

Time Out

The Living Guide To All London's Events
Plus News & Reviews
December 10-16 10p

Now We Are All Angry



*Jake Prescott . . . 15 years . . .
Ian Purdie—acquitted but still imprisoned . . .
whose 'evil conspiracy'? . . .
the questions that were never asked . . .
'I still believe that Jake is innocent'—Mrs Purdie . . .
'Mr Justice Melford Stevenson deserves the gratitude
of every democrat' . . .*

Mathews: Can you suggest to us any conceivable way in which A could have known that unless you had told him

Jake: Yes, the police

Jake Prescott was arrested on February 11th this year, Ian Purdie on March 6th. The committal proceedings at Barnet took five weeks and the prosecution called eighty witnesses. The trial which ended at the Old Bailey on December 1st, lasted three weeks. In such a long and complex case, it is difficult to review the entire course of events. The chronology opposite details the significant dates. Here we shall concern ourselves with four or five key areas.

A, B, C & D

On January 19th, Jake was arrested in Notting Hill in connection with a cheques case; he was taken to Brixton and remanded in custody until February 3rd when he was released on bail. On February 2nd, Mr A, who shared a cell with Jake for just over a week, volunteered a statement to Habershon—the man in charge of investigations into the Angry Brigade bombings. Habershon saw Mr A for 1½ hours alone, on February 2nd and 9th, at Camberwell court (in every other pertinent interview, Habershon was accompanied by Allard or Bond). No record of this first meeting was kept, or if it was, was not presented in court—A signed statement after the second meeting. Mr A alleged that Jake had 'confessed' to him, that he was a member of the Angry Brigade, that he had stolen explosives from the Edinburgh area, personally taken part in the bombing of Carr's house and the DEP, and that his group had done the Miss World Contest. After his second interview with Habershon (also 1½ hours), A was transferred to Wandsworth—his trial did not come up until April 2nd. Mr A was charged with stealing a lorry from Weston-super-Mare and £6,000 of silver from Newcastle; it would have been usual for him to have been sent back to one of these places to stand trial. However, in the event, he was sent to prison for 3 years at London Sessions (he had 12 previous convictions).

On the basis of this statement, Jake was re-arrested on February 11th and charged on February 13th. At the Barnet committal proceedings, he faced 'conspiracy' (with Ian), and the bombings at Carr's, the DEP and Miss World. On February 17th, Mr B came forward independently of Mr A, they had not discussed it, and offered to make a statement. Habershon and Allard interviewed him. It supported Mr A's testimony.

It is the week Jan 27 - Feb 2 that Mr A, Mr B and Jake shared cell 334. B arrived first, A joined B and Jake a day later. It is during this week Jake is alleged to have held the incriminating conversations. Who then did Jake share his cell with from January 19 - 27? With Mr C and Mr D it was revealed at the committal proceedings. Had Jake had similarly 'incriminating' talks with them? It appears not. They were ques-

tioned by Allard. They were not called by the prosecution to give evidence. It was at this point in the proceedings at Barnet that 'crown privilege' was invoked to place only those interviews recorded in Allard's notebook 'relevant' to this case in evidence. It was known to contain interviews with C and D, and members of the press. And also presumably contained interviews with other suspected persons who might have been connected with the bombings, for Jake and Ian cannot have been the only people under investigation at the time. Or were they, it appears that their questioning by Habershon and Allard, on February 12th and March 7th respectively, followed on from one another in Allard's notebook.

A and B's statements led to Jake being charged with three bombings. The Miss World charge was withdrawn when a prosecution witness stated he was in Edinburgh on the day of the explosion. He was acquitted of the other two by the jury at the Old Bailey. A & B's evidence 'was the basis, of course, on which Prescott was re-arrested', Stevenson. Without this would Jake have been in the dock to face 'conspiracy' charges?

The five main points against Jake were, said the prosecution,

1. The visit to Edinburgh, allegedly to steal the explosives—it transpired during the trial that the explosive used at Carr's could more than likely have been Gomme L, found at Amhurst Road. Jake was anyway acquitted on the bombing charges.
2. Mag Methven and Cathy Steer's short visit to London from Edinburgh, when they thought something secret was being planned. Methven was declared a hostile witness by the Judge.
3. The handwriting on the envelopes
4. The testimony of Mr A and Mr B
5. The interview with Habershon

In the light of the jury's verdict, it is now possible to pose the question—could Jake have been cleared on all the counts?

