that person has had possession of the key or of the protected information; and
 - (c) references to the disclosure of a key to protected information include references to the making of any disclosure in an intelligible form (within the meaning of section 56) of protected information by a person who is or has been in possession of the key to that information;
- and the reference in paragraph (b) to a person's having possession of a key or of protected information shall be construed in accordance with section 56.
- (11) In this section “judicial authority” means—
- (a) any judge of the High Court or of the Crown Court or any Circuit Judge;
 - (b) any judge of the High Court of Justiciary or any sheriff;
 - (c) any justice of the peace;
 - (d) any county court judge or resident magistrate in Northern Ireland;
 - (e) any person holding any such judicial office as entitles him to exercise the jurisdiction of a judge of the Crown Court or of a justice of the peace.”

Oversight of powers exercised under RIPA

12. The IPT acts as one of the main pillars of oversight of the powers exercised under RIPA. Those include the Commissioners, the Intelligence and Security Committee and the system of authorisations required under RIPA.

The Commissioners

13. The Commissioners provide oversight of the way in which all public authorities in the United Kingdom carry out covert surveillance:

- (a) *The Interception of Communications Commissioner*: responsible for keeping under review the interception of communications and the acquisition and disclosure of communications data by the three Security and Intelligence Agencies (SIAs), police forces and other public

authorities. (Section 57 RIPA). The current Commissioner is the Rt. Hon. Sir Stanley Burnton.

(b) *The Intelligence Services Commissioner*: responsible for providing independent judicial oversight of the conduct of the SIAs and a number of other public authorities (Section 59 RIPA). The current Commissioner is the Rt. Hon Sir Mark Waller.

(c) *The Chief Surveillance Commissioner and Assistants*: they are responsible for overseeing the conduct of covert surveillance and covert human intelligence sources (other than the SIAs) by public authorities. (Police Act 1997 and Sections 62 and 63 RIPA). The current Chief Commissioner is The Rt. Hon. the Lord Judge.

The Intelligence and Security Committee

14. The Intelligence and Security Committee of Parliament (“ISC”) is a statutory committee of Parliament that has responsibility for oversight of the UK intelligence community. The Committee was originally established by the Intelligence Services Act 1994, and was recently reformed, and its powers reinforced, by the Justice and Security Act 2013. The Committee oversees the intelligence and security activities of the UK, including the policies, expenditure, administration and operations of the Security Service (MI5), the Secret Intelligence Service (SIS) and the Government Communications Headquarters (GCHQ). The Committee also scrutinises the work of other parts of the UK intelligence community, including the Joint Intelligence Organisation and the National Security Secretariat in the Cabinet Office; Defence Intelligence in the Ministry of Defence; and the Office for Security and Counter-Terrorism in the Home Office. The Committee consists of nine Members drawn from both Houses of Parliament. The Chair is elected by its Members. The Members of the Committee are subject to Section 1(1)(b) of the Official Secrets Act 1989 and are given access to highly classified material in carrying out their duties.⁴

Authorisations

⁴ See page 3 of its 2015-2016 Annual Report.

15. Intrusive powers under RIPA may only be exercised upon the authority of a warrant or an authorisation given by a “designated person” with statutory authority to do so. They must be granted only if the particular power sought is in all the circumstances: (a) lawfully available; (b) necessary; and (c) proportionate.

The Tribunal’s procedures

16. Section 68 of RIPA provides for the IPT’s procedure. Under section 68(2), the IPT has the power to require a relevant Commissioner to provide it with all such assistance (including the Commissioner's opinion as to any issue falling to be determined by the IPT) as it thinks fit. Section 68(6) and (7) requires those involved in the authorisation and execution of an interception warrant to disclose or provide to the IPT all documents and information it may require.
17. Section 68(4) deals with reasons for the IPT's decisions and provides that:
- “Where the Tribunal determine any proceedings, complaint or reference brought before or made to them, they shall give notice to the complainant which (subject to any rules made by virtue of section 69(2)(i)) shall be confined, as the case may be, to either—
- (a) a statement that they have made a determination in his favour; or
- (b) a statement that no determination has been made in his favour.”⁵
18. The IPT has the power to award compensation and to make such other orders as it thinks fit, including orders quashing or cancelling any and orders requiring the destruction of any records obtained under a section 8(1) warrant (section 67(7) RIPA).
19. Section 67(8) of RIPA recognises that there may be provision for the Secretary of State to order (or *a fortiori* Parliament to conclude) that there could be an appeal from the IPT (other than to the ECtHR), and Parliament is presently considering the introduction of such a route⁶. The proposed provisions will set a high threshold to be met before an appeal may be brought and clearly limit the decisions that may be

⁵ In 2015 the IPT gave a ruling in relation to the proper interpretation of this provision in the context of a claim brought by Mr Belhadj and others in relation to the alleged interception of legally privileged material – see *Belhadj & Others vs. the Security Service, SIS, GCHQ, Home Office and FCO* IPT/13/132-9/H.

⁶ See clause 243 of the Investigatory Powers Bill

appealed (thus, for example, there would be no appeal from a decision relating to a procedural matter⁷).

20. In the event that a claim before the IPT in relation to the one of the SIAs is successful, the IPT is required to make a report to the Prime Minister (section 68(5) of RIPA).

Procedural Rules

21. Section 69(1) of RIPA provides that the Secretary of State may make rules regulating any matters preliminary or incidental to, or arising out of, the hearing or consideration of any proceedings before it. Under section 69(2), such rules may:

“(c) prescribe the form and manner in which proceedings are to be brought before the Tribunal or a complaint or reference is to be made to the Tribunal;

...

(f) prescribe the forms of hearing or consideration to be adopted by the Tribunal in relation to particular proceedings, complaints or references ... ;

(g) prescribe the practice and procedure to be followed on, or in connection with, the hearing or consideration of any proceedings, complaint or reference (including, where applicable, the mode and burden of proof and the admissibility of evidence);

(h) prescribe orders that may be made by the Tribunal under section 67(6) or (7);

(i) require information about any determination, award, order or other decision made by the Tribunal in relation to any proceedings, complaint or reference to be provided (in addition to any statement under section 68(4)) to the person who brought the proceedings or made the complaint or reference, or to the person representing his interests.”

