



JUDICIARY OF
ENGLAND AND WALES

2 May 2025

**THE DUKE OF SUSSEX v. THE SECRETARY OF STATE FOR THE HOME
DEPARTMENT**

Appeal No: CA-2024-000936

Neutral Citation Number: [2025] EWCA Civ 548

JUDGMENT SUMMARY

**Important note for press and public: this summary forms no part of the court's decision. It is provided so as to assist the press and the public to understand what the court decided. The full judgment of the Court of Appeal is the only authoritative document. Judgments are public documents and are available at:
www.judiciary.uk, <https://caselaw.nationalarchives.gov.uk>**

Introduction

1. In this case, Prince Harry, the Duke of Sussex, seeks a declaration that the protective security arrangements provided for him on his visits to the UK are inadequate and unlawful. The defendant to the claim is the Secretary of State for the Home Department (the SSHD) because she is accountable to Parliament for the Executive Committee for the Protection of Royalty and Public Figures (RAVEC) which provides protection for Royalty and certain other VIPs.
2. On 28 February 2020, Sir Richard Mottram, then Chair of RAVEC, wrote a decision letter, explaining that protection would be withdrawn from the Duke and Duchess of

Sussex from 31 March 2020. In early 2020, the Duke and Duchess of Sussex moved out of the UK to live first in Canada, and then later in California.

3. The main issue raised by the appeal is whether Sir Peter Lane (the judge) was right to dismiss the Duke of Sussex's claim. The judge decided that RAVEC, in taking its decision to withdraw the Duke's security, had good reason not to follow its 2017 policy. That policy provided that RAVEC would evaluate a risk analysis conducted by its own Risk Management Board in order to determine which individuals should receive protection. RAVEC had not commissioned any risk analysis from the Risk Management Board in respect of the Duke of Sussex before taking the decision. The judge also decided that the Duke of Sussex was not in an analogous position to certain other VIPs for whom protection is provided by RAVEC.
4. Part of the two-day hearing before the Court of Appeal (Sir Geoffrey Vos, Master of the Rolls and Lord Justices Bean and Edis) was conducted in private, because of the confidentiality of the security arrangements provided for members of the Royal Family and other individuals. The judgments are public, but they have a short Confidential Annex, which will not be made public in case it puts any of the persons protected by RAVEC at risk.

Did something go wrong with the process?

5. Ms Shaheed Fatima KC, leading counsel for the Duke of Sussex, submitted that this case had an important human dimension. She submitted that the Duke of Sussex's life was at stake because of the decision making in this case. She said that the bespoke process adopted by RAVEC had singled the Duke out for especially inferior treatment

as compared to all others protected by RAVEC. In effect, it had been pre-determined in the decision letter that, on future visits to the UK, the Duke of Sussex would be provided with a lower level of security than had been provided for him throughout his adult life. This demonstrated that something had gone wrong with the process. Ms Fatima submitted that the Claimant was still subject to the same risks as he was before he stepped back from Royal duties, and that the impact of an attack upon him was obviously still just as significant as it had always been. His military service placed him at particular risk. Although it was not suggested that no security provision had been made, the Duke of Sussex strongly criticised the adequacy of what RAVEC had determined was appropriate on each occasion.

6. The Master of the Rolls said in his judgment that these were powerful and moving arguments, and that it was plain that the Duke of Sussex felt badly treated by the system. But, having studied the detail of the extensive documentation, he could not say that the Duke's sense of grievance translated into a legal argument for the challenge to RAVEC's decision. The legal question, indeed the only question, for the court was whether Sir Richard had failed to follow RAVEC's policy without good reason.
7. From the Duke of Sussex's point of view, something may indeed have gone wrong, in that an unintended consequence of his decision to step back from Royal duties and spend the majority of his time abroad has been that he has been provided with a more bespoke, and generally lesser, level of protection than when he was in the UK. But that did not, of itself, give rise to a legal complaint.

Did Sir Richard fail to follow RAVEC's policy without good reason?

8. The Master of the Rolls said that Sir Richard had indeed failed to follow RAVEC's policy. There were four main reasons why he held as a matter of law that Sir Richard had had a good reason for having done so.
9. First, RAVEC's policy was inward facing and unpublished and concerned an area of national importance that was peculiarly within the expertise of law enforcement agencies, RAVEC and the Royal Household.
10. Secondly, in this area of high political sensitivity, the court had considerable respect for Sir Richard and RAVEC as decision makers, because they had unrivalled expertise and experience in the field of Royal protection.
11. Thirdly, the decision was explained in contemporaneous documents to the effect that the Risk Management Board would not undertake further risk analyses for the Duke of Sussex because they were no longer required given the alternative governance arrangements that were to be established on a case-by-case basis for the future. Sir Richard had, however, obtained three threat assessments for the Duke of Sussex during February 2020 before writing the decision letter.
12. Fourthly, Sir Richard and RAVEC had given compelling reasons for having reached the conclusion that the appropriate course was to establish bespoke arrangements for when the Duke of Sussex returned to the UK on future visits. The Duke was, in effect, stepping

in and out of the cohort of protection provided by RAVEC. Outside the UK, he was outside that cohort, but when in the UK his security would be considered as appropriate depending on the circumstances. It was impossible to say that this reasoning was illogical or inappropriate. Indeed, it seemed sensible.

13. Finally, even if there had been a risk analysis from the Risk Management Board, it would very likely have only confirmed the threat, vulnerability and impact levels which the Duke of Sussex had faced when earlier risk analyses were undertaken. But it would have had nothing to say on the critical features of the changed situation, namely the need for protective security on future uncertain visits and the Government's appetite for risk.
14. The decisions taken in the decision letter and subsequently were taken as an understandable, and perhaps predictable, reaction to the Duke of Sussex having stepped back from Royal duties and having left the UK to live principally overseas.

Conclusion

15. Accordingly, the Duke of Sussex's appeal would be dismissed.