The verdict

Jake was found guilty of conspiracy and sentenced to 15 years. The only hard piece of evidence against Jake was his admission that the handwriting on three of the envelopes which contained the Angry Brigade communique concerning the Carr bombing, was his own. The three envelopes were posted from Barnet on the night of January 12th to the Times, Guardian and Mirror. Yes, he had written them, he told the court, but he had not known what they were going to be used for. No, he would not name the people concerned, he had made enquiries and they were not prepared to come forward. Is this a reasonable explanation, or is it proof of his participation in the conspiracy?

The handwriting on every other A.B envelope sent to the papers was disguised, so as to be unidentifiable. Surely, if he was knowingly part of the con-

spiracy, he would have taken a similar 'precaution'?

This alone then is surely not proof, beyond reasonable doubt, of his participation in the conspiracy. His defending QC clearly defined the nature of proof required when he said:

'Associating with a conspirator is not enough. Even knowing a conspirator's views, even sharing those views, is not enough. There must be proof of an actual agreement to commit the crime charged'.

The defence

The defence group saw 3 lines of attack: factual, legal and political. Plans were therefore made on this basis, but in practice things did not work out that way. The lawyers quickly took the initiative and held it, the defence group never got a look in. One of the results was that when Mathews, for the prosecution, announced that he had the agreement of the defence QCs not to call Carr, the most surprised people in the courtroom were Ian and Jake, who knew nothing of this decision. The game was played by the rules and Jake got 15 years.

Stoke Newington Six

On the first day of Ian and Jake's trial, the defence lawyers accepted, without dissent, an amendment to the charge of conspiracy to include the names of the Stoke Newington Six. This meant that the prosecution was able to cite at length, and at every juncture, details of all 27 'outrages', even though Ian and Jake were only alleged to have conspired for a few months, in 'some' of the incidents. This should have been challenged then, and throughout the trial. Not only for the sake of Ian and Jake, but also in the interests of the Six, who were not present.

This enabled the prosecution to make the following suggestions:

'Therefore, if you find that the evidence is overwhelming that those 6 persons arrested in August were some of the persons responsible anyway for those bombings, then it becomes important, does it not, to see what, if any, connection these two defendants had with any one or more of those six persons while they were at liberty over the period of the alleged conspiracy' (Nov 25)

'And what you have to do is this: one has to look and see the way their minds were thinking at the time, and consider in the context of the question of association with others who were clearly guilty, whether Prescott and Purdie held such revolutionary beliefs that this confirms the other evidence that there may be of participation'. (Nov 25)

It should be noted that any statements made in this trial in evidence, or by the prosecution or by the judge is not evidence that can be used against the Six.

No time for legal niceties

1968

Mar 3

First recorded bomb of the 'conspiracy' at the Spanish Embassy

1969

Feb 3

Banks of Spain and Bilbao bombed

1970

Feb

Mr. A, warrant out for his arrest in connection with a theft

Mar

Mr. A caught but jumps bail

April 2

Mr. A at London Sessions for dishonest handling

June

Mr. A re-arrested for stealing a lorry from Weston-super-Mare. Granted bail, and for the second time jumps it

July 30

Ian leaves Albany Prison on the Isle of Wight. Beginning of the conspiracy charge, alleged to have joined 'the Angry Brigade'.

August 30

Bomb at Putney home of Sir John Waldron, Commissioner of the Metropolitan Police

Sept 8

Bomb at Chelsea Square home of Sir Peter Rawlinson, the Attorney-General. This like all the other bombings until January 13th goes unreported.

Sept 17

Jake parolled from Albany Prison

Oct 30

Second bomb explodes outside home of Sir Peter Rawlinson

Nov 16

Explosives stolen from Collace Quarry in the Edinburgh area. The prosecution suggests Ian and Jake took them

Nov 20

BBC van outside the Royal Albert Hall to report on the Miss World Contest is bombed, at 2.30 a.m. A student tells the police she saw six male youths at 12.30 a.m. Jake was charged with this explosion, but was later proved to be in Edinburgh renting a car, by the testimony of a prosecution witness.

Nov 30

Mag Methven and Cathy Steer, two witnesses for the prosecution at the Old Bailey arrive in London from Scotland.

Dec 3

Spanish Embassy in London is machine-gunned at the time of the trial of Basque nationalists

Dec 8

Demo against the Industrial Relations Bill. Methven and Steer leave London

Dec 9

The Department of Productivity in St. James' Square bombed in the early hours of the morning

Jan 1

New Year Party in Edinburgh which Ian and Jake attended with others and where the prosecution said bombings were planned

Jan 9

Mr. A re-arrested at Oval, London and sent to Brixton

Jan 12

Massive demonstration against the Industrial Relations Bill. Carr's house at Monkenholt, Hadley Green Road, Barnet bombed. 1st explosion

