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F.a.o. Jason Kallis
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By email

11 August 2025

Dear Jason,

RE: 51 Draycott Place – Legal Overreach and Misleading Pseudo-Evidence Before the Court

We acknowledge receipt of your email of 11 July 2025. It is extraordinary in both tone and content. The demands you make, to compel responses from an unrepresented third party, under threat of adverse inferences, forfeiture of a lease, and undefined "fact checking", have no basis in law. They are not a feature of the vesting order proceedings and fall far outside the proper remit of a solicitor in a civil property dispute.

You present yourself as fact-finder, prosecutor, and enforcer, inverting the burden of proof and requiring others to "explain why" your narrative should stand. That is not how these proceedings work. You are not entitled to cross-examine by correspondence, let alone via video call, nor to insist on answers to questions of your choosing, still less to threaten consequences if those answers do not satisfy you. Your claim that you "*only need to satisfy [yourself] on the balance of probabilities*" further misunderstands both the standard and your role. That test is how the Court weighs evidence of disputed facts — not a licence for a solicitor to select a rumour, elevate it to a certified narrative, and expect it to be adopted as fact.

You open by expressing offence at what you characterise as an attempt to allege that you misled the Court. That is not what we "attempted" — it is what we stated. Your own admission that the police have never provided you with any information about their visits or investigations confirms it. This sits uneasily with the way your sworn statements repeatedly present supposed police actions, opinions, and conclusions as if they were corroborated facts. In short, it misleads, and no amount of bluster alters that conclusion.

Your allegations borrowed authority from the illusion of police backing. That veil has gone, leaving nothing but conjecture and speculation. Your other source of authority, the "evidence" finally produced after years of withholding, is a jumble of photographs, unverified objects, and hearsay, paraded as fact. It cannot sustain the weight of your claims, and its deployment in this way is improper.

The misleading does not end there. You do not reside at the property. You have no first-hand knowledge of the events you describe. Yet your witness statement reads as a running narrative of alleged criminal conduct, voiced as if from direct observation, elevated to fact by a signed statement of truth, gaining credibility from your professional status, and delivered with courtroom finality — all without clear identification of the source, as is expected of any witness, and especially of an Officer of the Court.

It is also misleading to press the Court for urgency on the strength of "evidence" that is years old. The last police visit was in April 2023, and as is the most recent of your photographs. There have been no further visits, incidents, or independent reports of any kind since then. Yet you continue to demand

immediate hearings and orders as if a present danger exists. As an officer of the Court, you know that urgency must be grounded in present fact — not in stale allegations recycled to sustain a narrative.

There is selective telling of facts to mislead the Court. You cherry-pick from Mario's email — lifting his general comments on drugs legislation while omitting his central point: that there was no basis to proceed against Russell in this case. You also fail to mention the two formal complaints he lodged over your defamatory statements, which you ignored and then repeated under the shelter of absolute privilege. Stripped of that omitted context, your version is not just incomplete — it is calculated to mislead.

Starker still are the undeniably false statements in your submissions on procedural matters: you swore your skeleton argument had been served and repeated this in your third witness statement yet withheld it until two days ago. You told the Court we had offered no comment on the TR1 and never disclosed our written response following your request for signature. Correspondence you acknowledged before expressly refusing to address its points. These did not occur by oversight, but by calculation.

The rest of your factual contentions, from the state of the roof to the general management of the building, fare no better. They are not merely misleading; almost every sentence is untrue, and you know it to be untrue. Each is contradicted by contemporaneous documents, communications, and records already in your possession. The persistence of these claims, in the face of evidence you have seen, makes them not just wrong but knowingly false.

Staggeringly, despite the vast amount of time and cost they have incurred, most of the misleading statements and unfounded allegations are irrelevant to the enfranchisement proceedings. They only exist because you continue to channel Mr Galani's grievances unfiltered, treating his theories as fact and restating them in legal correspondence as though they demand urgent judicial intervention. This is not evidence; it is a retaliatory narrative, improper in process and incoherent in law. Your attempt to subject Russell to cross-examination by video call strays into harassment, while your threats of forfeiture unless Mario complies with unfounded demands edge towards blackmail. Your remark that this letter, together with our response, "will be put before the court" was no doubt meant as a threat; we welcome it and will ensure it is done.

