

IN THE CENTRAL CRIMINAL COURT

IN THE MATTER OF THE CONTEMPT OF COURT ACT 1981

IN THE MATTER OF STEPHEN YAXLEY LENNON

WITNESS STATEMENT OF STEPHEN YAXLEY LENNON

I, Stephen Lennon, journalist, of an address known to the court and of Luton, will say as follows:

17. I am the defendant in these contempt proceedings, and the Court has served me with two allegations of contempt against me. This is one more than I faced in the Crown Court at Leeds.

18. In relation to the first allegation, breaching the order of the court, which requires as I understand it an intention to interfere with the administration of justice, I would like to say this.

19. Firstly, I would like to assure the court that undermining the court's authority or interfering with the administration of justice was never my intention. I believed I acted in good faith within the parameters of the section 4 reporting restriction in place. The

information I provided was in the public domain, factual and relevant but did not provide any details of the trial proceedings other than what had already been reported previously and was readily available online. I rely on the documents in my bundle as examples of what had previously been reported.

20. When I arrived at Leeds Crown Court that morning I could not obtain any specific details of the reporting restriction order. I do not believe there is a website which holds such details, so I researched online and reviewed the reporting restriction guidelines provided. They state that the court should include details of reporting restrictions on the court listings both online and in court and also provide a notice on the door of the court. My solicitors have photographic evidence to show that the court did not follow these guidelines that day and had no details listed anywhere of a reporting restriction for that case. This is also in the bundle. The only time the notification about reporting restrictions was available was later that afternoon after the Court had convicted me and sent me to prison. Only then did the Court follow the guidelines and list a reporting restriction against the court listings for both the grooming case and my subsequent case.

21. After my previous experience with contempt of court in Canterbury I went out of my way to ensure I would not fall foul of the law again. I privately paid for training with one of London's leading law firms, Kingsley Napley, to cover all details regarding contempt of court. There is documentation in relation to this in my bundle.

22. On that morning at Leeds Crown Court I had knowledge of the verdicts of the first phase of this grooming trial and many of the specific details discussed in court for this particular trial. I did not talk about these in my livestream on that day. I had understood based on my training that the specifics of the case and the verdicts were off limits for reporting restrictions.

23. Having been unable to obtain any details from the court on the conditions of the reporting restriction I decided to review the guidelines for reporting restrictions. On the Judiciary's website there is a practical guide aimed at judges and the media on the statutory and common law principles that should be applied with regards to reporting restrictions. The paper was called 'Reporting Restrictions in the Criminal Courts April 2015 (Revised May 2016)'. In this paper it stated that **Courts have no power under s.4(2) of the Contempt of Court Act 1981 to prevent publication of material that is already in the public domain (see page 27 of this document).**

24. I followed my training and this guidance to the letter. I did not divulge any of the previous case verdicts, did not detail any specifics mentioned in the trial, did not assume guilt and refrained from entering court property. I even asked the officer outside the court where the court boundaries were and that I was ok to film where I was to which he confirmed.

25. I also followed that guidance document issued on the Judiciary website informing me that I could only reference information that was already in the public domain. Every single thing I said that day was already in the public domain. I actually read charges and names of the defendants from a BBC article which to this day is still live on their website. I also made sure not to film anyone other than the defendants, I was calm and respectful throughout.

10. It is my understanding that there is no individual in the last 60 years that has been sentenced to prison for a publication breach of a reporting order. It would appear to me that my punishment is exceptional. I would ask that I am treated in the same manner as every other journalist who has been charged with these allegations. The journalist Rod Liddle was writing for the Spectator magazine in relation to the Stephen Lawrence murder trial, and when he was sentenced for breaching the section 4 order, and risking prejudice to the trial, was given a fine. Journalists at the Daily Mail and the Daily Mirror published highly prejudicial material on the trail of Levi Bellfield who abducted and murdered an 11-year-old child. This contempt of court led to the collapse of the entire case and discharge of the jury and robbed one of his victims of the chance for justice. The reporters in this instance were not prosecuted and instead their employers were found guilty of contempt and fined £10,000.