10.05 p.m., 2nd at 10.20 p.m. For the

st time the public learns of the outrages' and the Angry Brigade. n 13 conference held at Hadley Green tended by Major Henderson (the



pl explosives expert), Habershon, commander Bond and Commander ace. 1st known raid at 6.30 a.m. on Suddleston Rd. N.7 followed by another in Liverpool Rd., N.1. The Times, Guardian and Mirror all receive B. communiques, postmarked Barnet 0.45 p.m. It was these envelopes that ke's handwriting was found and which proved to be the only piece of concrete evidence' against him.

n 14 an to protect Cabinet Ministers announced. Mirror offers £10,000 ward for information leading to conviction. Home of Stuart Roche, schools union activist raided.

n 15 Robert Purdie, Ian's brother and five Americans are searched and questioned at Barnet by Palmer-Hall and Allard. Robert told they are looking for Ian

n 17 Anne Lamche's house raided at 10.30 a.m. Two are taken for questions. 10.30 a.m. raid on Agitprop house in Muswell Hill, Harris Gleckman questioned by Habershon

n 19 ke arrested in Notting Hill with 100 books. Four known raids, nothing found

n 20 ke appears at Marylebone court. Ian voluntarily gives statement to Habershon and Allard (nearly all the pertinent interviews are conducted by Habershon, with Allard taking notes)

n 21 Paul Lewis of IT questioned

n 22 Chris Allen is questioned in Edinburgh by CID. Habershon goes to Edinburgh for 3 days

n 23 another raid in Edinburgh

n 24 Six police raid a London house and Ross Flett and Phil Carver were questioned for four hours at Barnet. William Nash, an articled clerk to Ben Birnberg, is refused access to them by Habershon.

n 27 ke appears on remand at Clerkenwell. Ross was there, so was Ross W.E. Central). Ross was Ian's arresting officer for the Ulster Office 'bombing' for which he was sent to Albany for six months) and Ross also testified against ke on the 'gun' charge (for which he was sent to Albany in 1969)

r. B. at Woolwich court, he returns, and is put in the same cell as Jake and r. C. Mr. A. at Clerkenwell court and

returns to the same cell he had previously shared with 'B'.

Feb 1 Mr. C. gets bail

Feb 2 Mr. A. went to Camberwell court on remand and was questioned by Habershon, alone, for the first time. On Feb 9 Mr. A. went to Wandsworth Prison, on leaving court and having been questioned by Habershon alone for the second time. At Barnet he stated that he, Mr. B. and Jake were together in the cell for about a week. Jake had entered Brixton on Jan 19, for 12 days, he shared his cell with Mr. C., and for a couple days with Mr. D. Mr. A.'s statements alleged Jake admitted the bombings at the DEP, Carr's home and the Miss World Contest.

Feb 3 The very next day, Jake is released on bail. Ian is again in the court, so is Ross.

Feb 9 Mr. A. to Wandsworth Prison after 2nd interview with Habershon

Feb 9 Raid on house in Hampstead

Feb 11 Jake and a Dutch friend, Jan, arrested by Piggott at 2.15 p.m. They were taken to Barnet police station and denied access to legal advice for two days. Habershon, Allard and Bond interviewed Jake. Meanwhile at Bow Street Magistrates Court there took place an incredible abuse of police powers. Four girls were

abducted from the court amid a great commotion, which brought the proceedings to a standstill. All four women who lived at Grosvenor Avenue, were forcibly taken into custody and taken to Barnet Police Station, the centre of Habershon's inquiry. They were later released without being charged. A senior partner of Birnberg and Co. was told by Habershon that he was 'not concerned with legal niceties'.

Feb 12 Jake's defence counsel makes preparation for writ of habeas corpus, which would require the police to charge or release his client. Habershon questions four girls from Grosvenor Avenue at Bow Street. Another 'suspect' is visited at work.

Feb 13 Jan is released and not charged. Jake is charged at 12.30 p.m. and for the first time sees his lawyers. Manchester, house in Cannock Street raided.

Feb 14 Jake's first court appearance at Barnet

Feb 16 PC Partington, 416 S, returns to Carr's house for the second time to map the rear. (This is relevant to A.'s allegation that Jake said the two girls went round the back of the house)

Feb 17 Mr. B.'s statement is taken by Habershon and Allard

Feb 19 Habershon in Edinburgh—two houses are searched and people questioned

Feb 20 Mike Kane's house raided

Feb 21 IRB Demo—Ian goes on it

Mar 5 House in Notting Hill raided

Mar 6 Ian arrested. The house in Tyneham Road, SW11 was raided on an explosives

warrant. Habershon said at Barnet: 'The raid was to find explosives and Ian Purdie. They are synonymous as far as I am concerned'. He admitted in court that he ordered Ian's arrest for questioning, which is illegal

Mar 7 After examining the blue folder, Ian was charged at 5.25 p.m.