Further requests for information are unwelcome. We know no more today than Mario did in October 2023, when he answered your request about Russell's alleged criminal trial. The answer is the same: we have no right to demand details of his private life — and neither do you or your clients. Russell has made it clear that he will speak directly with current residents about genuine concerns, offering reassurances if warranted, but will not engage with their lawyers or any other lawyers. He therefore asks that you refrain from contacting him directly. Your own professional Code of Conduct should make clear how such boundaries are to be observed.

The rest of the letter addresses both the substance of your claims and the stance you have taken in presenting them. You consider this material to be evidence, and your stance to be justified. We do not, as evident from above, and we explain why.

1. Photographic Submission Highlight the Absence of Evidence

In the three years since you began levelling these accusations, not once have you provided credible evidence of criminal conduct — either before the raids or since. Now, after repeated demands, you present what you call evidence: five photographs.

- Two from 2021: a padded envelope addressed to someone else with no flat number.
- One from March 2023: a baseball bat.
- Two from April 2023: an envelope allegedly linked to HMP Wandsworth by a handwritten return address.

That is the total sum of your evidence. It substantiates nothing; neither the original allegations, nor any claim of continuing criminal activity, nor any supposed risk justifying the procedural escalation you seek. If anything, it confirms what has long been obvious: your case rests on conjecture, not fact.

Your appeal to the "balance of probabilities" is a post hoc façade — a rhetorical device to mask what is, in truth, a cascade of unexamined assumptions drawn directly from Mr Galani, repackaged in your voice, and presented as settled truth.

(i) The baseball bat

The baseball bat was not Russell's. It belonged to an unauthorised subtenant of Flat 4 — a South American transgender sex worker who kept it for protection after a client's threat. It was reported to Mario on 16 March 2023 and removed within days. John was told immediately that Russell denied ownership and had offered to remove it. Mario only learned the true owner's identity over six months later, following an argument between that subtenant and the tenant who had sublet to them, which prompted him to send our handyman to investigate.

The bat was found in the hallway by the main entrance, not inside Flat 2 and not outside any particular flat. While that entrance happens to be on the same floor as Flat 2, there is no other connection. Your attempt to link it to Russell is knowingly misleading and self-serving.

If this is your basis for alleging "violence" at the property, then the follow-on claims about women and children "evacuating" or residents "moving out" are not evidence, but hysteria. You also fail to identify who you mean, but as the only children in the building are John's, you can only be referring to his wife. CCTV confirms she still lives there, making the claim plainly untrue. As for the children, you do not say where they were "rehoused"; they may simply have been away at school or university.

To persist with this narrative more than two years after the last reported incident in April 2023, and after being given the facts, no longer classifies as hysteria — it evolved to theatre, calculated to mislead and create a false impression of urgency.

If you or your clients truly believe drug dealing is continuing in Flat 2, the correct course is to report it to the police, who can investigate and allocate appropriate resources — not to take the law into your own hands with spurious allegations. Any attempt by the freeholder to remove Russell on your "evidence" would be struck out at the outset.

Furthermore, you do not need to wait for a vesting order to act: under clause 5(e) of the lease, you could compel the current freeholder to enforce any proven breach, provided you meet the costs. You could have pursued that route at any time, making your present urgency a fiction.

(ii) The HMP Wandsworth envelope

You cite an envelope addressed to "John Baker" with a return address for "Russell McLaughlin" at HMP Wandsworth. There is no evidence that this item originated from Russell. The handwriting could have been produced by anyone — including, in theory, Mr Galani himself — as part of his ongoing efforts to implicate Russell and support his campaign to have him removed from the building. It could be just a hoax or a personal joke after the last police visit. No proof of provenance or details of its contents are provided. No other evidence of any alleged link to Wandsworth prison. Nor any evidence of the reasons he might be there, and if drug-related at all.

Please confirm who took the photographs, when they were taken, and for what purpose. We request full copies of the original files, including their metadata.

(iii) The padded envelope

You claim this parcel was one of several addressed to Flat 2 and that it contained ecstasy tablets worth "tens of thousands." Yet the only photograph you produce shows the outside of a padded envelope, addressed to someone entirely unconnected to Russell, with no flat number visible. Your sworn statement asserts it was addressed to Flat 2. It was not. The image you now rely on directly contradicts your own evidence under a statement of truth.