22. Section 69(6) provides that in making the rules the Secretary of State shall have regard to:

“(a) the need to secure that matters which are the subject of proceedings, complaints or references brought before or made to the Tribunal are properly heard and considered; and

(b) the need to secure that information is not disclosed to an extent, or in a manner, that is contrary to the public interest or prejudicial to national security, the prevention or detection of serious crime, the economic well-being of the United Kingdom or the continued discharge of the functions of any of the intelligence services.”

⁷ See the proposed new s.64(C) of RIPA that would be inserted by virtue of clause 243 of the Bill.

23. The Secretary of State has adopted rules to govern the procedure before the IPT in the form of the Investigatory Powers Tribunal Rules 2000 (SI 2000/2665) (“the Rules”). The Rules cover various aspects of the procedure before the IPT. As Laws LJ commented in *R (A) v Director of Establishments of the Security Service* [2009] UKSC 12, [2010] 2 AC 1 they represent a “*series of provisions elaborating special procedures clearly fashioned to accommodate the particular considerations, not least those of national security, which are likely to arise*”⁸ in such proceedings.

24. As regards disclosure of information, Rule 6 provides:

“(1) The Tribunal shall carry out their functions in such a way as to secure that information is not disclosed to an extent, or in a manner, that is contrary to the public interest or prejudicial to national security, the prevention or detection of serious crime, the economic well-being of the United Kingdom or the continued discharge of the functions of any of the intelligence services.

(2) Without prejudice to this general duty, but subject to paragraphs (3) and (4), the Tribunal may not disclose to the complainant or to any other person:

- (a) the fact that the Tribunal have held, or propose to hold, an oral hearing under rule 9(4);
- (b) any information or document disclosed or provided to the Tribunal in the course of that hearing, or the identity of any witness at that hearing;
- (c) any information or document otherwise disclosed or provided to the Tribunal by any person pursuant to section 68(6) of the Act (or provided voluntarily by a person specified in section 68(7));
- (d) any information or opinion provided to the Tribunal by a Commissioner pursuant to section 68(2) of the Act;
- (e) the fact that any information, document, identity or opinion has been disclosed or provided in the circumstances mentioned in sub-paragraphs (b) to (d).

(3) The Tribunal may disclose anything described in paragraph (2) with the consent of:

- (a) in the case of sub-paragraph (a), the person required to attend the hearing;
- (b) in the case of sub-paragraphs (b) and (c), the witness in question or the person who disclosed or provided the information or document;
- (c) in the case of sub-paragraph (d), the Commissioner in question and, to the extent that the information or opinion includes information provided to the Commissioner by another person, that other person;

⁸ Paragraph 7

- (d) in the case of sub-paragraph (e), the person whose consent is required under this rule for disclosure of the information, document or opinion in question.
- (4) The Tribunal may also disclose anything described in paragraph (2) as part of the information provided to the complainant under rule 13(2), subject to the restrictions contained in rule 13(4) and (5).
- (5) The Tribunal may not order any person to disclose any information or document which the Tribunal themselves would be prohibited from disclosing by virtue of this rule, had the information or document been disclosed or provided to them by that person.
- (6) The Tribunal may not, without the consent of the complainant, disclose to any person holding office under the Crown (except a Commissioner) or to any other person anything to which paragraph (7) applies.
- (7) This paragraph applies to any information or document disclosed or provided to the Tribunal by or on behalf of the complainant, except for the statement described in rule 7(2)(a) and (b) or, as the case may be, rule 8(2)(a) and (b).
25. It is noted that Rule 6 (1) requires the IPT to ensure that it does not permit the disclosure of information that would be contrary to “*the public interest or prejudicial to national security, the prevention or detection of serious crime, the economic well-being of the United Kingdom or the continued discharge of the functions of any of the intelligence services*”: this is a wider definition of categories to be protected than that contained in section 6 of the Justice and Security Act 2013 (see further below).
26. Rule 9 deals with the forms of hearings and consideration of the complaint:
- “(1) The Tribunal's power to determine their own procedure in relation to section 7 proceedings and complaints shall be subject to this rule.
- (2) The Tribunal shall be under no duty to hold oral hearings, but they may do so in accordance with this rule (and not otherwise).
- (3) The Tribunal may hold, at any stage of their consideration, oral hearings at which the complainant may make representations, give evidence and call witnesses.
- (4) The Tribunal may hold separate oral hearings which:
- (a) the person whose conduct is the subject of the complaint,
 - (b) the public authority against which the section 7 proceedings are brought, or
 - (c) any other person specified in section 68(7) of the Act,
- may be required to attend and at which that person or authority may make representations, give evidence and call witnesses.
- (5) Within a period notified by the Tribunal for the purpose of this rule, the complainant, person or authority in question must inform the Tribunal of any

witnesses he or it intends to call; and no other witnesses may be called without the leave of the Tribunal.

(6) The Tribunal's proceedings, including any oral hearings, shall be conducted in private.”

27. In Applications Nos IPT/01/62 and IPT/01/77, 23 January 2003, the IPT held that rule 9(6) of the 2000 Rules, requiring the tribunal's proceedings to be conducted in private, was ultra vires section 69 of RIPA as being incompatible with article 6 of the ECHR which guarantees the right to a fair hearing before an independent and impartial tribunal; but “*in all other respects the 2000 Rules are valid and binding on the tribunal and are compatible with articles 6, 8 and 10 of the Convention*”: para 12 of the decision.

28. The taking of evidence is addressed in Rule 11:

“(1) The Tribunal may receive evidence in any form, and may receive evidence that would not be admissible in a court of law.

(2) The Tribunal may require a witness to give evidence on oath.

(3) No person shall be compelled to give evidence at an oral hearing under rule 9(3).”

29. Rule 13 provides guidance on notification to the complainant of the IPT's findings:

“(1) In addition to any statement under section 68(4) of the Act, the Tribunal shall provide information to the complainant in accordance with this rule.

(2) Where they make a determination in favour of the complainant, the Tribunal shall provide him with a summary of that determination including any findings of fact.

...

(4) The duty to provide information under this rule is in all cases subject to the general duty imposed on the Tribunal by rule 6(1).

(5) No information may be provided under this rule whose disclosure would be restricted under rule 6(2) unless the person whose consent would be needed for disclosure under that rule has been given the opportunity to make representations to the Tribunal.”

