

IN THE HIGH COURT OF JUSTICE

KING'S BENCH DIVISION

MEDIA AND COMMUNICATIONS LIST

B E T W E E N:

(1) DANIEL MILLER

(2) NINA POWER

Claimants / Defendants to Counterclaim

- and -

(1) LUKE TURNER

Defendant / Claimant in Counterclaim

**FIRST WITNESS STATEMENT
OF SAM LOCKSTONE**

I, **SAM LOCKSTONE**, of the Metropolitan Police Service, Holborn Police Station, 10 Lamb's Conduit Street, London, WC1N 3NR, **WILL SAY** as follows:

1. I am a Detective Sergeant in the Serious Sexual Offences Team (Central North) in the Metropolitan Police Service (**MPS**). Between April 2018 to April 2019, I was a trainee Detective Constable in the Community Safety Unit, investigating allegations of domestic abuse and hate crime. This was my first posting as a trainee detective.
2. Save where I have indicated otherwise, the facts set out in this witness statement are within my knowledge and are true. Where I have relied on information provided to me by others, I have identified the source of that information and I confirm that such information is true to the best of my knowledge, information and belief. This statement has been drafted by solicitors at

Mishcon de Reya LLP, who act for the Defendant, Luke Turner, in these proceedings, on the basis of Microsoft Teams meetings I held with them, and has been reviewed and approved by me.

3. I attach a bundle of documents marked "**Exhibit SLI**" to which I will refer in the course of this statement. Unless otherwise identified, references to page numbers in this statement are to the numbered pages in that exhibit.
4. Given that the matters to which I refer took place approximately four years ago, much of my recollection is based on my having recently reviewed the relevant police files in order to refresh my memory.
5. In 2018, I was working as a trainee Detective Constable in the Community Safety Unit. In early October 2018, I became Officer in Charge (the officer in charge of any particular investigation) in respect of a complaint that had been filed by Mr Turner in August 2018 under crime reference number 2322409/18 (the **Complaint**) (page 1).
6. The Complaint related to the online activity on Twitter of two users, @deanna_havas, which Mr Turner believed to be operated by Deanna Havas (the **Havas Account**), and @dcxtv (the **DCXTV Account**), which Mr Turner believed to be operated Daniel Miller.
7. The Complaint was initially attended to by PC Kardhashi, a uniformed response team officer in my team, who interviewed Mr Turner and took his witness statement dated 10 August 2018. A copy of Mr Turner's witness statement is exhibited at **pages 2-41**.
8. In early October 2018, I took over responsibility of Mr Turner's Complaint from PC Kardhashi. I reviewed the information available, including Mr Turner's witness statement and the documents enclosed with it. This material included examples of the abuse which he had received and, in particular, tweets by the DCXTV Account which he believed to be death threats against him (the **DCXTV Tweets**).
9. I recall thinking that the DCXTV Tweets complained of were unpleasant and somewhat sinister. I also note that, at the time of creating the crime report, PC Kardhashi flagged the material as "*Faith Hate Crimes*" and "*Anti-Semitic Racial Incidents*". This was in line with MPS policy given the nature of the allegations made by Mr Turner and was largely for recording purposes and to ensure that the crime report is screened to the appropriate department for onward investigation.

