

Date: 5 June 2025

BY EMAIL ONLY

Dear Protesters,

Re: Application by Church of Scientology for a Public Spaces Protection Order (PSPO) on Saint Hill Road and West Hoathly Road, East Grinstead

Further to my letter of the 19 May 2025, thank you for the recent comments provided by you and your fellow protesters in response to Mid Sussex District Council's proposed Codes of Conduct for protesters and the Church of Scientology in relation to protests and activities at Saint Hill Road, which the Council has carefully considered.

We hope the following comments will help to explain and illuminate the Council's position and thinking about the proposed Codes of Conduct. We also set out below some suggestions and proposals which respond to the points you have raised as a group:

1. The purpose of the proposed Codes of Conduct is to facilitate a degree of communication and compromise between the Church and protesters. This is an attempt to identify an informal means of facilitating and balancing all stakeholders' rights and interests in relation to activities at Saint Hill Road, in a manner which is less restrictive than making a PSPO. For the avoidance of doubt, if both stakeholders were willing to agree to a voluntary Code of Conduct and the Council assessed it was (for the most part) working well, the Council's position is that it would not likely be necessary or proportionate to make a PSPO.
2. The Codes of Conduct are not legally binding documents. They cannot be enforced as a contract, nor any breaches prosecuted as if they were a PSPO or bylaw. If any alleged breaches of the Codes were observed by Council officers or the police (e.g. during a protest) they would have no specific power to take any enforcement action or to remedy the breach. Their powers would remain limited to those which they already enjoy in any event, e.g. under criminal law, anti-social behaviour powers etc. The Codes would thus be an informal and entirely voluntary set of agreed rules, similar to the guidelines which have already been self-adopted by protesters and publicised on your website. In essence therefore, the proposed

Code can be considered a voluntary amendment (or addition) to the existing guidelines already displayed on the website.

3. Any action by the police would remain a separate matter, to be dealt with by the police force in accordance with its own powers and duties. For example, to prosecute for a criminal offence committed on Saint Hill Road the police would have to comply with the usual requirements of the criminal law, regardless of whether or not a voluntary Code of Conduct had been in place.
4. The Council wishes to make very clear that by including proposed behaviours within the Codes of Conduct, it is not making any allegation or factual finding that either party has engaged in those behaviours in the past. Rather, in most instances the Council is inviting the parties to confirm their agreement that they will continue their current practices and will not engage in such behaviours in the future.
5. The Council recognises and accepts that on the one hand the Church cannot control the actions of all its members and event attendees, and on the other that the protesters with whom the Council has engaged during this consultation process cannot control the actions of other persons who may wish to attend protests or who do not form part of their community. If such persons (on either side) engaged in unacceptable behaviour of any kind, that might need to be examined as part of a broader reconsideration of whether a PSPO had become necessary or justified. However the Council hopes that the existence of voluntary Codes of Conduct – which had been agreed by the principal stakeholders – would act as a persuasive deterrent to such behaviour. It has also asked that the Codes of Conduct be displayed at the protest site at Saint Hill Road and on the protesters' website so that any newcomers become aware of them.

The Council now responds to other specific concerns raised by individual protesters:

6. Paragraph 2 of the proposed Code for protesters provided that protesters would agree to *"remain in a space designated for their use in agreement with the police, other than for the reasonable purposes of entering and exiting that space"*. The Council does not consider this includes any requirement that the precise location of the space must be designated or agreed with the police in advance of the day of a protest. If the established practice is for the duty Sergeant to identify a suitable space on the day itself, that poses no difficulty as long as the protesters are content to comply with police instructions. Indeed, the Council considers this would also grant the police important flexibility to move or change the designated area at any time, if they felt that was necessary to ensure public safety. The Council would be content to amend paragraph 2 to read *"...to remain in a space designated at any time for their use in agreement with the police"* if that offered helpful clarity.
7. As regards paragraph 6 of the proposed Code for protesters:
 - a. The Council repeats paragraph 4 of this letter in relation to paragraph 6(a) which asks protesters to agree they will not use foul or abusive language. The inclusion of this item in the proposed Code is not intended to amount to an allegation that such language has been used in the past. Rather, the Council considers it would be helpful for all sides to build trust in the Codes of Conduct as a meaningful compromise if there is a clear commitment not to engage in such behaviour in the future.