That is not a minor slip, nor excusable in an advocate presenting the case. *With the photographs in your possession, you either knew the statement was false or did not care whether it was.* Either way, it is a material falsehood and a breach of your duty not to mislead the Court.

The photograph is of the packaging alone. There is no image of the alleged contents. No police seal. No chain of custody. No forensic report. No crime reference. *You provide nothing beyond an exterior image — despite placing the alleged content at the centre of your accusations.* If the substance truly had the characteristics you describe, you would have documented it. The absence of any photo of the contents, which you now say were worth tens of thousands of pounds, is telling. The only plausible inference is that you have no evidence of what was inside at all.

Your sworn statement further claims the police confirmed the parcel contained "ecstasy." You now concede they provided no such information. Even that claim strains credulity. "Ecstasy" is not a forensic classification; it is not a controlled substance; it is tabloid shorthand. A police lab report would identify MDMA or another compound, not use media slang — and certainly not without any documentary trace.

The narrative also overlooks the building's layout. Flat 2 sits directly beside the main entrance; the only shelf for unclaimed post is on the opposite wall, slightly offset from its door. Every parcel passes "near" Russell's flat; many sit there awaiting collection. That proximity is meaningless — certainly no basis for a serious criminal allegation.

In short, the photograph of the parcel does not support your claims; it undermines them. If you will not withdraw it and the allegations linked to it, please confirm who took the photographs, when, and for what purpose, and explain the absence of any image of the contents or supporting police documentation. We also request full copies of the original files, including their metadata.

2. Examination of written evidence and the loss of authority

Aside from the photographs, your only other source of evidence lies in your own witness statements and correspondence. These adopt an authoritative tone, leaning heavily on presumed police involvement and a narrative style that implies direct knowledge. But under scrutiny, their authority evaporates. You invoke raids, surveillance, drug finds and bail refusals — sometimes with qualifiers, but always in a way that encourages the Court to treat your conclusions as settled fact. You now concede that the police provided no such confirmation. That admission alone unravels the claims you sought to ground in their authority — and exposes a wider problem with your approach to evidence.

Your first witness statement is a case in point. The relevant passage (para 4, page 2) reads:

"The Police said and did nothing for several months, but it transpires they took to monitoring the flat, and then raided the flat 2 several months later (breaking down the flat's reinforced main door in the process). Whilst some paraphernalia and drugs are thought to have been discovered in that raid, the police did not find Russell at the flat at the time. I am told that

the police contacted freeholders on a number of occasions seeking details on Russell and whether they had seen him. The police appeared to be convinced he was drug dealing, so it seems bided their time, presumably watching the flat further, before raiding the flat again 12 months later. This time Russell was arrested, and was not granted police bail subsequently. The fact that he was not granted Police bail caused even more concern, as it would indicate the police considered a very significant operation had been unveiled..."

This passage is presented in your own voice, in a document verified by a statement of truth, and it does the following:

1. **Asserts surveillance without evidence:** "they took to monitoring the flat" is stated as fact, with no attribution.
2. **Presents discovery of drugs as established:** "some paraphernalia and drugs are thought to have been discovered" implies a confirmed fact, without any source.
3. **Introduces unattributed hearsay:** "I am told that the Police contacted freeholders..." fails to identify who said it, when, or on what basis. Additionally, it fails to indicate that Mr Angiolini denies having ever been contacted, made two formal complaints about you making such defamatory allegations against him and specifically asked you not to repeat them.
4. **Infers police belief without confirmation:** "the Police appeared to be convinced" is speculation dressed in official language.
5. **Asserts arrest and bail refusal:** without producing a single document, date, or official record.
6. **Draws sweeping conclusions from silence:** "The fact that he was not granted Police bail... would indicate..." converts an unverified event into a narrative of high criminality, without offering any documentary support.
7. **Adds irrelevant emotional framing:** The reference to "a fairly upmarket residence" and "used as a family home" is an emotive flourish, designed to heighten scandal rather than inform. It is entirely irrelevant to any legal test.

At no point do you disclose a source, qualify the basis of these claims, or state that the entire passage is speculative. References to police action are deployed to confer legitimacy and urgency, yet without police confirmation, the edifice collapses — raids, drugs, surveillance, arrest, refusal of bail — all dissolve into nothing.