Mar 10 Ian joins Jake in weekly court appearances at Barnet court. In Brixton they are both in the security wing—for class 'A' prisoners—and kept in their cells for 23 hours a day

Mar 18 Habershon's claim that he had 'caught' the Angry Brigade is shattered by the bombing of the administrative building at Fords

Mar 20 House busted in Notting Hill

Mar 23 Ten men and two dogs raid Grosvenor Ave. for the second time

Mar 24 Two raids in E. London

April 1 House raided in Notting Hill and defence files for the Powis Square trial are illegally seized

April 2 Mr. A. sentenced at London Sessions to 3 years for stealing a lorry and £6,000 worth of silver. It is his 13th conviction.

April 22 Committal proceedings start at Barnet. After defence application to High Court for trial date to be set

May 1 Biba's of Kensington bombed by Angry Brigade. May Day demos

May 6 Mr. A. appears to give the whole story. The court is adjourned so the defence can apply to a High Court judge for an order to remove Habershon from the court, as he is a witness. This is turned down.

May 11 Carr in court

May 13 Mrs. Zawadecka, a car hire clerk from Edinburgh, called as a prosecution witness, tells the court that both Ian and Jake were in Edinburgh on the day of the Miss World bombing. This charge against Jake is dropped

May 22 Angry Brigade bombs Tintagel House, HQ of special investigations, officially called a 'computer building' Agitprop house in Muswell Hill raided for the second time

May 25 Commander Bond, alias Commander X, appears as a witness at Barnet court

May 27 Ian and Jake committed for trial

Jun 22 Angry Brigade bomb home of William Batty, Managing Director of Fords

Jun 23 Scotland Yard announce: 'We have been ordered to treat the Angry Brigade as Public Enemy No. 1', and Commander X is appointed to lead the search

July 31 Angry Brigade do Davies' London home

During the summer The raids continue. Ian gathers evidence to cross-examine Carr. Jake asked for

his trial to be put off until next year so he can get a QC—this is refused. In mid-August Platts-Mills QC accepts Jake's case. The trial is set for September 7th. Starting on August 8th, at least 12 raids were carried out in London alone. On August 15th Angry Brigade bomb army recruiting office in Holloway Road.

Aug 20 Stoke Newington Six arrested and held incommunicado for 33 hours. Over the weekend London is awash with SB cars.

Aug 23 Stoke Newington Six charged

Sept 4 March to Brixton Prison for Ian and Jake

Sept 6 DPP asks for more time, so new trial date set for Oct. 7. First the prosecution tried to get Ian and Jake in court with the Six, but the Judge said they had already been in prison a long time. Orders new trial date when defence have had a chance to digest the 1,000 pages of 'new evidence'. Platts-Mills withdraws as Jake's QC, and Duncan is later appointed.

Nov 10 Trial opens at the Old Bailey

Dec 1 Trial ends. Jake is acquitted on two counts and given 15 years for conspiracy. Ian is acquitted but remanded in custody on a cheques charge—for which others are out on bail of £250.

(Raids, in the context, means searches carried out on explosions warrants. And, of course, only those raids which have come to our attention are recorded—there were so many others).

Commander Ernest Bond



'History Will Show Who The True Conspirators Are' - Ian



Throughout this trial the 'real conspiracy' on behalf of the State by the government, the police,

the press and the courts has been unheard. In January the Daily Mirror offered £10,000 for information leading to the conviction of the 'bombers', and in doing so expressed the feelings of society at large. Find the bombers and we'll put them away for life. Two men, Ian and Jake: 'likely candidates for the outrage' (Habershon)—were arrested and charged. And the 'facade' of democracy and justice swung into action.

With only one exception the 'democratic' institutions, played the role expected of them. The police produced the victims (with previous convictions) and enough evidence to satisfy the magistrate who committed them for trial, the press reported police stories on cue and 'bayed for blood', 'politics' was kept out of the trial by the defence when it was the clearly stated 'motive' of the defendants. The jury who chose to withstand this pressure and throw out three of the charges. The facade had failed. Within twenty four hours, Melford Stevenson, restored the course of justice, democracy was safe again and the press had its story.



