To The Governor of Gibraltar

Address:
Office of the Governor
The Convent
Main Street
GX11 1AA
Gibraltar

Email:
enquiry.gibraltar@fcdo.gov.uk

Telephone:
+350 2004 5440
+350 2002 4250

URGENT

LAWFUL REQUEST FOR IMMEDIATE INTERVENTION TO SUSPEND UNLAWFUL REMOVAL ORDER

Cc:

Commissioner of the Royal Gibraltar Police /
Principal Immigration Officer Owain Richards
Royal Gibraltar Police
Police Headquarters
New Mole House
Rosia Road
GX11 1AA
Gibraltar
Email: reception@royalgib.police.gi

Attorney General of Gibraltar
Michael Llamas, CMG KC
Attorney General's Office /
Government Law Offices
40 Town Range
GX11 1AA
Gibraltar

Email: info.glo@gibraltar.gov.gi

From:
Anthony Farrell

05 November 2026

To: The Governor of Gibraltar

From: Anthony Farrell

Re: Unlawful Declaration under section 52(1)(f) of the Immigration, Asylum and Refugee Act in violation of section 59(3) that requires Immediate Action

Greetings and good wishes to you Governor Ben Bathurst.

This urgent letter is delivered to you today to inform you of a troubling, unlawful attempt to circumvent and override not only the court's authority and that of the Constitution of Gibraltar, but yours as well.

On **21 October 2026**, I was served with a notice signed by the Commissioner of the Royal Gibraltar Police Owain Richards, apparently acting in the capacity of Principal Immigration Officer. This declaration purports to classify me without reason or explanation as a "prohibited immigrant" under section 52(1)(f) of the Immigration, Asylum and Refugee Act ("IARA") and requires my departure from Gibraltar within 21 days. Please see the relevant section from the IARA below, along with a copy of the notice itself attached in **Tab 1**:

> Section 52(1)(f) a person who, in consequence of any information received from any source considered by the Principal Immigration Officer to be reliable or from any government, is deemed to be an undesirable immigrant*

This 21 October 2026 declaration from RGP Commissioner Owain Richards comes only 27 days after a court ruling by Stipendiary Magistrate Major Charles Bonfante, that dismissed a deportation application by the Crown over what was deemed to be "a minor offence". Please find a copy of that ruling in **Tab 2**.

On 07 October 2026, I timely filed a notice of appeal of my conviction in **CR/25/28757/V**, which predates the 21 October 2026 declaration. A separate, civil appeal is also currently in the Court of Appeal in **2026/CACIV/010**, *Helen Carter v Anthony Farrell.*

Pursuant to section 59(3) of the IARA, not even you have the authority to deport someone when they have an appeal pending of the underlying conviction.

> 59(3) An order shall **not** be made under subsection (2) by the Governor so long as any appeal is pending against the recommendation of the court or against the conviction on which the recommendation of the court was made.

Section 52 and 59 actions are not unrelated legal mechanisms. The effect of declarations made under section 52 are specifically and directly linked to section 59 by section 53(4) of the IARA.

> 53(4) Any prohibited immigrant may be dealt with in the same manner as an unauthorized person may be dealt with under section 59.

Further, there are also serious constitutional issues concerning the use of section 52(1)(f) of the IARA, both generally and particularly, where section 52(2) is combined with the express restriction in section 52(3) on remaining in Gibraltar while the appeal of the declaration is pending. In this case, an appeal of the constitutionality of a declaration and notice of deportion made for undisclosed reasons based on information from an undisclosed source.

This raises some serious, troubling questions, e.g.:

1) Who gave the Principal Immigration Officer powers that supersede/override a Court order, the Constitution of Gibraltar and the powers of the Governor?

2) As the Principal Immigration Officer is also the Commissioner of the Royal Gibraltar Police, has he not unlawfully exceeded his powers in assuming they supersede and/or override your own power as Governor?

3) If the RGP Commissioner has exceeded his authority, is Gibraltar now a de facto police state rather than a democracy, exercising policing powers they do not and/or should not have?

4) If this action was coerced by a “reliable” source, regardless of whether that source is in the public or private sector, doesn’t that information need to be publicly disclosed so it can be challenged in accordance with the constitutionally guaranteed right to a fair trial?