The only proven facts are that there was a first raid, during which an unremarkable door was broken because the flat had been empty for a few days, and a second visit, during which Russell simply let the police in. Even of those visits, we know no more than that they occurred. What remains is an invented narrative, kept alive by repetition and tone.

This is not merely misleading; it is improper conduct for an Officer of the Court. Such statements cannot stand unchallenged on the record. They should be withdrawn or defended under cross-examination.

3. Shifting accounts that undermine credibility

Even if the absence of corroboration had not already collapsed the authority of your evidence, the shifting nature of your narrative — evolving across statements, correspondence, and time — would be sufficient on its own to invite disbelief.

The account surrounding the so-called "ecstasy package" — never raised until your witness statements in 2023 — merits particular scrutiny. Not only was this alleged discovery absent from all prior correspondence, but your retelling of it has since shifted in material ways.

In your sworn statement, the allegation is that multiple packages addressed to Flat 2 (but not to Russell) were repeatedly left uncollected and deemed suspicious. One such package, you claim, sat for "a few days" before being deliberately opened to identify a return address — with the implication that this was done out of concern and in good faith. Now, in your latest correspondence, the story changes: the opening was "by mistake", and the package was confused — implausibly — with one intended for Mr Galani himself. *In either version, the motives for photographing the parcel before but not after opening are questionable.*

Claim	Witness Statement verified by statement of truth	Current Account and evidence	Comment
Addressee	"Several packages addressed to Flat 2" (WS1, §3)	Photograph shows one parcel, addressed to someone else, with no mention of Flat 2	Misleading and materially false. Undermines the credibility of the statement and its author.
Discovery	Package "delivered a few days before Christmas," remained unclaimed in hallway	Now said to have been mistaken for a Christmas present and opened — presumably by Mr Galani	Inconsistent motives; both accounts cannot be true. Raises doubts over the reliability of either.
Justification for Opening	Opened to check for a return address	Opened in error; mistaken for a personal delivery.	Why photograph it before opening? Why no photos of the contents? Raises suspicion about the narrative's authenticity.
Content and Classification	Police "confirmed" it was ecstasy tablets worth "tens of thousands of pounds" (WS1, §3)	You now accept the police did not provide confirmation or any disclosure.	"Ecstasy" is not a legal term; the police would never informally confirm street value. This claim lacks both evidential and linguistic credibility.
Police knowledge of Russell	Police monitored Flat 2, conducted raids, and refused bail — implying serious findings	Raid took place while Russell was out for several days; one officer mistook Mr Galani for Russell during second raid.	If under surveillance, such mistakes would not occur. You now admit there were no police updates.

Each point above highlights a key contradiction or reframe. Taken together, they reveal a pattern: where the facts do not support the allegation, the allegation is rewritten. Indeed, Mr Galani's recollections routinely mutate to suit the narrative or outcome he seeks. More troubling still is that your own statements adopt and amplify these variations without qualification or verification — yet present them as settled fact.

Most concerning is your failure to acknowledge the contradiction at all. *No explanation has been offered, no correction made, and no attempt to reconcile the differing accounts before Court. Both*

versions remain on the record. This failure to resolve, or even recognise, the contradiction fundamentally undermines the credibility of your evidence.

4. Misleading assertions and the role of Mr Galani

You now confirm that the police gave you no updates, and that the photographs disclosed are the entirety of your supporting material. Your witness statements are therefore not just unsubstantiated — they are plainly misleading. This is especially true of your claims relating to drug use and dealing.

Strip away the police references, and what remains is threadbare. The photographs, already shown to be inconsistent and inconclusive, are your only physical evidence. You did not witness the events. You do not live at the property. You have no first-hand knowledge of any kind. The only logical conclusion is that your account is based entirely on what you were told, and the pattern makes clear that your source was Mr Galani.

If that is not the case, you must now say so. Confirm whether anyone other than Mr Galani gave you information directly. If so, identify them, say what they told you, and when. Otherwise, the inference stands.