30. In *Kennedy v United Kingdom* (2011) 52 EHRR. 4 the European Court of Human Rights considered the IPT's procedures and concluded that the applicant had been afforded an effective remedy in accordance with article 13 ECHR:

“Having regard to its conclusions in respect of Article 8 and Article 6 § 1 above, the Court considers that the IPT offered to the applicant an effective remedy insofar as his complaint was directed towards the alleged interception of his communications.”⁹

The IPT's evolving procedures for dealing with sensitive materials

31. In its 2011-2015 Report, the IPT explained:

“As a judicial body handling similarly sensitive material, the Tribunal’s policies and procedures have been carefully developed and have evolved with the aim of balancing the principles of open justice for the complainant with a need to protect sensitive material. The approach of hearing a case on the basis of assumed facts has proved to be of great value.

2.8 *Assumed facts*: This means that, without making any finding on the substance of the complaint, where points of law arise the Tribunal may be prepared to *assume for the sake of argument* that the facts asserted by the claimant are true; and then, acting upon that assumption, decide whether they would constitute lawful or unlawful conduct. This has enabled hearings to take place in public with full adversarial argument as to whether the conduct alleged, if it had taken place, would have been lawful and proportionate. Exceptionally, and where necessary in the interests of public safety or national security, the Tribunal has sat in closed (private) hearings, with the assistance of Counsel to the Tribunal, to ensure that points of law or other matters advanced by the complainants are considered.”¹⁰ (Emphasis as per original)

32. In recent cases, the IPT has proceeded to give judgment on issues of law not only on the basis of assumed facts but also on the basis of significant pre-hearing disclosure that has been made by the SIAs following an OPEN and CLOSED disclosure process, where the interests of the claimants are advanced in CLOSED by Counsel to the Tribunal.¹¹ Those disclosure exercises have resulted in significant “avowals” of particular types of activity by the SIAs that have informed the IPT’s rulings on preliminary issues of law.

⁹ Paragraph 196

¹⁰ See page 12. The IPT set out guidance in relation to the role of Counsel to the Tribunal in *Liberty/Privacy (No.1)* [2014] UKIPTrib 13/77-H; [2015] 3 All ER 142, paragraphs 8-10

¹¹ See para 5 of the judgment in *Privacy International and GreenNet v The Secretary of State for Foreign and Commonwealth Affairs and others* 14/120-126/CH and IPT 14/85/CH and most recently *Privacy International v Secretary of State for Foreign and Commonwealth Affairs* [2016] UKIPTrib 15_110-CH at para 13.

Recent judgments

33. The IPT maintains a website¹² which, as well as containing guidance for potential complainants, also contains most of the IPT's judgments since its inception. A summary of key judgments given by the IPT since 2010 is contained in Chapter 5 of its 2011-2015 Report.
34. Since that report the IPT has also given judgment in
- (a) *Human Rights Watch and others v Secretary of State for Foreign and Commonwealth Affairs* [2016] UKIPTrib15_165-CH, a ruling concerning the worldwide campaign by Privacy International following the IPT's judgments in *Liberty/Privacy Nos 1 and 2* UKIP Trib 13/77- H, [2015] 1 Cr. App. R 24, [2015] 3 All ER 142, 212;
 - (b) *David Moran and others v Police Scotland*, UKIP Trib 15_602-CH, a judgment concerning complaints arising out of the obtaining by Police Scotland of four relevant authorisations under Part 1 Chapter 2 (Acquisition and Disclosure of Communications Data) (ss 21-25) of RIPA;
 - (c) *Kerr v The Security Service* [2016] UKIP Trib 15_134-C, a preliminary issue judgment concerning a complaint that that since 2003 the complainant had been the subject of a campaign of harassment by members of the Security Service, acting in their official capacity; and
 - (d) *Privacy International v Secretary of State for Foreign and Commonwealth Affairs* [2016] UKIP Trib 15_110-CH, where the IPT found that the obtaining by the SIAs of bulk communications data under s.94 of the Telecommunications Act 1984 and the obtaining of bulk personal datasets was contrary to Article 8 ECHR and was consequently unlawful.

¹² <http://www.ipt-uk.com/default.asp>

The nature and volume of complaints to the IPT

Organisations to which complaints related

35. In 2015 the majority of complaints (43%) received by the IPT related to law enforcement agencies (such as the police and the National Crime Agency), closely followed by complaints relating to the SIAs (35%). In 2015 12% of the complaints received by the IPT related to local authorities and 10% to other public authorities such as the Department of Work and Pensions.¹³
36. Those figures are broadly similar to 2010 – where 32% of all complaints received by the IPT related to law enforcement agencies, 30% to the SIAs, 28% to other public authorities and 10% to local authorities.¹⁴
37. In its 2011-2015 report, the IPT commented:

“There remains a relatively even spread across the types of organisation which are the subject of complaints. Local authorities, however, received far fewer complaints than SIAs, law enforcement agencies and miscellaneous public authorities, and these have continued to decline perhaps in part due to the changes in authorisation procedures. In practice, there is a tendency on the part of complainants who may suspect they are subject to intrusive powers, but are unsure about the public authority involved, to allege unlawful conduct against all public authorities with RIPA powers, but especially to cite the Police and SIAs as general bodies.”¹⁵

The volume of complaints

38. The volume of complaints to the IPT has risen from 95 in its first year to over 250 in 2015.¹⁶ Not counted in that figure for 2015 are the 660 individual complaints brought as a result of the IPT’s judgment in *Liberty/Privacy International (No 1) and (No 2)* [2014] UKIP Trib 13/77-H [2015] 3 All ER 142 and [2015] 3 AER 212,

¹³ See figure 3 on p.20 of the IPT’s 2011-2015 report

¹⁴ See also Chapter 3 of the IPT’s 2010 report which is appended to this Note at Appendix A.

¹⁵ Page 20 of the 2011-2015 IPT Report for 2011-2015

¹⁶ See para 4.2 of Chapter 4 of the IPT Annual Report for 2011-2015.

referred to above.¹⁷

39. Chapter 4 of the IPT's 2011-2015 Report sets out a detailed analysis of the complaints that have been referred to the IPT over four years: see in particular figure 6 at p.22 of the report.
40. Just under half of the complaints received in 2015 were ruled as "frivolous or vexatious" whilst 30% received a "no determination" statement in accordance with section 68 (4) (b) of RIPA. Those figures are broadly similar to figures for previous years – in 2011 for example 44% of all complaints were ruled as "frivolous or vexatious" and 36% of all complaints resulted in a "no determination" outcome.