The Police: 'I challenge the bonafides of the whole investigation', were the words of Rosen, Jake's

counsel at Barnet. Rosen was denied access to Jake for 48 hours when he was arrested, had to apply for a writ of habeas corpus to force the case to come to trial, and alleges he was insulted by the police. This is just one side of the issue. Since January of this year Habershon's Squad, supervised by Commander Bond, have been raiding peoples' homes up and down the country. As early as February 16th Tony Smythe, General Secretary of the National Council for Civil Liberties, wrote to Maudling: 'the conduct of the investigations has gone far beyond the restrictions which must necessarily be placed on police activities if the civil liberty of ordinary citizens is to be preserved'. Ten months later this looks a clear understatement. Peoples' houses have been ransacked. Members of the Ian and Jake Defence Group raided again and again. Habershon tried to remove papers relating to the defence case from Agitprop in

August. Dozens of personal address books were removed, the names cross-referenced and recorded for future use.

The mystique surrounding the appointment of Commander 'X' exposes the nature of the 'public lie'. Officially Commander Ernest Bond was appointed on June 23rd to head the search for the Angry Brigade—Public Enemy No. 1. In fact he interrogated Jake, with Habershon, at Barnet in February. He appeared as a prosecution witness in the committal proceedings at Barnet on May 25th. It is clear that Bond was working on the case from September 8th, 1970, after the bombing of Sir John Waldron (Commissioner of the Metropolitan Police), if not before. He sanctioned the charging of Ian and Jake. But the jury in apparently not accepting the evidence of Mr. A and Mr. B threw doubt on the statements they gave Habershon, Bond's subordinate.



The Press: That the press did not report his identity is of course not surprising; it is their role to present

the 'public lie'. Only on the day after the trial finished was it publicly admitted and dutifully reported that the Angry Brigade was still at large—'Yard ready for Angry Brigade's leaders' (Daily Mail). Before this it was asserted that the Post Office Tower bomb was the work of the IRA. Now six bombings later, and with one of the 'conspirators' sent down for 15 years, it is convenient for the truth to be known.

'By emphasising the rule of law, Mr. Justice Melford Stevenson deserves the gratitude of every democrat'—Daily Express leader. The role of the press in this trial has been important for two reasons:

1. It has exposed their function in maintaining the facade of justice, by failing to report obvious legal and factual inconsistencies. Not one paper reported the gross disregard for 'justice' in Ian's continued detention. And some articles have come close to prejudicing a fair trial, in the opinion of one legal expert. On Monday, November 8th, both evening papers carried front page headlines of 'London Raids by the Yard's Bomb Squad' (Evening Standard and Evening News). This was just two days before Ian and Jake's trial started. Both stories mentioned the trial at the Old Bailey and the Angry Brigade—almost certainly contempt of court. Two houses were raided, Mayola Road (the Defence Group

address) and Grosvenor Avenue; both had been raided three times before. These raids 'planned over the weekend' were fortunately timed to get the headlines for most of Monday.

2. By juxtaposing democracy and justice they have spelt out the values of society in such a way as to finally guarantee their rejection by all radicals. It is their democracy which imprisons those damaging property while supporting the rape of Northern Ireland.

It was pretty incredible to have placed a financial appeal for coffee-machines, televisions, 'high quality' playing cards and darts for 'our boys in Ulster' on the same page as the story of Jake's sentence, in last Thursday's Daily Mirror.

The Evening Standard in an article headed 'The red badge of revolution that is creeping across Britain' delineated the battlelines:

'These guerrillas are the violent activists of a revolution comprising workers, students, teachers, trade unionists, homosexuals, unemployed and women striving for liberation. They are all angry... Whenever you see a queue for strike pay, every public library with a good stock of socialist literature... any would be a good place to look. In short, there is no telling where they are'.

'He has friends all over the world'—Habershon



The State: A society which can reach an agreement with Rhodesia guaranteeing apartheid for the

foreseeable future, which can sell arms for everyone's wars, which can conduct a witch-hunt for bombers while totally ignoring two men who permanently injured ten black people in the Sunderland Road bombing, which can refuse an inquiry into the death of Stephen McCarthy who died in prison, which can muster enough circumstantial evidence to send Jake down for 15 years which has in its midst two policemen convicted of assault on Oluwale, is a society for which we can only have contempt. The continued existence of the prevailing order depends on the use and threat of force. The violence of our society is there on the faces of the unemployed, the old, the poor, the gypsies, the blacks...



We must not allow Habershon and his bosses nor the actions of the courts to scare us or detract our

efforts from the wider political struggle—'The main thing is for people to learn from what happens to us and for people to understand, organise and fight till it changes. We're both happy knowing that change will surely come'—Ian, letter from Brixton, May 7

DON'T MOURN - ORGANISE

Free Jake: he was convicted on circumstantial evidence and his political beliefs, in an atmosphere of 'suspicion and prejudice'. What is the truth about Mr A and Mr B? What happened to Mr C and Mr D?

Free Ian: he is being detained in prison while others on the same charge are out on £250 bail. He was acquitted of 'conspiracy' and has already been in prison for 9 months awaiting trial.