Indeed, Mr Galani's fingerprints are visible across every key claim:

- The police used a key to enter the building on both occasions — confirmed by CCTV footage from a camera Russell had installed for his personal use. That key could only have come from Mr Galani, the sole resident ever authorised to have extra keys cut following the 2020–21 lock change. This strongly suggests the police actions were prompted not by surveillance, but by his direct intervention and insistence. If the flat were truly under observation, the police would not have raided while it was empty, nor would they have had to ask whether Mr Galani was "Russell".
- The envelope allegedly sent from prison and attributed to Russell was discovered, photographed, and interpreted by Mr Galani.
- It was Mr Galani who reportedly opened the "suspicious package" over Christmas — a story which has since changed from deliberate action to mistaken identity.
- Mr Galani is somehow present or nearby for both police visits, despite living three floors above and having no line of sight to Flat 2.
- He claims to have observed "a steady stream of visitors" to Flat 2, still three floors lower, yet failed to notice or report the clients of a trans sex worker illegally subletting the flat directly opposite his.
- He is the only resident to report cannabis odours in the hallway.
- He is the only person to object to Russell's artwork inside his own flat or complain about the appearance of his guests.
- He has described Russell as a "bad apple" and repeatedly called for his eviction.

This is not a neutral account of conditions at the property. It is the transcript of a campaign. The evidence you have submitted, and the procedural demands built on it, are not driven by objective risk. They are driven by Mr Galani's desire to remove a neighbour he disapproves of.

We suspect his dominance of the narrative extends even further. In paragraph 3 of your first witness statement, you refer to concerns raised by "other tenants". Please now specify: who are these tenants? On what date did they contact you directly (not via Mr Galani), and by what means — email, phone, letter, or in person? We anticipate you will be unable to name a single individual other than your client.

This must be clarified before the hearing, alongside the other misrepresentations addressed above. We will return to this point at the end.

5. Procedural impropriety and misuse of process

Your letter is not litigation correspondence in any meaningful sense. It is a list of demands dressed in procedural language, but carrying no procedural weight. You purport to compel responses from an unrepresented third party you have publicly accused of criminal conduct. You seek video cross-examinations — unsafeguarded, outside any legal framework — and threaten "adverse inferences" if your demands are not met. There is no legal or procedural basis for any of this, and your clients have no right to obtain personal information from Russell. Nor would the position change if the freehold were transferred to them. As a solicitor and Officer of the Court, you should know better than to advance demands and propositions that are plainly unarguable.

Your conduct suggests a profound confusion — or disregard — for your role and for the SRA Code of Conduct. You are not a prosecutor. You are not the Tribunal or Court. You are not a fact-finder. You are a solicitor acting for one party to a property dispute. And yet you behave as if tasked with a judicial inquiry: issuing questions, threatening sanctions, and demanding compliance from non-parties.

Matters of fact and consequence will be determined by the Court, through formal procedure, provided they have any relevance to the case before it. Not by informal interrogatories disguised as litigation correspondence. You lack both jurisdiction and authority to compel responses, particularly from individuals who are not parties to the proceedings.

Your suggestion that adverse inferences may be drawn from a refusal to respond is not only wrong in law — it is improper in tone. The burden of proof lies with your clients. They are the ones advancing serious allegations. It is for them to prove those claims to the Court. You may not shift that burden by inference, innuendo, or threat.

You now admit that the material relied upon in Court was not evidence of fact but the product of your own assessment "*on the balance of probabilities*." That is not how evidence works. It is not for you to "satisfy yourself" of a matter and then certify it to the Court under the guise of a sworn statement. Your role is to present properly sourced evidence, not to make arguments in the voice of the Court.

The result is a set of documents that mislead. It asserts knowledge you do not possess, presents allegations as if they are substantiated, and dresses arguments as facts. It invites the Court to place weight not on evidence, but on your own credibility — a credibility now seriously undermined by the inconsistencies and exaggerations we have highlighted.

6. Context and motive

What makes this more troubling is the context. The claims you advance are not only unproven, they are irrelevant to the vesting order. You have admitted they have no bearing on it, yet persist in using them to damage reputations, influence judicial perception, and apply commercial pressure. The Tribunal dismissed them. So will the Court. In the meantime, they consume an inordinate amount of time and cost.

If you intend to rely on the same witness evidence at the upcoming hearing, you will be knowingly advancing material that is false or misleading. That invites sanctions and wasted costs orders. We therefore repeat our invitation to withdraw those statements in full and serve replacements confined to relevant facts supported by credible evidence — not unproven conjecture.

Yours sincerely,

Davy Thielens

For and on behalf of Tarquin Management Ltd