Frivolous and vexatious complaints

41. In its 2011-2015 Report, the IPT states:

"The Tribunal has robust procedures for determining whether complaints are frivolous and vexatious, out of jurisdiction and out of time, as dictated by the Rules, and these have been established over its 16-year history. The history and justification of these policies and procedures is considered in depth in Chapter 2. Decisions on whether a claim is out of jurisdiction, out of time, or frivolous or vexatious are only made if two or more Members are in agreement as to the reasons for determining such an outcome. Figure 6 shows the number of complaints received by the Tribunal during the period of this report and their outcome. Figure 1 [on page 18] explains what those outcomes mean in greater depth. The number of cases judged by the Tribunal to be 'frivolous or vexatious' has remained high since it began its work in 2000."¹⁸

42. In its report for 2011-2015, the IPT explains that a finding that a complaint is frivolous or vexatious is made where "*[t]he Tribunal concludes in such cases that the complaint is obviously unsustainable and/or that it is vexatious. A complaint is regarded as obviously unsustainable if it is so far-fetched or lacking in foundation as to justify this description. A complaint is regarded as vexatious if it is a repetition or repeated repetition of an earlier obviously unsustainable complaint by the same person*".¹⁹

¹⁷ See para 4.3 of Chapter 4 of the IPT Annual Report for 2011-2015.

¹⁸ See para 4.10 of Chapter 4 of the IPT Report for 2011-2015

¹⁹ Figure 1, p.18

43. In instances where a complaint is dismissed as being frivolous and vexatious, the complainant receives a notice in accordance with section 67(4) of RIPA which provides that “*The Tribunal shall not be under any duty to hear, consider or determine any proceedings, complaint or reference if it appears to them that the bringing of the proceedings or the making of the complaint or reference is frivolous or vexatious.*” The decision provided to the complainant is issued pursuant to Rule 13(3)(1) of the Rules which states that a complainant is to be notified where the IPT has made a determination “*that the bringing of the section 7 proceedings or the making of the complaint is frivolous or vexatious*”
44. In the last few months, two complainants whose complaints had been dismissed as being frivolous and vexatious have sought to challenge the IPT’s decision in the High Court. The first sought judicial review against the IPT as well as the Metropolitan Police Service²⁰ and the second sought to injunct the IPT as well as the Undercover Policing Inquiry, the SIAs, the Ministry of Defence and a number of other defendants.²¹

Complaints resulting in a “no determination”

45. A “no determination” notice under section 65 (4) of RIPA is issued where, after full consideration and investigation, the IPT is satisfied that there has been no conduct in relation to the complainant by any relevant body which falls within the jurisdiction of the Tribunal, or that there has been some activity under RIPA which is not in contravention of the Act, and cannot be criticised as unlawful. In many (but not all²² instances) the provisions of RIPA and the Rules do not allow the Tribunal to disclose whether or not complainants are, or have been, subject to activity under RIPA. In most instances however the IPT is not permitted to disclose what evidence it has taken

²⁰ *R (oao) Christopher Ramanrace v IPT and Metropolitan Service*, CO/3654/2016, permission decision not yet made. A copy of the claim form is appended to this Note at Appendix B.

²¹ *Mandy Richards v IPT, Undercover Policing Inquiry, MI5, MI6 and others*, HQ16X03179, application dismissed by Globe J on 19 October 2016. A copy of the application is appended to this Note at Appendix C.

²² See for example the judgments in *Vaughan v South Oxfordshire Council*, IPT/12/28/C (whether Council Tax home inspections constituted surveillance under RIPA) and *BA and others v Cleveland Police* IPT/11/129/CH (police surveillance by way of covert monitoring in the sitting room of a flat owned by a seriously disabled patient designed to detect the perpetrators of thefts from the patient). In both cases the reasons for a “no determination” notice were given in full judgments by the IPT.

into account in considering the complaint.²³

Representation of complainants

46. The vast majority of complainants to the IPT are not legally represented. No public funding is available to complainants but potential complainants are advised by the IPT that they may be assisted by citizens advice bureaux or by law centres.

Conclusions

47. The summary of the IPT's history, statutory functions as well as the manner in which it performs its statutory functions contained above indicates that there would be particular practical difficulties in a finding by the Court that the IPT was amenable to judicial review.
48. The Claimant has argued that those would be met by s.6 of the Justice and Security Act 2013²⁴, but those provisions are an incomplete answer to such difficulties. The Justice and Security Act 2013 only applies to closed material which is "*damaging to the interests of national security*" (see section 6 of that Act) whereas the provisions of Rule 6 of the Rules (set out above) are far wider. Therefore in defending a claim for judicial review of an IPT "no determination", where information has been withheld for reasons (for example) because disclosure would be prejudicial to the "*the prevention or detection of serious crime*", the interested party would have to make an application for a Public Interest Immunity Certificate. That would mean that the material that led to the IPT's conclusion would not actually be available to the reviewing court, rendering the claim being struck out (see *Carnduff v Rock & Anor* [2001] 1 WLR 2205).
49. Unrepresented complainants seeking to challenge the dismissal of their complaints as

²³ The IPT has considered the application of the "neither confirm nor deny" policy in conjunction with Rule 6 of the Rules in its procedural rulings in *IPT/01/77* and *IPT/06/81*. As the IPT explained in its 2011-2015 report at para 2.21: "*The justification for this policy is that if allegations of interception or surveillance are made, but not denied, then, in the absence of the NCND policy, it is likely to be inferred by a complainant that such acts are taking place. This is especially so if other complainants are being told that they have no cause for complaint, because no such acts are, or have been, taking place in relation to them. If criminals and terrorists became aware, or could infer the possibility, of covert activities, they are likely to adapt their behaviour accordingly. The likely outcome of this is that the all-important secrecy would be lost and with it the chance of obtaining valuable information needed in the public interest or in the interests of national security.*"

²⁴ See para 54 of the Claimant's Skeleton Argument

being frivolous or vexatious is also likely to place a considerable burden on the Court's resources. The two recent attempted challenges referred to above give an indication of those difficulties. For example, the *Mandy Richards* claims have resulted in two separate hearings, one before Dove J and the other before Globe J.

50. Finally it is to be noted that Section 67(8) of RIPA recognises that there may be provision for the Secretary of State to order that there could be an appeal from the IPT. Parliament is presently considering the introduction of such a route in the Investigatory Powers Bill: a route that is subject to carefully circumscribed criteria to be applied in circumstances which recognise the unique role played by the IPT as a specialist tribunal.

JONATHAN GLASSON QC

Matrix Chambers
Griffin Building
Grays Inn
London WC1R 5LN

26 October 2016

Chapter 3. Frequently Asked Questions

Does the Tribunal ever find in favour of complainants?