11. I have reviewed the transcripts from Leeds Crown Court where the Judge was discussing various reporting order breaches. The judge and the CPS discuss the fact that multiple news sources breached the very same order placed on my trial with

some breaching both the reporting orders by mentioning the grooming trial as well as my arrest and prison term. Lizzie Dearden the home affairs correspondent at the Independent actually refused to remove the article when provided with the order stating that the effect of social media voids reporting restrictions, so she could not be held in contempt of court. The CPS and the judge agreed that these breaches of the order were a matter for the Attorney General to review.

14. When I was informed of the blanket order, I offered to delete my video immediately.

Despite the multiple breaches of the order by different newspapers that weekend and the flat refusal of Lizzie Dearden to take her article down, not one of those journalists or the editors of those publications, were ever arrested or prosecuted for s.4(2) of the Contempt of Court Act.

15. According to the court transcript the newspaper breaches of the reporting order was a matter for the Attorney General. My case was not referred to the Attorney General for review and instead I was hauled into court immediately, refused my own choice of legal representation, prosecuted, and convicted in a matter of minutes in what the Court of Appeal regarded as a flawed trial. I was then imprisoned for over 2.5 months in solitary confinement until I won the appeal. I was held against my categorisation, moved to the highest Muslim population Cat C prison, subjected to mental torture and constant threats and abuse and had all of my rights removed in the interest of prison safety.

16. It is clear to me that my continued prosecution and heavy-handed tactics from the state is because of 'who I am' rather than 'what I did'.

17. In relation to the second allegation, the strict liability allegation, I would like to say this.

18. It is only since my original trial that there has been an additional charge added suggesting that the contents of my livestream were prejudicial to this case. The case completed, the jury concluded, and the verdicts were given. I would like to state clearly that in the transcript from the original trial the judge discussed my video with Mr Wright QC, prosecution counsel. Having reviewed the content of my video Mr Wright stated in court: *'There is nothing they could have seen that could in any way prejudice them against the defendants'*. Judge Marson agreed on the record.

19. For this reason, (a) I cannot see why I should face two charges when the core of the allegation in front of Judge Marson was the breach of the section 4(2) order, other than because I am regarded as a political activist and the charges are motivated by my political activism, and (b) I do not accept that the material that was livestreamed created either a real or substantial risk of prejudice to the Leeds proceedings. The prosecution counsel and the Judge both agreed on the court transcript that my live stream could not have prejudiced the jury.

20. Everything I reported that morning was fair and accurate and published in good faith within the constraints of the judiciary's guidelines for the media.

21. I will address each point in the allegations drafted by the Advocate to the Court.

22. The first allegation is that I suggested the defendants were involved in wider criminal activity. This is not correct. I was referring to two reports, one on the radio and one in the Huddersfield Examiner which set out the allegations relating to the 29 individuals. I cannot find the original references but a similar report on the BBC relating to the allegations is in the defence bundle.

23. The second allegation is that stating that those of the same ethnicity and religion as the defendants were disproportionately likely to commit the crimes for which the defendants were being tried could prejudice the trial.

24. This statement is factually correct. The Quilliam foundation who are a Muslim run anti extremism think tank have produced a research paper looking at convictions of this type 1 street grooming from 2005 - 2017. This is in the defence bundle. They found that 84% of all convictions were south Asian with the significant majority of those being Pakistani Muslim. All of these victims were white children.

25. Sajid Javid the Home Secretary himself announced on BBC news this year that in these types of street grooming trials the individuals convicted are from a disproportionately Pakistani background.

26. Nazir Afzal is the former head of the Crown Prosecution Service in the north west of England and a lead prosecutor on child sexual abuse and he also publicly stated on Channel 4 News that Asians and Pakistanis in particular are disproportionately involved in this type of street grooming. He also presented these facts in front of Parliament.

26. I merely stated factual insight into the ethnicity and religious make up of perpetrators of these types of crimes. I repeated publicly available research papers from the Quilliam Organisation, testimony from the former head of Crown Prosecution Service in the Northwest and a statement from the Home Secretary himself all three of which are in fact Pakistani Muslims themselves.