Can the Stoke Newington Six get a Fair Trial? They have already been 'tried' by this court.

Who Will Investigate Now? The evidence of Mr A, Mr B apparently not accepted by the jury and given in statements to Habershon? Who will investigate alleged harassment by Special Branch squads? Who has the hundreds of names and addresses taken from peoples' homes under explosives warrants?

Donation Form

Please send to:
The Ian and Jake Defence Fund,
C/o Consolidated Credits and Discounts Ltd.,
23 Dorset Street,
London, W1
I enclose £.....
Name & Address (if you want to give it):

.....
.....

Stevenson And The Garden House Affair

The morning after Mr Justice Melford Stevenson sentenced Jake Prescott to 15 years, most of the national press carried small profiles of the Judge. They were mainly anecdotal tales of his outspoken comments in past trials or awe-struck comments on his harsh sentencing. Nicholas de Jongh in the 'Guardian' summed Stevenson up as a man who had a reputation for 'tempering sternness with severity'. Yet all the press quickly passed by his handling of the Cambridge 'Garden House Riot' trial that took place in Hertford in June last year. The trial (despite it being on less serious charges), the events leading up to it, and the sentences Stevenson meted out to those found guilty, parallel closely the Ian and Jake trial.

Greek Gourmets

On the night of 13th February, about 400 Cambridge students gathered around the Garden House Hotel to protest against a 'Greek Gourmet' evening that was in progress inside.

The demonstration was mainly confined to shouting and a small amount of jostling. There were few police at the beginning, and for twenty minutes or so the students were in the unguarded back gardens of the hotel—ample time for a 'riot' if that was the intention. The 'riot' consisted then of a few people drumming on windows with their hands and some chanting. The focus of the action then switched to the other end of the hotel. Here police tried to clear people back from the windows, and during the next hour or so there were sporadic and often accidental, outbursts of violence. It was short though, and although windows were smashed and some people slightly injured, most people on the protest felt a sense of anticlimax and people started to drift away around 10.30. Nine students had been arrested, six to be charged that same evening, and £2000 worth of damage was said to have been done to the hotel (mainly damage to gardens and smashed windows). Despite the damage, one would have expected those arrested and charged to have appeared the next day in the magistrates court to face the normal demonstration charges of obstruction etc.

Tory Run-Up

But the Cambridge Demo happened to coincide with the start of the Tory campaign to lead up to the Summer General Election, and also with the need of the existing Government to find new ways of dealing with political demonstrations. Although the 'normal' charges were expected, the Chief Constable of Mid-Anglia, Mr Frederick Drayton-Porter, decided otherwise. He plumped for Riot Charges and the common law offence of riotous assembly. His thinking has been echoed by the attitude of the Attorney General Sir Peter Rawlinson, who preferred the same charges against those arrested at the London Senate House demo in the Autumn of 1970. There, the charges were successful and

with Cambridge, must be seen as another chance to create a precedent in using ancient laws to apply to modern-style demos.

Town Loves Gown

Drayton-Porter's attitude was later endorsed by the Cambridge University Authorities. On the 18th February, the police, University representatives and Council officials, held a top secret meeting to decide what could be done to stop further demos. The day after this meeting, the University Proctors (a kind of special police on Campus), gave the police a list of sixty names (including students and dons), who they had seen at the Garden House affair. On the 20th February, six students who had been arrested at the hotel, were charged. They faced obstruction, assault and wilful damage counts. As yet, no unlawful assembly or riotous assembly charges had been preferred.

Lord Hailsham (Quintin Hogg)—who was in a few months time to become Lord Chancellor—complained on February 17th (4 days after the 'riot') 'I do not remember that there have been many indictments for unlawful assembly or riot or forcible entry under Mr Callaghan'.

Prosecutions for unlawful or riotous assembly are rare in this country, because, like the conspiracy charge in the Ian and Jake trial, they are vague and all-embracing. The last time that they had been successfully used was in the 1930's against miners.

Unlawfully Assembling, Sir?