- b. Paragraph 6(b) asks protesters to agree they shall not display *“images which actually depict, or which might reasonably be considered to depict, members or leaders of the Church”*. This was included in light of evidence there have been two incidents where police asked protesters to remove a “doll” and an image of a man “burning in flames”. The Council accepts that the assessment of whether the use of words or images amounts to an offence under s.5 of the Public Order Act 1986 (or another criminal offence) is a matter for the police. However absence of prosecution does not necessarily confirm that the police were satisfied those items were not offensive; rather, it is possible that the police felt no further action was justified in circumstances where protesters promptly complied with police requests to remove those items from display. The Council takes the view that the use of these images plainly has the potential to create a ‘flash point’ of dispute between the Church and protesters. However if the protesters engaging in this consultation were content to agree to the broad outlines of the proposed Code of Conduct, including the contents of paragraph 6(a), the Council is content to remove paragraph 6(b) on the basis that the regulation of images is a matter for the police.
8. The Council would be content to amend paragraph 7 so that it reads: *“Protesters will follow and comply with any instructions given by the police and/or any officers of MSDC as regards the use of amplified music, voice or audio”*. Whilst the Council accepts that technically this would be covered by paragraph 1 in any event, it considers it would be helpful for the sake of transparency if all stakeholders (including individual protesters as well as the Church) understand that instructions may be given on this front if noise levels were assessed as excessive or unacceptable.
9. The Council would be content to amend paragraph 8 to reflect suggestions made by Mr Barnes Ross in particular, as follows: *“Protesters are permitted to film or photograph their own activities on the public highway. However when doing so protesters agree they shall refrain from training, focusing or “zooming in” their cameras on (i) the interior of Church premises; and (ii) the faces of persons entering or exiting Church premises. Protesters shall also display a sign, placard, banner or similar indicating they are filming or recording their protest, which must be clearly visible to passersby so that members of the public are aware of their activities”*. The Council hopes this offers a balance which permits protesters to film their own activities on the public highway (and caters for the presence of attendees and the entrance to Church property in the background), whilst protecting against an intrusive focus on individual attendees. The display of a notice about filming would also assist Church attendees who wish to avoid being photographed and who can choose to use a different entrance to the premises. Protesters will note that the Church has also been asked to agree it shall not film them within the designated protest space, in the interests of fairness and reciprocity.
10. As for paragraph 9, the Council had drafted this provision very carefully so that it does not prevent protesters from offering, providing or distributing leaflets, information or similar. Rather it asks protesters to agree to refrain from approaching persons with leaflets. The Council considers this is an important distinction because such behaviour has significant potential to infringe paragraph 2 (remaining in the protest space), paragraph 4 (obstructing persons from entering the Church grounds), or paragraph 5 (harassment, intimidation or abuse). The Council considers that persons entering Church grounds should not be followed or obstructed or

'pestered' to accept leaflets if they do not wish to do so; many reasonable persons would find such behaviour unacceptable. This behaviour would also obviously be incompatible with the principle of remaining within the designated protest space. The Council hopes that protesters will carefully reconsider their position in light of this explanation. The Council is also willing to consider suggested amendments to the wording of paragraph 9 if it is felt this would benefit from additional clarity.

11. In light of the explanation at paragraph 1-5 of this letter, the Council trusts that the purpose of the proposed Codes is now tolerably clear. It takes the view that the Codes will work best if kept as short, clear and straightforward as possible. However in response to a suggestion that the Codes themselves should spell out how they shall be enforced, the Council would suggest that – if absolutely necessary – a final provision can be added to each Code as follows:

“Compliance with the terms of this Code, and the degree to which the Codes have helped to regulate and improve activities at Saint Hill Road, may be assessed by MSDC if for any reason it is required to reconsider taking enforcement action to ensure public safety at the protest site. Such enforcement action includes but is not limited to the making of a Public Spaces Protection Order (PSPO).”

Finally, MSDC is pleased to inform you that it has received a response from the Church of Scientology which indicates the Church is willing to agree to the large majority of the proposed Code for the Church of which you have already had sight, as long as there is a complementary Code in place for protesters in the interests of fairness, transparency and reciprocity. For completeness:

- The Church is willing to agree to paragraphs 1 – 5 and 7 of the proposed Code for the Church in their proposed form and without further amendments. You will note that this includes commitments not to enter or interfere with the designated protest space (paragraph 4), not to obstruct protesters (paragraph 5) and not to film or photograph protesters within the designated protest space (paragraph 7).
- The Church has asked that paragraph 8 is removed as event planning can be dealt with separately using mechanisms available under the Licensing Act 2003. In principle the Council would be willing to accept this request as it does not appear that event planning for the purposes of the 2003 Act is a matter which has any bearing on protests or the protesters who attend at Saint Hill Road.
- The Council will continue discussions with the Church regarding paragraph 6. Although the Council accepts in principle that noise management plans can be dealt with under the Licensing Act 2003, it considers it would be helpful for both sides to include within their respective Codes a commitment to address noise nuisance and to comply with any instructions provided by the police and local authority on this front (*i.e.* a provision equivalent to that addressed at paragraph 9 of this letter).
- The Council will address any logistical concerns around paragraph 9 of the Church's code to ensure the Codes of Conduct are displayed on the site for the benefit of all parties.

MSDC very much hopes that you and your fellow protesters are willing to consider these proposals and solutions, which are offered in the hope that they will render more restrictive and intrusive

measures such as a PSPO unnecessary. We note that, within their written responses to the proposed Codes of Conduct, both the Church and protesters expressed a desire to engage in dialogue and to cooperate with the local authority to prevent and reduce disruption to the local community.

May I please have any comments on the contents of this letter by 4pm on Monday 9 June 2025

Yours faithfully,

A handwritten signature in black ink, reading 'Lucy V. C. Corrie'. The signature is fluid and cursive, with a long horizontal flourish extending from the end of the name.

Lucy Corrie
Assistant Director - Communities