3.1 There is a common misconception in some parts of the media that the Tribunal is a 'star chamber' that always meets in secret and never rules in favour of complainants. This portrait implies that the Tribunal does not provide an effective control on RIPA powers or an effective remedy to complainants. The purpose of the preceding Chapter has been to outline how the Tribunal policies and procedures have developed to balance the need for transparency and open justice with the protection of sensitive material. In summary, the answer to the question posed above is that the Tribunal has upheld complaints against public authorities. During the period of this Report the Tribunal has for the first time, made a determination in favour of a Claimant in a case brought against one or all of the SIAs. Pursuant to Section 68 (5) RIPA the Tribunal wrote to the Prime Minister in July 2015 reporting its findings, giving a detailed explanation of its judgments in Liberty/Privacy and Belhadj & Others. Chapter 5 of the Report sets out summaries of these and other key cases ruled on by the Tribunal, some of which include rulings in favour of complainants. The remaining cases can be found on the 'IPT website': www.ipt-uk.com

Can I complain on someone's behalf?

3.2 Any complaint or claim must be brought by the person concerned (including any organisation and association or combination of persons). They may receive help in completing the form and it can be submitted by a representative. However, the Tribunal Rules require that the form and any additional statements must be signed by the complainant. The exception is signature by a parent or guardian in respect of a complaint by a child or vulnerable adult.

The Tribunal cannot accept single applications on behalf of more than one person. This is because it is required to make a determination in relation to each complaint falling within its jurisdiction. It may find that conduct relates to one complainant but not others who are linked to that complaint and the final determination may be different.

How can I complain about surveillance or phone interception when the whole point of this kind of activity is that I do not know it is happening?

3.3 You are only required to *believe* that covert activity has taken place. You do not have to have evidence proving it in order to bring a case before the Tribunal, although it will help your case if you provide as much information as you can about the circumstances which lead you to the belief that covert action has been taken against you. The way the Tribunal is set up and the powers it has mean it is uniquely placed to facilitate the making and answering of a complaint. It is able to investigate, obtain and protect evidence on behalf of all parties to the complaint.

Will the Tribunal tell me if I have been under surveillance or my phone has been intercepted?

3.4 No. It is not the Tribunal's function to tell complainants whether their telephones have been tapped, or if they have been the subject of other activity. Its purpose is to ascertain whether legislation has been complied with and organisations have acted proportionately. If your complaint is upheld, the Tribunal may be able to disclose details of any unlawful conduct taken against you. If your complaint is not upheld, you will not be told whether any conduct has been taken against you.

Can I complain about the activities of individuals, private investigators or companies?

3.5 Under RIPA the Tribunal has no jurisdiction in these cases - unless the individuals, investigators or companies are tasked by a public authority covered by the RIPA regime. For instance, a local authority might contract out surveillance activities or ask individuals to carry out surveillance on its behalf. In such a case the Tribunal will have jurisdiction to hear complaints.

Is there a time limit?

3.6 Yes. The Tribunal is not required to consider complaints made more than a year after the relevant activity took place. However, the Tribunal can and does exercise its discretion and extend this time if it is 'equitable' (fair), or reasonable in all the circumstances of the case.

Who actually makes the decisions in a case?

3.7 Decisions are made by a minimum of two Tribunal Members, who are required to be legally qualified as set out in RIPA.

The decisions they make include decisions whether applications are out of time, out of jurisdiction or frivolous or vexatious.

How are cases actually heard?

3.8 Within certain limits, the Tribunal can determine its own procedures. How it investigates and determines a complaint depends on the complaint before it. All determinations are made applying judicial review principles and most are made on paper without the need for oral hearings.

Is the Tribunal independent of Government?

3.9 Yes. The Tribunal is a fully independent and impartial court. No Government Department or public authority can intervene in a Tribunal investigation or influence its decisions. The Tribunal makes its determinations based entirely on the evidence before it and operates on the same principles as in judicial review cases.

How do I know the agency (SIA) will provide all information requested of it?

3.10 All public authorities investigated by the Tribunal are under a statutory obligation under RIPA Section 68(6) to provide the Tribunal with anything it requires in the course of its investigation. The Tribunal can demand clarification or explanation of any information provided, order an individual to give evidence in person, inspect an organisation's files, or take any other action it sees fit. The Tribunal can also require the various Commissioners who supervise the intelligence agencies and others to provide it with any assistance it requires for its investigations.

How long will I have to wait before the Tribunal makes its decision?

3.11 The Tribunal has no set time limit for responding to complaints or claims. This is because all cases vary in scope and detail, and each one is dealt with on its own merits. The amount of time taken can also depend on the responses received to the Tribunal's enquiries, which may lead to more information being sought from the complainant or the organisation complained about.

Will I be contacted by the organisation that is the subject of my complaint or claim?

3.12 All complaints and claims are dealt with through the Tribunal. The organisations that are the subject of a claim or complaint make all their responses directly to the Tribunal for its consideration. You will not be contacted by any organisation in relation to your complaint.

Will I receive information about the progress of my complaint/claim?

3.13 The Tribunal is restricted in what it can disclose during the investigation of a complaint or claim. The Tribunal Rules state that no information or documents provided to the Tribunal, nor the fact that any have been provided, can be disclosed. Until final determination, therefore, the Tribunal can only inform you that an investigation is still ongoing. If the conduct you complain of is found to have occurred, and to have been unlawful, you will receive a determination in your favour. You will then receive as much information as can be supplied, without (where relevant) putting national security at risk (and see the case of Belhadj, Chapter 5.9 below).

Will making a complaint or claim to the Tribunal cost me anything?

3.14 No. The Tribunal's investigation of complaints and claims is free of charge. You do not need to hire a lawyer, but are at liberty to do so. However, if you decide to submit your complaint through a solicitor or other representative, the Tribunal will not normally refund any costs you may incur as a result. Legal aid is not available to fund any representation in the Tribunal.

Can I appeal the Tribunal's decision or ask for it to be reconsidered?

3.15 There is currently no domestic right of appeal from a decision of the Tribunal to any UK court. The only route of appeal is to the ECtHR. If, once your case has been decided, you are able to produce new evidence that was not previously submitted, then a new complaint must be made. In this event the Tribunal may require you to explain why this evidence was not available to you when you made your earlier complaint.

Can claimants visit the Tribunal's Offices or deliver material to the Tribunal in person?