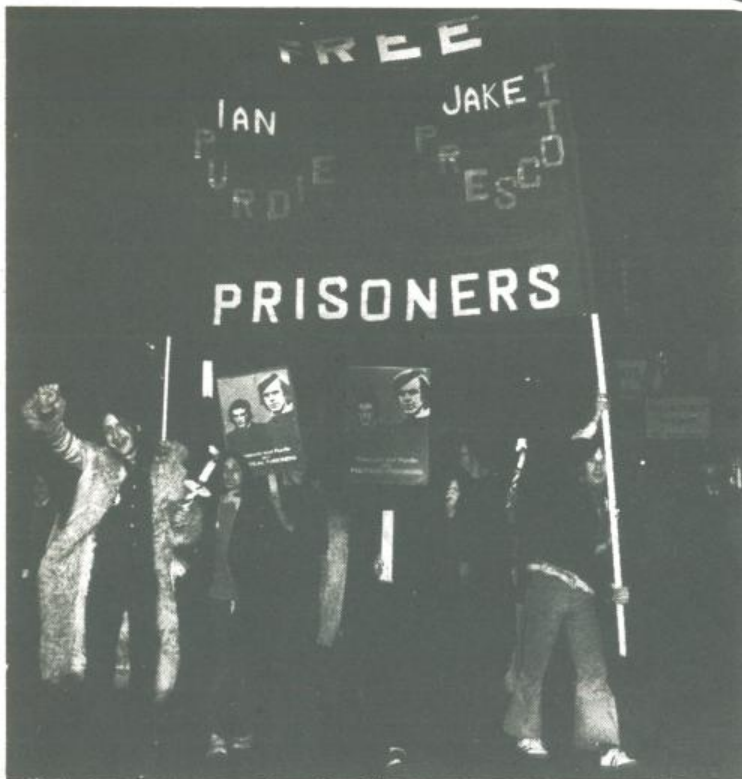
Unlawful assembly is, broadly, a gathering of three or more persons with a common intent either to commit some crimes of violence or achieve some other object, whether lawful or unlawful, likely to cause people to fear a breach of the peace. This charge escalates to riot when violence itself occurs. The crucial point of these vague and ambiguous charges is that an active presence at such an assembly can be taken as evidence *prima facie* of guilt. They had first been attempted at the trial of people arrested at South Africa House in 1969, and had failed. They did not at the Garden House trial though.

Between April 14th and 21st, an extra 14 people were charged (12 out of a total of 15 were prominent members of the Socialist Society). Most were on the list prepared by the Proctors. 13 were accused of unlawful assembly, and the first six arrested were additionally charged with riotous assembly.

At the committal hearing, four of those charged were cleared (one person charged was not even mentioned in court), and the other 15 committed for trial. At the end of the hearing, June 11th was fixed as the day that Cambridge Assizes would decide where and when the case was to be heard.

Dartmoor Hilton?

The presiding Judge was Melford Stevenson. Lord Gifford, acting for some of the defendants, asked for the case to be



More than 450 people marched in a torchlight procession from St Pauls to the Appeal Court in the Strand on Monday night (6th December) to protest against the conviction of Jake Prescott and the refusal of bail to Ian Purdie. Organised at very short notice, the march contained many people who would not normally take part in protests. The anger they felt was contained by a heavy police escort. An attempt was made to burn an effigy of Judge Melford Stevenson outside the appeal court but was stopped by police intervention. The march then went to the London School of Economics where future action was discussed.



heard in Cambridge in October, as any other venue would seriously inconvenience many of the defence witnesses. Some would be living in London and would not return to the city until the new term started. Stevenson refused the application outright, commenting that those inconvenienced could 'be safely accommodated in the cells'. He said that the case would be heard on the 24th June at Hertford Assizes. Stevenson, a one-time conservative candidate for parliament, was also to be the presiding judge at the assize.

On June 12th, the Tories won the general election and Hailsham became Lord Chancellor. Some three days later, June 15, nine days before the trial was to start, defence lawyers were informed of a final indictment against the students. All 15 now faced charges of riotous assembly and one, Rod Caird, faced no less than four more counts.

Undergraduate Krays

The trial opened on the 24th with Stevenson arriving in a limousine to be greeted by a fanfare of trumpets. The police had let it be known that protection for the Judge was greater than the precautions they had organised when he was hearing the Kray Trial. At the beginning of the case, Stevenson ruled that 'Politics have nothing to do with this case. I am not going to allow this court to be used as a vehicle for political propaganda of any kind. . . the question is whether the law was broken and nothing else'. Yet a Socialist Society communique which had been written after the event was introduced and the prosecution was allowed by the Judge to ask questions about it. Elsewhere in the trial, Melford Stevenson was to say, 'Political opinions carry no penalty in this country'. The trial was to become notorious amongst both 'left' and 'liberal' opinion. First for the severity of sentences handed out, and also for the way that Stevenson treated the defendants, and his remarks to them. He was not faulted by the Appeal Court though, who firmly endorsed his handling of the case.

The Socialist Society Communique, although not admitted in evidence, did provide a basis for what was, quite clearly, a political cross-examination of witnesses. The Judge got round this when in his summing up he declared, 'Members of the jury, none of the defendants in this case is shown to be the author of that document or connected with it, and you must forget it. . . it is again a political matter which does not affect the case in one or the other'.

