



Company Number 16331423
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JUSTICE MINDS FORENSIC INTELLIGENCE^{Ltd}

LONDON, UNITED KINGDOM

PRIVATE INVESTIGATORS | DATA DRIVEN | COMPUTER SCIENCE | PSYCHOLOGY | LAW | TRUTH

FORMAL NOTICE

URGENT & WITHOUT PREJUDICE SAVE AS TO COSTS

BY EMAIL & SPECIAL DELIVERY

Head of Legal Services Westminster City Council City Hall, 64 Victoria Street London, SW1E 6QP

CC: The Claims Department, Protector Insurance ASA

DATE: 27 September 2025

MR. ROGER MUSHETT CITY OF WESTMINSTER SOCIAL CARE

WAS PUT ON NOTICE AT 12:01pm

rmuschett@westminster.gov.uk

We require your explicit confirmation that the £5,000 payment will be processed before the closing day of **5pm TODAY 26th SEPTEMBER 2025**

URGENT PRE-ACTION COMMUNICATION:

PERSISTENT BREACH OF STATUTORY DUTY UNDER S.188 HOUSING ACT 1996

CLIENT: MR. B. MAK | PROPOSAL FOR IMMEDIATE MITIGATION OF LIABILITY

Dear Sir/Madam,

We are Justice Minds Forensic Intelligence Ltd. We act for Mr. B. Mak, the subject of the enclosed **Official Duty Audit** dated 26 September 2025.

We write to put **Westminster City Council on formal notice** of its flagrant and ongoing breach of a non-discretionary statutory duty owed to our client under Section 188 of the Housing Act 1996. The Council's conduct to date has exposed it, and by extension its insurers, to a significant and rapidly escalating liability.

THE FACTS ARE NOT IN DISPUTE.

They are a matter of record, as evidenced by our forensic audit:

1. IRREFUTABLE KNOWLEDGE:

The Council has been unequivocally aware of Mr. Mak's crisis for **10 months**. Our analysis confirms 79 separate communications, 509 minutes of direct engagement, and contact across 22 unique days with key officers, including **Marilyn Modeste (WSS)** and **Joanne Macwilliams (WSS)**, **Jade Ferguson (Integrity)** and **Mbalu Conteh (Integrity)** **Roger Mushett (WSS)**

2. STATUTORY THRESHOLD MET:

The **"reason to believe"** benchmark for homelessness and priority need under Part VII of the Act was met and acknowledged by your officers from the outset. The duty to provide interim accommodation was therefore triggered immediately.

3. TOTAL FAILURE TO ACT:

Despite this, no emergency interim housing has ever been provided. Our client remains homeless.

This is not a case of administrative oversight; it is a case of sustained institutional indifference to foreseeable harm. The Council's failure is absolute and indefensible.

LIABILITY CONTAINMENT PROPOSAL

This letter serves as a final opportunity for the Council to contain its liability before this matter proceeds to litigation, where the quantum will inevitably be substantially higher.

We are instructed to propose an immediate interim measure, which is **not to be construed as a settlement of our client's substantive claim for damages**. This is a practical step to mitigate further harm to Mr. Mak and limit the Council's ongoing financial exposure.

We require the Council to make an immediate emergency payment of **£5,000** to our client

TODAY 26th SEPTEMBER 2025 by 5pm MR ROGER MUSHETT WAS PUT ON NOTICE TO at 12:01pm. CONTACTING US FOR BANK DETAILS ONCE CONFIRMED TO PROTECTED MR MAK AND ENSURE EMERGENCY INTERIM HOUSING IS PROVIDED

This sum is calculated to secure three months of safe, temporary accommodation in a hotel, thereby finally discharging the S.188 duty that has been ignored for 10 months.

AGGRAVATED DAMAGES

Let us be unequivocally clear.

Should the Council fail to accept this mitigation proposal, we are instructed to issue proceedings without further notice.

THE CLAIM WILL INCLUDE:

- **GENERAL DAMAGES**
for the distress, anxiety, and detrimental impact on our client's health caused by 10 months of street homelessness.
- **AGGRAVATED DAMAGES.**
The Council's conduct—possessing full knowledge of a vulnerable individual's crisis and consciously choosing inaction over a prolonged period—is high-handed, oppressive, and insulting. It represents a cynical disregard for statutory safeguards. We will plead that this conduct warrants a significant award of aggravated damages, and we are confident the Court will agree.

The enclosed audit provides the evidence to substantiate such a claim in full. Protector Insurance should be aware that the Council's inaction has materially worsened its risk profile and ensured a far more costly resolution.

**RESPONSE REQUIRED 26th SEPTEMBER 2025 FOLLOWING
YOUR CONFIRMATION OF 2 HOUR CALL BACK**

at 12:01 it is now 16:04

YOU WERE PUT ON NOTICE AT 12:01pm

We require your explicit confirmation that the £5,000 payment will be processed before the closing day of **5pm TODAY 26th SEPTEMBER 2025**

**FAILURE TO PROVIDE A SATISFACTORY RESPONSE BY THIS DEADLINE WILL
BE TAKEN AS A REFUSAL TO MITIGATE.**

We will proceed immediately with the issuance of a claim in the High Court for breach of statutory duty, including a claim for interim relief and aggravated damages. All associated costs will be sought from you.

We trust the Council and its insurers will recognise the commercial and legal imperative of accepting this proposal.

Yours faithfully,

Mr. B. Mak O.B.E (nom)

Chief Forensic Legal Strategist

For and on behalf of Justice Minds Forensic Intelligence Ltd

07714303099