5) If the information is so damning that it warrants deportation, why not reveal it, and thus avoid even the appearance of impropriety or corruption?

6) Was this 21 October 2026 declaration by Owain Richards merely carrying out threats levied against me by Moshe Hassan, who threatened to *“deck”* me if I didn’t leave because *“We Jews control Gibraltar”*? Or was it the veiled threat from Shlomo Levy of Hassans, who said my “*biggest mistake” was* naming his dad, James Levy, on the envelope of an amicus curiae (friend of the court) brief I submitted in relation to the McGrail Inquiry? Or was this retaliation by Marlene Hassan-Nahon and/or Naomi Hassan-Weisfogel for my support of the nurse falsely accused of antisemitic remarks that she could not possibly have made? Or all of the above?

7) Is this why the RGP refused to issue me a crime report when the veiled threat by Shlomo Levy was reported? Is this also why the 2024 crime reports I submitted to former RGP Commissioner Richard Ullger, who was always friendly and kind to me, ultimately were never acted upon?

The purpose of the constitution is to enumerate, guarantee and protect the rights of the people from government use of coercive force, like this 21 October 2026 declaration. It also appears this declaration is an unlawful, desperate attempt to prevent my pending appeals, in order to cover up the very corruption and crimes against Gibraltarians that have been personally reported, which have been carried out by the government, the RGP and the GHA.

Removal while these appeals remain pending would risk substantially prejudicing my ability to bring these cases to a lawful and just conclusion. The rights and protections afforded to each of us under the law, including effective access to justice under section 8 of the Gibraltar Constitution, must be expressly and carefully considered **before** any **lawful** enforcement action is taken.

There is also the larger question of internal security. If the government, RGP and GHA are controlled by private sector individuals able to exert pressure on them through personal or corporate channels, who will investigate this corruption and rectify it?

The record reflects that my campaigning, crime reports and actions were motivated by genuine concerns for the people of Gibraltar, the protection of public health and the prevention and detection of suspected wrongdoing. If speaking out against dangerous government policies and corruption is enough to get a British Citizen deported from an oversees British territory without reason or a fair hearing, what does that say about the state of affairs in Gibraltar? The local media is watching this situation very carefully, particularly in light of the recently implemented treasonous TGEU and the 90/180 day rule for British visitors to Gibraltar.

I do not accept that the use of immigration powers should be permitted to frustrate the practical exercise of constitutional rights, overrule the judicial process, and/or supersede the powers of the Governor of Gibraltar. Hopefully that is a perspective that you share, along with my love of Gibraltar, its people and its bright future. If so, please act swiftly to put an immediate stop to this injustice.

Yours faithfully,



Anthony Farrell

TAB 1

Declaration Letter
and Notice of Deportation under Section 52(1)(f) of the Immigration, Asylum and Refugee Act (IARA)
21 October 2026

Royal Gibraltar POLICE | Delivering a Safer Gibraltar through Excellence in Policing

Owain Richards MSt (Cantab)
Commissioner of Police
New Mole House, Rosia Road, Gibraltar • Tel (+350) 20072500 • Centrex 2210 • www.police.gi

Our Ref: OR167

Served on: 21st/10/26

Anthony Farrell
DoB: 04/01/1960
PoB: Widnes, UK
British Passport No. 143859647

IMMIGRATION ASYLUM AND REFUGEE ACT

By virtue of the powers conferred upon me by virtue of Section 52(1) (f) of the *Immigration, Asylum and Refugee Act,* I hereby declare you a **Prohibited Immigrant**. You are therefore prohibited from remaining, entering or seeking to enter Gibraltar.

You are being afforded a period of 21 days to make arrangements to depart Gibraltar voluntarily. This grace period has been assessed as sufficient to allow you to organise your personal affairs to depart Gibraltar. Should you fail to depart Gibraltar within the specified period, enforcement action will be taken.

In accordance with Sections 52 (2) and (3) of the *Immigration, Asylum and Refugee Act,* you may only appeal this decision to His Excellency the Governor of Gibraltar. However, should you decide appeal this decision, you shall not be entitled to remain or enter Gibraltar whilst your appeal is being considered.