3.16 No. For security reasons no such visits may take place, and all correspondence must be addressed to the Tribunal's P.O Box, 33220 London SW1H 9ZQ.

Judicial Review Claim Form

Notes for guidance are available which explain how to complete the judicial review claim form. Please read them carefully before you complete the form.

In the High Court of Justice
Administrative Court



For Court use only	
Administrative Court Reference No.	CO/3654/2016
Date filed	68/07/2016

SECTION 1 Details of the claimant(s) and defendant(s)

Claimant(s) name and address(es)

name
CHRISTOPHER RAMNARACE

address
[REDACTED]

Telephone no. 07961202848 Fax no.

E-mail address CHRISRAM20112@OUTLOOK.COM

Claimant's or claimant's solicitors' address to which documents should be sent.

name

address

Telephone no. Fax no.

E-mail address

Claimant's Counsel's details

name

address

Telephone no. Fax no.

E-mail address

1st Defendant

name
INVESTIGATORY POWER TRIBUNAL

Defendant's or (where known) Defendant's solicitors' address to which documents should be sent.

name

address
INVESTIGATORY POWER TRIBUNAL
P.O Box 35 320
London SW1 92Q

Telephone no. 0207353711 Fax no.

E-mail address INFO@IPT-UK.COM

2nd Defendant

name
METROPOLITAN POLICE
DPS

Defendant's or (where known) Defendant's solicitors' address to which documents should be sent.

name

address
DIRECTORATE OF PROFESSIONAL STANDARDS
DPS COMPLAINTS SUPPORT TEAM
22nd FLOOR EMPRESS STATE BUILDING
EMPRESS APPROACH FLEET ROAD LONDON SW16 1TR

Telephone no. Fax no.

E-mail address
DPS MAILBOX - CST @ MET.POLICE.UK

SECTION 2 Details of other interested parties

Include name and address and, if appropriate, details of DX, telephone or fax numbers and e-mail

name
~~ALMA PARINSON~~
 SHANI RAMMAGE NACI.A RAMMAGE Jhon RAMA

address
 [Redacted]

Telephone no. [Redacted] Fax no. [Redacted]

E-mail address [Redacted]

name
 Residents

address
 [Redacted]

Telephone no. [Redacted] Fax no. [Redacted]

E-mail address [Redacted]

SECTION 3 Details of the decision to be judicially reviewed

Decision: INVESTIGATIVE POWER SAY THERE IS ISAFATION EVIDENCE Decision DATED 10-7-2015 METROPOLITAN POLICE SAY THERE ISAFATION EVIDENCE AND SAY THAT SECURITY SERVICES HAVE NOT BEEN TARGETING ME AND I AM NOT WANTED BY ANY LAW ENFORCEMENT IN UK FAMILY COURT W/ HOLLBORN SOLICITOR LOST MY COURT FEE AND I WAS NOT HAPPY WITH MURDER TO AVOID JUSTICE WITH COVER UPS BY THE POLICE SHE KNEW WRITE TO THE OFFICE ABOUT HOW MY FAMILY'S DETAILS WERE BEING GIVEN OUT TO MEMBERS OF THIS GANG BY SECURITY SERVICES HAD HAD BEEN COVERED COURTEOUSLY HARRASSING ME AND FAMILY

Date of decision: [Redacted]

Name and address of the court, tribunal, person or body who made the decision to be reviewed.

name
 INVESTIGATIVE POWERS TRIBUNAL
 METROPOLITAN POLICE
 PRINCIPAL FAMILY COURT HIGH HOLLBORN
 THE HOME OFFICE

address
 PO BOX 23220 London SW1H 9ZA
 DPS COMPLAINTS SUPPORT TEAM 22 FLOOR
 EMPRESS STATE BUILDING EMPRESS APPROACH
 LILLIE ROAD LONDON SW6 1LR

SECTION 4 Permission to proceed with a claim for judicial review

I am seeking permission to proceed with my claim for Judicial Review.

Is this application being made under the terms of Section 18 Practice Direction 54 (Challenging removal)? Yes No

Are you making any other applications? If Yes, complete Section 8. Yes No

Is the claimant in receipt of a Community Legal Service Fund (CLSF) certificate? Yes No

Are you claiming exceptional urgency, or do you need this application determined within a certain time scale? If Yes, complete Form N463 and file this with your application. Yes No

Have you complied with the pre-action protocol? If No, give reasons for non-compliance in the box below. Yes No

[Redacted box for reasons for non-compliance]

Have you issued this claim in the region with which you have the closest connection? (Give any additional reasons for wanting it to be dealt with in this region in the box below). If No, give reasons in the box below. Yes No

[Redacted box for reasons for regional connection]

Does the claim include any issues arising from the Human Rights Act 1998?

If Yes, state the articles which you contend have been breached in the box below.

Yes No

Privacy home invasion by an authorised police officer in my property ~~and~~ right to fair trial right to life freedom of movement all my human rights have been violated by security services for something i dont know and are accusing me of

SECTION 5 Detailed statement of grounds

set out below attached

I AM NOT happy with the decision made by police they have more than enough evidence to convict the person i reported to them and at time they say i write to them and didnt respond back because i was in hospital not in London my matters are still ongoing investigative powers made a quick decision and my matters are still ongoing the family court i had to accept a decision which i didnt want because my solicitor didnt turn up my file went missing and this person went on to commit crimes against me

SECTION 6 Aarhus Convention claim

I contend that this claim is an Aarhus Convention claim

Yes No

If Yes, indicate in the following box if you do not wish the costs limits under CPR 45.43 to apply.

