

Our Ref: MC/PX10789/DM

15<sup>th</sup> November 2024

Mrs Marie Anderson  
The Police Ombudsman for NI  
11 Church St  
Belfast  
BT1 1PG

Dear Sir / Madam,

**RE: Our Clients:**

We refer to the above named for whom we act. Our clients are 3 of the students who were arrested at Queens University, Belfast ('QUB') on Thursday the 14<sup>th</sup> November 2024 after they attended a lawful protest, against the attendance of Hilary Clinton given her stance in respect of the ongoing genocide in Gaza. A fourth individual was arrested but released without charge.

The Police Ombudsman will note that the PSNI cordoned off part of the QUB University area. In particular, the cordons spanned the right-hand side of the lawns at the University, ending at the left-hand side of the walkway. A copy of the cordon is marked out in the attached map at Annex A to this correspondence. As is clear from the attached, the grass area to the left of QUB, was not cordoned off as part of the police "sterile area".

Our clients proceeded (along with a number of other protesters) to cross over the wall onto the lawn area on the left-hand side of Queens. As above, this was not a cordoned off area or 'sterile area' and remains a public space. The purpose of our client's crossing was to unveil a Palestinian flag. Such an act is an undeniable act within the confines of the freedom of express and freedom of assembly, protected under the European Convention on Human Rights (ECHR) pursuant to Articles 10 and 11 respectively.

There has been extensive video and media footage of this protest. Importantly, PONI will note that there are many other protestors who made a similar crossing onto the lawn area. What is however noteworthy is the fact that our clients, the two who proceeded to unveil

the Palestinian flag, were the only two to whom the PSNI approached in an aggressive and physical manner, and ultimately placed under arrest on the ground. The video footage makes clear that a number of other protestors (not bearing the flag) are present on the lawn, are not arrested nor singled out by the PSNI.

The undeniable and inescapable conclusion is that our clients were singled out and apprehended in this way was solely down to the fact they bore, and attempted to unveil, a Palestinian flag.

Such police actions are not only reprehensible, but they are also contrary to the basic principles of the freedom of expression and assembly.

The PSNI proceeded to make a number of arrests pursuant to the offence of aggravated trespass. The allegation of aggravated trespass was ultimately dropped by the PSNI upon representations at Musgrave PSNI Station. Our clients were ultimately not interviewed for this offence. However, the PSNI proceeded to charge the individuals in question with other offences namely resisting police and obstructing police.

It is plainly obvious that the instant offences could not have been committed by virtue of the very basic principles. If our clients were not acting unlawfully in crossing onto the lawn (a fact accepted by virtue of the dropping of the aggravated trespass) then how then can they be lawfully arrested? Given they cannot, and should not have been arrested, they are unable to resist such an arrest.

To that end, we write to formally lodge a complaint seeking an immediate investigation. The actions by the PSNI officers both on media and social media footage depicts one of the greatest infringements upon the right to protest in recent times. It can never be acceptable in a modern democracy for a police force to execute arrests and behave in an aggressive and confrontational manner, which included the drawing of batons, simply by virtue of a number of students exercising their very basic rights. The footage duly makes clear that the conduct by the PSNI officers in this case falls far short of that required of serving police officers and that mandated by the PSNI code of ethics.

Given the significance of the events, and the potential ramifications for these individual students' future careers, we ask that this investigation is prioritised as a matter of utmost urgency.

# PHOENIX LAW

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Our clients remain available to meet with your investigators at the earliest convenience should it assist your investigation. In the first instance we would be grateful if the Police Ombudsman could ensure that they identify and obtain a copy of all of the relevant bodycam, social media, and national media footage (such as BBC and ITV online footage) to assist this investigation.

To that end, we would ask that the Ombudsman formally treat this correspondence as a formal complaint.

We look forward to hearing from you at your earliest convenience.

Should you require any further details, please do not hesitate to contact our Mr Darragh Mackin.

Yours faithfully,

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**Darragh Mackin**

Phoenix Law Solicitors

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