Yours faithfully

Owain Richards, MSt. (Cantab)
Principal Immigration Officer

TAB 2

Stipendiary Magistrate’s Order/Official Transcript from Sentencing Hearing on 11(1)(b) Conviction and Deportation Application by the Crown
24 September 2026

IN THE MAGISTRATES COURT OF GIBRALTAR

BETWEEN:

REX

-v-

ANTHONY FARRELL

JAMIE HAMMOND for the **Crown**

Litigant in person

TRANSCRIPTION OF HEARING dated 24th day of September 2026

BEFORE**: MR CHARLES BONFANTE, STIPENDIARY MAGISTRATE**

Judge On the 18th of August Mr Farrell you were found guilty after trial of displaying an article in such circumstances as to arouse reasonable suspicion that you were a supporter of a prescribed organisation, Contrary to Section 11, Subsection 1(b) of the Terrorism Act. The facts are that on the 10th of September 2025 you had a sandwich board with a printout of a letter written by a John Anthony Hill, you refer to as the Gibraltar messenger which concerned a suspension of a nurse for allegedly Anti-Semitic statements. Within the text of the letter was a paragraph 20, which contained 2 sentences that given the positive and approving language used I found to be supportive of the prescribed organisation. I have not been referred to any sentencing guidelines for this offence, however during the trial I was provided by The Crown with a UK Supreme Court Authority dealing with the UK equivalent of this charge, a case of power, PWR and the DPP 2022, UK Supreme Court 2. That case concerned 3 defendants who attended a protest in London and were carrying flags

of a prescribed organisation. Two defendants were dealt with by way of conditional discharges. Of course each case tells on its own facts but it is indicative of the level of seriousness and how that conduct can be dealt with. Here the letter was not about the prescribed organisation itself, it was about something else. The reference to the prescribed organisation it seems to me was wholly misconceived and unnecessary and it appears to the author of the letter that that was also the case, as I note that, that reference was removed from the letter that was ultimately sent. The reference to the prescribed organisation was certainly less conspicuous and within the body of considerable text and less conspicuous than waving a flag. Assessing seriousness of the offence assisted by the case, the Supreme Court case power, this is a case at the lower end. In my view it can be dealt with in a similar way to the case of power. I note you have a previous conviction for the parliament offence although that offence postdates this one. Taking all matters into account Mr Farrell will you stand please? I impose a 6 month conditional discharge. Thank you. You may take a seat. I shall now deal with the application. In order to make a commendation I must be satisfied that Section 12 of the Immigration, Asylum and Refugee Act applies to the Defendant. If it applies I then have a discretion whether or not to make the commendation for deportation. I have been referred to guidelines on how to exercise that discretion. The case of Nazare 1983 falling of reports at 880 it says that first the court must consider whether the accused presence in the UK, in this case Gibraltar is to its detriment. The judgement says the more serious the crime and the longer the record, the more obvious it is that there should be an order recommending deportation. On the other hand a minor offence would not merit an order. The offence we are dealing with is a summary on the offence and one where the courts sentencing powers are limited to 6 months that is to say half the maximum sentence this court can impose. That of itself is not determinative but in my view relevant in considering the seriousness of the crime. I note that in power the UK equivalent offence was described as a far less serious

summary offence by reference to the other terrorism offences. There is nothing in the circumstances of the case that suggest this is particularly serious as reflected in the sentence I have just imposed. The guidance also refers to the defendants record and gives us an example a series of shoplifting offences on different occasions might merit a recommendation. The defendant does have a previous conviction for disturbing Parliament when he stood to read out a statement. I recall that on that occasion he immediately stopped when approached by the police officer and was thereafter cooperative. There is no other evidence before me on reprehensible conduct by the defendant in support of this application. In my view this is not a record that gives rise to a genuine and sufficiently serious threat to the requirements of public policy affecting one of the fundamental interests of society, nor is it one that would merit the making of an order. I have not determined whether or not Section 12 of the Immigration, Asylum and Refugee Act applies but having found that even if it did, I would not make the order, I dismiss the application. Okay that deals with everything does it not?