If that were the case, some legal experts commented after, why allow it to be introduced in the first place?

Starring Judge Stevenson

The official transcript of the case, which the Appeal Judges used when they were considering their decision, does not of course include the way that Stevenson acted. It does include some of his verbal interruptions, but not many. Stevenson has, and this was shown again at the Ian and Jake trial, acquired a battery of facial expressions, and hand movements. These were used to show exactly how he felt. 'Go down' or 'Go away' were the words he chose when defendants were asked to return from the witness box to the dock. When defence lawyers tried to make a



Outside the Garden House Hotel on the 13th February, 1970—so who was pushing?

point, Stevenson would often affect complete boredom. He would blow, sigh, hitch up his sleeves, scratch the back of his head, look at the jury and raise his eyebrows and ostentatiously put his pen down. This behaviour prompted one defence QC, Basil Wigoder, to tell the Appeal Court that in his view, Melford Stevenson had 'in effect told the jury, from the start to finish, not to take any notice of what counsel were saying'.

Stevenson's interruptions against some defence witnesses bear repeating. He told a woman witness who spoke quietly (who is a Cambridge graduate and has a high degree from London University) 'You'd have thought that with all those degrees they'd have taught you to speak up'.

He stopped another of the defendants, Derek Newton, in the middle of a cross-examination and said quite clearly 'You're supposed to be a student of English at Cambridge and of some academic distinction. Do think what you are saying'.

Also the cross-examination of Rod Caird. Rod had been asked if he maintained the right to go on private property and bang on windows. Caird: I maintain that in that situation it was by no means so reprehensible as it would have been, to go up to somebody's house in the street and bang on their windows, because one would have no cause with the people inside. Stevenson: 'We have been told that you are a person of considerable academic attainments. Try and think of what you are saying in answering these questions'.

The defendants were naturally very angry with this sort of treatment and innuendo, but none of their Counsel were able, within the conventions of the legal profession, to contest the Judge's interruptions.

Stevenson saved his most critical views for the summing up. He presented the case as a straightforward conflict between prosecution and defence testimony, with his emphasis on the police evidence.

It is impossible to summarise here an account of the cases against all the defendants. Four of the fifteen, Caird, John, Lagden and Emley, all admitted small acts of violence, but insisted they were accidental.

Household and Williams were different. Household had been arrested early on (before any violence) and been charged with obstruction. Williams had been picked up in the Hotel car park with a mole fuse in his pocket (the fuse is literally used to smoke out moles from their burrows). No-one suggested, though, that he was anything but peaceful at the demo.

The next group of defendants, Ginsborg, Ennslin Ameil, Nagpal, Ernst and Bloxham, were to become known as the 'shouters'. Evidence came mainly from the Proctors who admitted that the group had been doing 'nothing in particular, shouting slogans'.

The last three defendants, Bodea, Stevenson and Newton, had all been seen pushing, although only by one prosecution witness in each case. Evidence in all the cases was sketchy, to say the least. Policemen sometimes got their facts wrong. And 'definite' identification and description of actions by the proctors was counteracted by equally 'definite' evidence from the defence.

The Defence had to interrupt Melford Stevenson's summing up five times to point out that he had missed vital defence evidence.

Shouters and Pushers

After four hours deliberation, the jury returned their verdict. All the 'shouters'

were acquitted as was one of the 'pushers'. Caird, John, Lagden and Emley were all found guilty of riot and of the specific acts of violence alleged against them. Household was convicted of assault and unlawful assembly. Williams of possession of an offensive weapon. Bodea of unlawful assembly (based solely on evidence from one witness that he was pushing—not a unique activity at demonstrations), Newton of unlawful assembly and possessing an offensive weapon.

The trial ended on July 3rd. Stevenson 'considered' pleas of mitigation and then picked up a piece of paper with a list of sentences on it. These, CH Rolph wrote in the New Statesman, had obviously been prepared in advance after consultation with the Lord Chief Justice. Rolph told Time Out that he heard this 'almost from the horses mouth' and pointed out that 'if this sort of thing is done, grounds for appeal are cut away and the chances of finding a judge who knows nothing about it are reduced. Similarly pleas for mitigation might be pointless.'

Stevenson's speech before sentencing was short. And, you may think, bears remarkable similarities with the words he used against Jake Prescott.

He said 'This case has nothing whatsoever to do with a peaceful demonstration. Still less has it anything to do with political views, however firmly held. . . I think I must add this—the sentences which I feel I must impose would have been heavier if I had not been satisfied that you had been exposed to the evil influence of some senior members of the university, one or two of them whom I have seen as witnesses for the defence'. He then sent all who were guilty either to prison or Borstal. The longest sentence was 18 months; the shortest six months in Borstal.