If you have indicated that the claim is an Aarhus claim set out the grounds below

I AM ASKING FOR AN EXISTION ON A DECISION MADE BY INVESTIGATIVE POWERS

SECTION 7 Details of remedy (including any interim remedy) being sought

I WANT COMPENSATION FOR ALL THAT I HAVE BEEN THROUGH I WANT ALL RECORDS OF THIS CASE TO BE DESTROYED SUPPOSED TO HELD BY SECURITY SERVICES SOME FAKE STORY MADE UP BY MY EX PARTNER AND SOME OF HER RELATIVES AND POLICE OFFICER THAT WAS SEEN AT MY PROPERTY THE VERY SAME PERSON PLANTED WHATEVER IT WAS THEN CALLED IT IN I WANT A PUBLIC APOLOGY FROM SECURITY SERVICES I WANT THEM TO ADMIT THAT THE VERY SAME PERSON THAT MADE UP A STORY WAS MY EX PARTNER HOW I HAD TAKEN COURT BEFORE FOR BLACKMAIL THREATS TO DNA TEST I WANT THEM TO ADMIT SHE IS MEMBER OF A GANG THAT SCAM PEOPLE SELL DRUGS

AND THAT IS NOT THE FIRST TIME SHE DID THIS SHE ALSO GOT HER EX HUSBAND STABBED I ALSO WANT TO LEAVE UK AND THE

SECTION 8 Other applications

I wish to make an application for:- nobody have the right look ~~up~~ up any off my persons details police or security services to make up stories i want them to admit police to this women and have been lying to me covering up her actions because she might be a police informant well that is a lie and play she is part of gang a JAMPAICAN gang that use the british boms running seams selling drugs killing people using the informant name to support justice and police turn a blind eye

I WANT THEM TO ADMIT MEMBERS OF THIS JAMPAICAN GANG HAVE ACCESS TO BRITISH BOMS PASSPORT NUMBERS USING THEM TO bring friends from JAMAICA TO UK THEN ENROLLING THEM IN THE POLICE INFORMANT SCHEM KNOWING THEY ARE CRIMINALS AND MURDERS HOW CAN CRIMINALS BE PART OF JUSTICE SYSTEM THAT I DEMAND MURDER HAVE

SECTION 9 Statement of facts relied on


in 2012 i moved to a new apartment flat 4 Block Peabody ESTATE Rosendale Road Ser4 9EG Bury April 2013 i was getting reports of people entering my property i used to come home finding my door unlocked from the bottom strange people in the stairwell and day i walked passed them it was three women one was my neighbour one said thats a dead man one said be quiet when i turned round the one that said it looked down on her phone my neighbour had this man that used to come and see her he drove a black golf gti June 2013 11th i came i my loks on my door off when in herd a commotion downstairs looked outside saw the person that used to come see my neighbour with a white man with blond hair found later he was a police officer a white women with black hair found out later she was police officer and a few jamaican men talking about iam upstairs they had guns and they kill me i phoned the police they didnt come so i ran out got to my nuns house two days later i was going to my sisters car and they were following us i dont know how they was doing it but somebody was giving out my sisters phone number and mine for these illegaly follow me around and harrass that same day i ended up in hospital because i was stressed out and police wernt doing nothing specially brixton police and the reason i already pointed out before all this happend i had taken an ex partner to court for trying to blackmail me trying to extort me to collect government funds using a child i found she was a prostitute she didnt have stay in country she was popular in camberwell and well respected by men so she started to slander my name with lies to take the heat off her because people no she is a lawbreaker and part of gang jamaican criminals that use the british for things when they cant get what they want they try to get them killed they have link to somebody in the police now puts them on informant payroll this is all an act just to stop them getting arrested for selling drugs and other criminals acts they bring other gang members from jamaica to do the same thing using british peoples passport numbers she never turned up for court her name Dhalia Cox i made reports to police now again about all this women was done but they did nothing but they knew there liars too ~~back~~ back to the hospital i went there 2013 June 18 because i was stressed long story short came out Dec 2014 October 2014 security services trying to take my in strages hospital asking me about how i saw break into flat before trying to take my doctor was trying to because they was pressuring for him to do it one containing blood now i have suspected hep C all for something i dont know - 1

Statement of Truth

I believe (The claimant believes) that the facts stated in this claim form are true.

Full name Chris Rammah

Name of claimant's solicitor's firm _____

Signed  Position or office held _____
(if signing on behalf of firm or company)

Claimant ('s solicitor)

SECTION 10 Supporting documents

If you do not have a document that you intend to use to support your claim, identify it, give the date when you expect it to be available and give reasons why it is not currently available in the box below.

Please tick the papers you are filing with this claim form and any you will be filing later.

- | | | |
|---|-----------------------------------|-----------------------------------|
| <input type="checkbox"/> Statement of grounds | <input type="checkbox"/> included | <input type="checkbox"/> attached |
| <input type="checkbox"/> Statement of the facts relied on | <input type="checkbox"/> included | <input type="checkbox"/> attached |
| <input type="checkbox"/> Application to extend the time limit for filing the claim form | <input type="checkbox"/> included | <input type="checkbox"/> attached |
| <input type="checkbox"/> Application for directions | <input type="checkbox"/> included | <input type="checkbox"/> attached |
| <input type="checkbox"/> Any written evidence in support of the claim or application to extend time | | |
| <input type="checkbox"/> Where the claim for judicial review relates to a decision of a court or tribunal, an approved copy of the reasons for reaching that decision | | |
| <input type="checkbox"/> Copies of any documents on which the claimant proposes to rely | | |
| <input type="checkbox"/> A copy of the legal aid or CSLF certificate <i>(if legally represented)</i> | | |
| <input type="checkbox"/> Copies of any relevant statutory material | | |
| <input type="checkbox"/> A list of essential documents for advance reading by the court <i>(with page references to the passages relied upon)</i> | | |

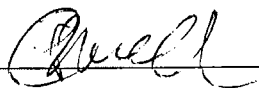
If Section 18 Practice Direction 54 applies, please tick the relevant box(es) below to indicate which papers you are filing with this claim form:

- | | | |
|--|-----------------------------------|-----------------------------------|
| <input type="checkbox"/> a copy of the removal directions and the decision to which the application relates | <input type="checkbox"/> included | <input type="checkbox"/> attached |
| <input type="checkbox"/> a copy of the documents served with the removal directions including any documents which contains the Immigration and Nationality Directorate's factual summary of the case | <input type="checkbox"/> included | <input type="checkbox"/> attached |
| <input type="checkbox"/> a detailed statement of the grounds | <input type="checkbox"/> included | <input type="checkbox"/> attached |

Reasons why you have not supplied a document and date when you expect it to be available:-

Waiting for further information for case to come back
from the family court high holban

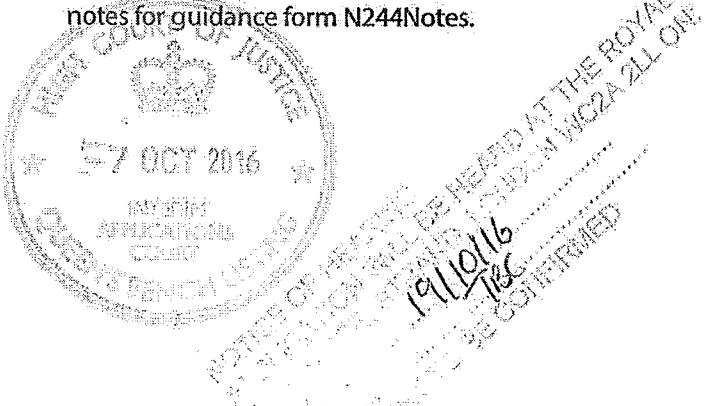
Signed



Claimant ('s Solicitor)

Application notice

For help in completing this form please read the notes for guidance form N244Notes.



