

Metropolitan Police
New Scotland Yard
Victoria Embankment
Westminster
London
SW1A 2JL

30 July 2019

Dear Commissioner Dick,

The United Kingdom has a longstanding tradition of street preachers, with freedom of speech well established in both domestic and European law.

Sadly, the policing of street preachers around the country often lacks a proper understanding of the law, particularly when preachers challenge the beliefs of others. This has recently been demonstrated in the case of Pastor Oluwole Ilesanmi, the Nigerian street preacher, who was awarded £2,500 in compensation for his false imprisonment by the Metropolitan Police on 23 February this year.

We are acutely aware that the police have a difficult job to do maintaining public order, whilst facilitating freedom of speech, however Pastor Ilesanmi's experience is not an isolated incident. Over the last ten years we have seen increasing numbers of Street Preachers being arrested and estimate that we have advised and assisted more than two-hundred street preacher clients in this period.

Appended to this letter is a brief summary of five cases which are typical of what is happening across the UK.

Some street preachers have not only been arrested but also prosecuted despite the law recognising their rights to both manifest and express their religious beliefs. None of the clients we have assisted has ever been convicted, which might suggest the Criminal Justice System is working properly, however many officers simply do not understand the interplay between the Public Order legislation and the right to freedom of speech. Some of the common misconceptions/misunderstandings of officers are:

1. A member of the public has been offended, therefore an offence has been committed.
2. Street Preachers are not allowed to criticise homosexual practice.
3. Street preachers are not allowed to criticise other religions.
4. Street preachers are not allowed to criticise the Prophet Mohammed.
5. Street preachers are not allowed to use amplification.
6. When a dispersal notice is given, then the preacher must give his/her name and contact details before this is effective.

At the Christian Legal Centre (CLC), we offer legal support (including when necessary referring onto our allied lawyers) to street preachers because we believe all Christians are instructed to speak to others about the birth, death and resurrection of Jesus Christ. Sharing this message is a key component of manifesting our religious belief, which is a protected characteristic under the Equality Act 2010 and the European Convention on Human Rights.

To keep street preachers out of trouble we have produced a Freedom of Speech booklet (copy enclosed) that outlines their rights under the law. We appreciate that senior officers and courts may understand the legal position, however our experience shows that junior officers are less informed. Given the costs to the Ministry of Justice of bringing these cases, we would welcome the opportunity to meet with you with a view to offering training to your officers by two of our senior lawyers; Paul Diamond – leading Human Rights Barrister and Michael Phillips – criminal defence lawyer. We would also be happy to assist with the drafting of National Guidelines to ensure officers respect freedom of speech.

I hope you will look favourably on the proposals in this letter and agree that to pursue them further is in everyone's best interests.

Yours sincerely,

Andrea Williams
Chief Executive
Christian Legal Centre

Appendix

Bristol Four: In July 2016, Don Karns, Michael Stockwell, Michael Overd and Captain Adrian Clarke were preaching in Bristol City Centre. When preaching they spoke about the Bible and the Qur'an. They responded to questions from the large crowd. When the police arrived, rather than protecting the preachers freedom of speech, they arrested the four preachers. The men were charged with offences contrary to section 5 of the *Public Order Act 1986* and section 28 and 31 of the *Crime and Disorder Act 1998*. All men were eventually acquitted of all charges. They have filed civil proceedings against the Chief Constable.

Ian Sleeper: On 23 June 2017, Ian stood outside Southwark Cathedral with a placard reading "Love Muslims, Hate Islam, Time for the Truth". Police officers approached him and asked him to put away the sign. When he offered instead to relocate, he was arrested under section 5 of the Public Order Act 1986 and section 31 of the Crime and Disorder Act 1998. He was detained at Wandsworth Police Station for 13 hours and he was questioned for 90 minutes. The matter was no further actioned. Ian has filed a civil action against the police for false imprisonment and assault.

David Barker and Stephen Wan: David and Stephen were preaching in Camberley High Street, Surrey on 9 December 2017. Stephen began discussing sin and gave the examples of alcoholism, drug addiction, lying and extra-marital sex. A member of the crowd asked him his opinion on homosexuality. He said that the Bible taught that homosexual practice was a sin, referencing Romans 1:26-27 and 1 Corinthians 6:9-11. He also explained that all sex outside of heterosexual marriage is a sin and that all people must repent to be saved. They were both interviewed under caution on 30 December 2017. No further action was taken.

Oluwole Ilsenami: Oluwole was preaching outside Southgate underground station on 23 February 2019, when a Muslim man began to debate with and threaten him. A member of the public who was driving past pulled over and filmed because she was fearful that Oluwole would be assaulted. Police officers attended the scene, as someone had reported Oluwole for being "Islamophobic". The Police officers arrested Oluwole and searched him nearby. The officers asked whether he would continue to preach, he said that he would, and so the officers took him to an unfamiliar location miles outside the zone where his bus pass worked, and without money for the bus fare to return. The video footage was uploaded online and caused outrage across the UK and the world. Oluwole was awarded £2500 for his false imprisonment.

Michael Jones: On two occasions in November 2015, Michael was preaching in Beverley town centre when he was accused of making comments that were derogatory towards Islam. When transcripts of these conversations were obtained, it revealed that Michael had in fact spoken about the love of Jesus and contrasted this with the harmful actions of ISIS. Police arrested Michael at his house on 2 December 2015 in a high-handed and humiliating manner and he was detained in custody for eight hours. A week later he was charged with two allegations of offences contrary to the Public Order Act 1986. After pleading not guilty, the CPS withdrew all charges against him. Michael was awarded £3,000 in damages for assault, false imprisonment in February 2007.