His Excellency Lieutenant General Sir Ben Bathurst KCVO CBE
Governor & Commander-in-Chief

The Convent
Gibraltar
GX11 1AA

Enquiry.Gibraltar@fcdo.gov.uk

Mr Anthony Farrell* 10 November 2026

Dear Mr Farrell,

I have carefully considered the Appeal you submitted on 5 November 2026, including a detailed examination of the material upon which the Principal Immigration Officer relied, following legal advice from Gibraltar's Office of Criminal Proceedings and Litigation.

I have taken particular account of the Stipendiary Magistrate's decision not to recommend your deportation following your conviction under the Terrorism Act 2018, including his assessment of the seriousness of that offence. That decision was made under a separate statutory provision and does not determine whether the requirements of Section 52(1)(f) of the Immigration, Asylum and Refugee Act are satisfied.

The declaration under Section 52(1)(f) was not solely based upon that conviction but upon the information before the Principal Immigration Officer as a whole, including your two convictions and the findings made by the Supreme Court concerning your conduct. Having considered that material for myself, I am satisfied it provides a reliable and sufficient basis upon which your continued presence in Gibraltar is deemed undesirable.

I have also considered your contention that Section 59(3) prevents the declaration while your criminal appeal remains pending. I do not accept that interpretation. Section 59(3) concerns an order made following a court recommendation for deportation. The decision under your appeal is a declaration made under the separate power in section 52(1)(f). It does not follow that Section 59(3) extinguishes the separate Section 52 power.

Moreover, I have not seen any evidence that you are formally registered as a resident of Gibraltar. As with any conviction outside the United Kingdom, it does not mean you have the right to reside in that jurisdiction, either pending an appeal or thereafter. However, in order to facilitate your appeal against your other convictions, you may apply to the Principal Immigration Officer to be permitted entry for a limited purpose and time.

In conclusion, I have considered the other matters raised in your letter, including your allegations of improper influence. I have seen no evidence establishing that the declaration resulted from such influence. I dismiss your appeal and uphold the declaration made by the Principal Immigration Officer under section 52(1)(f) that your continued presence in Gibraltar is undesirable.

You are now formally a Prohibited Immigrant.

Yours faithfully,

Ben Bathurst

*signed electronically and sent by email.

Copy to:

Commissioner, Royal Gibraltar Police