Name of court RCJ - Queen's Bench Div		Claim no. HQ16X03179	
Fee account no. (if applicable)		Help with Fees - Ref. no. (if applicable)	
		HWF - [] [] [] - [] [] []	
Warrant no. (if applicable)			
Claimant's name (including ref.) Mandy Richards			
Defendant's name (including ref.) IPT, UCPI, Met Police, MI5, MI6, Hackney Council, Armed Forces, Progress, The NHS, Royal Mail & others			
Date			

1. What is your name or, if you are a legal representative, the name of your firm?

Mandy Richards

2. Are you a Claimant Defendant Legal Representative
 Other (please specify)

If you are a legal representative whom do you represent?

N/A

3. What order are you asking the court to make and why?

Injunction against the named parties

4. Have you attached a draft of the order you are applying for?

Yes No

5. How do you want to have this application dealt with?

at a hearing without a hearing
 at a telephone hearing

6. How long do you think the hearing will last?

3 Hours Minutes

Is this time estimate agreed by all parties?

Yes No

7. Give details of any fixed trial date or period

N/A

8. What level of Judge does your hearing need?

High Court Judge

9. Who should be served with this application?

IPT, UCPI, Met Police & others as named

9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.

See attachment for list of Respondents and addresses

10. What information will you be relying on, in support of your application?

- the attached witness statement
- the statement of case
- the evidence set out in the box below

If necessary, please continue on a separate sheet.

As Claimant I have been liaising with each of the named agencies directly for urgent support given the evidence set out and the identified current risk of serious harm – please refer to the Evidence Bundle submitted. I have for over 18 months asked the police and others, where specifically appropriate to their agency, to look into the reported incidents as they have occurred pertaining to 'malicious and unlawful interception, monitoring and manipulation of my communications and activities, unethical sharing of information disruption to my personal, professional and political life, home intrusions, car tampering, electrical tampering, bike tampering and domestic disturbances, environmental pollutants and NHS malpractice resulting in a potentially lethal risk of harm to my person and to my health. Given that the means of direct inquiry have been exhausted without satisfactory response or resolution, that related incidents have escalated and the subsequent serious risk of harm has been exacerbated causing further serious personal injury and domestic disturbance following these requests for support, I now seek this Injunction and ask that the Respondents be called upon to take the following urgent action in respect of on-going investigations and in order to acknowledge and mitigate against the current serious risk of harm as outlined. [Cont.d on separate sheets]

Statement of Truth

(I believe) (The applicant believes) that the facts stated in this section (and any continuation sheets) are true.

Signed M. Richards Dated 7/10/16
 Applicant(s legal representative)(s litigation friend)

Full name Mandy Marie Richards

Name of applicant's legal representative's firm N/A


Position or office held N/A
 (if signing on behalf of firm or company)

11. Signature and address details

Signed N/A Dated 7/10/16
 Applicant(s legal representative)(s litigation friend)

Position or office held _____
 (if signing on behalf of firm or company)

Applicant's address to which documents about this application should be sent



Postcode N 1 6 9 P F

If applicable	
Phone no.	07941630164
Fax no.	
DX no.	
Ref no.	

E-mail address mandymarierichards@gmail.com

(1) Full list of Defendants and Service Addresses

1. IPT (Investigatory Powers Tribunal), PO Box 33220, London, SW1H 9ZQ
2. UCPI (Undercover Police Inquiry), PO Box 71230, London NW1W 7QH
3. Metropolitan Police c/o Sir Bernard Hogan-Howe, New Scotland Yard, Broadway, London SW1H 0BG
4. MI5 via The Treasury Solicitor, Government Legal Department, Litigation Group, 1 Kemble Street, London WC2B 4TS
5. MI6, SIS via The Treasury Solicitor, Government Legal Department, Litigation Group, 1 Kemble Street, London WC2B 4TS
6. Hackney Council, Chief Executive, via Mr D Kilcoyne (Counsel)
7. The Army via The Treasury Solicitor, Government Legal Department, Litigation Group, 1 Kemble Street, London WC2B 4TS
8. Progress, Third Floor, 11 Tuffon Street, London, SW1P 3QB
9. Royal Mail via Luke Ryan, Senior Legal Adviser, Litigation, Royal Mail Group Legal, Level 1, One Broadgate, London EC2M 2QS
10. Peabody, c/o Chief Executive, 45 Westminster Bridge Road, SE1 7JB
11. Department of Health - Right Hon Jeremy Hunt MP, Secretary of State for Health, Richmond House, 79 Whitehall, London, SW1A 2NS re: Systemic Failings across the NHS with specific reference to Claimant's care under the following commissioned service providers:
 - 11.1 Mildmay Practice, Green Lanes Mildmay Medical Practice, 2a Green Lanes, London, N16 9NF
 - 11.2 Homerton University Hospital NHS Foundation trust, Trust Offices, Homerton Row, London, E9 6SR.
 - 11.3 Whittington Hospital NHS Trust, Trust Offices, Magdala Avenue, London N19 5NF
 - 11.4 University College London Hospitals NHS Foundation Trust, Trust Offices, 250 Euston Road, London NW1 2PG
 - 11.5 Guys & St Thomas' Hospital, Trust Offices, Guy's Hospital, Great Maze Pond, London, Greater London, SE1 9RT
 - 11.6 Kings College Hospital, Trust Offices, Denmark Hill London SE5 9RS
 - 11.7 Royal Free Hospital NHS Foundation Trust, Trust Offices, Pond Street, London NW3 2QG
12. Virgin Media via Daniel Goodkin, 4 Pump Court, Temple, London EC4Y 7AN
13. UK Power Network Ltd via Ian Helme (Counsel), 1 Brick Court
14. Npower, Windmill Hill Business Park Whitehill Way, Swindon, Wiltshire, SN5 6PB
15. Thames Water Utilities Ltd, via Pitmans Solicitors, No.1 Royal Exchange, London, EC3V 3DG