10. On 9 October 2018, having reviewed the file, I emailed Mr Turner to request a call (**page 42**). We agreed to speak the next day (**page 42**).
11. On the evening of 10 October 2018, Mr Turner and I spoke by telephone:
 - a. Mr Turner explained his concerns that Mr Miller, who he believed to be the operator of the DCXTV Account, the account responsible for the DCXTV Tweets, may pose a potential terror threat. He said that the basis for his concerns was the nature of the DCXTV Tweets, other posts published by the DCXTV Account, other Twitter accounts associated with it (all of which he had seen and referred to in the course of our conversation, but some of which I had not seen at that time), as well as Mr Miller's links to the far-right.
 - b. It was clear to me that Mr Turner was genuinely concerned about the DCXTV Tweets and other posts published by the DCXTV Twitter Account which he had seen and was referring to, and the safety threat posed by Mr Miller. Given what Mr Turner was telling me, I could (and did) understand and sympathise with his concerns.
 - c. I asked Mr Turner to send me the additional material which he had referred to during the course of our conversation, which he agreed to do.
12. On 11 October 2018, Mr Turner emailed me the material which he had referred to in our conversation the previous day (**pages 43-49**). This consisted of other posts by the DCXTV Account and other Twitter accounts associated with it, including the Havas Account, as well as one post by an account with the handle @dcgroyper (which I refer to below), which appeared from the reference to 'DC' to be operated by or at least associated with the operator of the DCXTV Account, though I could not be sure of this. Over the course of two weeks, among my other duties, I reviewed this material against the relevant legislation, being the *Protection from Harassment Act 1997* and the *Malicious Communications Act 1988*.
13. Having reviewed the DCXTV Tweets and the material provided by Mr Turner, I was of the view that, while much of it was very unpleasant, it was borderline as to whether it met the evidential threshold required for a criminal offence to be found to prosecute the operators of the DCXTV Account or the Havas Account. Furthermore, because the DCXTV Tweets did not contain any explicit (rather than veiled) threats to kill, I considered that it would be difficult to meet the threshold to prosecute them as death threats. In addition to this, the facts that we could not immediately determine (i) the identity of the operator of the DCXTV Account; and (ii) where

the individual was operating from, were contributing, but not decisive, factors in determining whether the evidential threshold was met.

14. I did, however, have broader concerns around the material provided and around the threat posed by white supremacy and the alt-right. For example, I recall a particularly disturbing tweet by the @DCGroyper account referring to "*dashing down into the street, pistol in hand and firing blindly, as fast as you can pull the trigger, into the crowd*" (page 46). Any kind of comment about shooting people in the street is obviously a highly concerning thing to read. I was also particularly mindful that there had been quite a few high-profile terrorist attacks and lone shooter events around this time, particularly in the United States.
15. I therefore considered that it would be sensible to prepare an intelligence report to ensure that the DCXTV Account and Havas Account were appropriately monitored, and that the material posted under those accounts would be distributed within the MPS. The purpose of this intelligence report was to document the material that was being posted by the DCXTV Account and Havas Account in case they happened to already be under investigation by another police department. I created the report in mid-December 2018 but do not know what happened with it thereafter. As I believe I would have told Mr Turner at the time, ordinarily intelligence reports would be reviewed by a supervisor within the MPS's Intelligence Department. They would then be disseminated to other relevant department(s) within the MPS, which would include the Counter-Terrorism department, as the supervisor considered necessary.
16. Conscious of the fact that I was a trainee Detective Constable at the time, I sought the views of DS Kerena Hammond, my then-supervisor, who agreed with my assessment of the material, namely that the threshold for a criminal prosecution was not met.
17. On 13 December 2018, I had a further call with Mr Turner to update him in respect of the Complaint. I informed him of my findings and the steps I had taken, as outlined at paragraph 15 above.
18. I also briefly advised him of potential civil claims that may be available to him in respect of the DCXTV Tweets.
19. I do not recall sending Mr Turner an outcome letter and have not seen one on the MPS's files. Sending outcome letters was not something that I would routinely do at the time.
20. For the purpose of preparing this witness statement, I have been shown paragraph 12.1 of the Claimants' Amended Particulars of Claim dated 8 December 2020 in which the Claimants state

that the allegations made by Mr Turner against them, including that Mr Miller was under investigation, were false. I confirm that it was accurate to say that between 8 August 2018 and 13 December 2018 that the material posted by the DCXTV Account and the Havas Account was under criminal investigation, and that the intelligence report was disseminated within the MPS for further review as appropriate.

STATEMENT OF TRUTH

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement of truth in a document verified by a statement of truth without an honest belief in its truth.



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Signed: Sam Lockstone

Dated: 21 June 2023