27. I do not accept that reporting facts on the ethnicity or the make-up of particular offender groups could be categorised as contempt of court given the number of grooming gang trials currently in progress across the United Kingdom and the commentary on those facts which are widely discussed in the media.

28. The third allegation is that highlighting as significant the sexual references of the abuse that I had elicited from the defendants could prejudice the trial.
29. I asked each of the defendants what their views were on their verdict they were expecting to hear that day. All 3 of them separately made aggressive vulgar sexual references or sexual threats against both my mother and my wife. I did not ask the defendants to comment on their views of my wife and mother, they did this out of the blue. Repeating what they actually said in the video has no relevance or prejudice on the trial itself.
30. The fourth allegation is that I made derogatory comments about the ethnic or religious backgrounds of the defendants.
31. I would like to point out I was not talking about the specific defendants on trial I was referring to reaction I had received by family and friends of previous convicted grooming gangs. By derogatory comments it appears to mean telling the truth that under Islamic law, the "age of consent" coincides with puberty. In Islam there is no set age for marriage. The Islamic Prophet Muhammad, who is said to serve as a role model for every Muslim, is reported by Sunni Hadith sources to have married Aisha when she was six or seven years old, with the marriage consummated when she was nine years old and he was 56 years old. The prosecution may not like to hear the truth but there is no way that sharing the truth and facts about a particular religion on social media can lead to prejudice on a trial.

32. In relation to the fifth allegation, a number of the comments relied on were made by other people, and my comments related to grooming trials generally across the country rather than the particular case (e.g. the exchange at page 8 of the transcript of the livestream related to Rotherham, and Oxford). I made it clear throughout that the trial concerned allegations.
33. The nature and number of these ongoing trials, prosecutions and investigations is highly alarming and I believe it is in the public's interest to hear the details and know of the complexities and connections amongst the previous prosecutions.
34. The future safety of vulnerable children at risk is my concern here not the perceived prejudice towards the defendants because of their ethnicity or religion. If 29 white Christian priests were on trial on such charges with reporting restrictions, I would feel exactly the same.
35. When I initially went to report on the Canterbury trial I did so in what I felt was the public interest. The police had DNA evidence on all four of the now convicted child rapists, yet the decision was made to grant these individuals bail. They were still running the same take away shop and coming into contact with young school children. One of the defendants absconded to Afghanistan. With DNA evidence on each of the now convicted child rapists it was my belief that they should have been remanded to prison until trial in order to protect vulnerable children in the surrounding area. Instead the decision was made to release them back into the community on bail.

36. The same danger was placed on the children in case in question. The now convicted child gang rapists on trial in Leeds that day were also free to walk the streets on bail. There were 18 different witness statements detailing the rape and torture of those children and yet the justice system decided that they did not pose a risk to the public and granted them bail.

37. Just like the Canterbury case one of these child rapists in the Leeds trial on also absconded before his verdict was reached. I believe he has fled to Pakistan and according to the court transcripts he was last seen leaving his house with a large bag. That is a convicted child rapist free to roam the streets because he was deemed no risk to the public and granted bail.

38. I have previously been charged with a non-violent offence, and I was remanded straight to prison to await trial. At Leeds Crown Court in May this year, the police whisked me from the streets, I was subjected to a fundamentally flawed trial and then sent straight to prison inside 5 hours. This is all whilst the very same system allows alleged child rapists with multiple prosecution witness statements and DNA evidence implicating them in the crime to continue to walk the streets.

39. The court has a duty to the victims and the public to protect them and telling them could help stop ongoing child sexual exploitation and maybe prevent future vulnerable children from falling victim to it.

40. Again I would like to reiterate that undermining the judge, the court, the proceedings, the supremacy of the law or the administration of justice was never my intention, but I truly believe the reporting restrictions on this trial and subsequent connected trials are detrimental to the public and should never have been imposed so the public could hear the details, and use the knowledge of the proceedings to help prevent further cases such as these coming before the courts.

41. The jurors are given a responsibility. They are aware of the consequences of researching the cases they sit on. It should be upon them and we should trust them to do the task with honesty and integrity; it should not be for the public to be kept purposely in the dark just in case they do not.

Dated this 22nd day of October 2018

Stephen Lennon