

BOX 555

METROPOLITAN

SPECIAL REPORT

15th day of November 1968

ROUTINE MEETING/POSTER PARADE REPORT

Organization: Notting Hill V.S.C.

Ref: 400/68/284

Date, Duration, Place/Event: 14th day of November 1968 from 8 p.m. to 10.30 p.m.

All Saints Church Hall, Clydesdale Road, W.11. (hall hired from The Notting Hill Peoples Association.)

Source of Information: Notting Hill V.S.C.

Admission - Private/Public: Public.

Police Arrangements: None.

Subject: Future V.S.C. activities.

Chairman, Speakers, Officials (references; new para. obtained; descriptions if necessary):

Chairman: George COCHRANE 405/ Privacy

Speakers: No speakers as such but a general discussion.

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Officials: None.

Attendance: (i) Number: 25

(ii) Groups: None.

(iii) Collection: £1.19s. 7d.

(iv) Individuals Identified:

Privacy

(v) Vehicles:
None.

Incidents: None.

Banners/Slogans: None.

Photostat copies of an article published in the 'Evening
Liberator Standard' on 12.8.68. concerning Privacy were circulated
(copies attached.)

Announcement: News announced apart from the regular Notting Hill V.D.C. meeting to be held on Thursday 21st November, 1968, at All Saints Church Hall, Clydesdale Road, W.11.

The meeting lacked any real guidance owing to absence in Glasgow. The whole evening was taken up with a general discussion on what Notting Hill V.D.C. would do between now and the next demonstration which most people present thought would be sometime in March 1969. The general feeling was that Notting Hill V.D.C. should align themselves with the Notting Hill Peoples Association and help them plan any demonstration over rents etc. particularly if these demonstrations were militant.

Privacy

Privacy



Officers Present: D.C. HN331 1
D.C. HN68 2

Privacy

Privacy

J. Hillier. 3
W.D.C. (signature)
(rank)

Submitted
Chief Inspector

- 1. Send copy to
- 2. Send memo to
- 3. Supts. to see
- 4. To note
- 5. S.B.(R)

Chief Superintendent

M.P.(X)

A man is arrested at a Grosvenor Square demonstration. In court there is conflicting evidence. The man is denied legal aid or access to a solicitor. Was justice done?

Privacy is a 34-year-old economics graduate of London University. He is married with two children, aged six and seven. Before coming to this country from Barbados in 1959, he was a prison officer in the Glendairy prison, St. Michael, Barbados. His father and brother were police officers.

Up to this spring, **Privacy** was a clerical officer with the Ministry of Overseas Development. He spent his evenings reading for a post-graduate diploma in public administration. His ambition was to return to Barbados, enter the civil service, there and-as was expected by his friends graduate to an administrative post in the High Commission here.

But now, through a sequence of events that have filled him with helpless bitterness and which now give cause for much wider concern, **Privacy** solid future has almost completely disappeared.

A sergeant

On March 17 this year, he went to Grosvenor Square, partly motivated by his strong convictions on the war in Vietnam, and partly out of social curiosity. He was alone. At about 5.45 p.m. he was arrested.

The two versions of what happened differ irreconcilably. The police say that **Privacy** was attempting to agitate the crowd, shouting: "Fascist bastards" at the police sergen around the U.S. Embassy. The police say that an officer who went to quieten him was punched on the right shoulder and kicked violently on the left shin.

A police sergeant who was later to testify that he saw the incident said that **Privacy** struck the officer, a motorcycle patrol officer, "a violent, deliberate blow".

Privacy was taken, in a coach, with about 90 others to West End Central police station. At about 8 p.m. he was formally charged with threatening behaviour, contrary to the Public Order Act, and assault on police, contrary to the Police Act 1964, section 51 (1).

A solicitor

Despite the serious nature of the charges-the assault charge is punishable by a term of up to six months imprisonment or £100 fine, or both-**Privacy** claims he was not permitted to contact a solicitor, or indeed anyone else through the night of March 17. A request to contact a friend in the Barbados High Commission was also refused.

He appeared at Marlborough Street Court the next day. He was granted bail of £50 but was refused legal aid, again despite the gravity of the charges.

Privacy appeared on summary trial at Marlborough Street, before Mr. J. Aubrey Fletcher, on March 28. He was unable at that stage to produce any witnesses, despite strenuous efforts.

Privacy's solicitors, B. M. Birnberg and Co., had engaged counsel, Mrs. Barbara Calvert, and **Privacy's** version of the incident was presented.

In court, he claimed that he was moving out of the central gardens in the square when he saw an Asian demonstrator being clubbed by a police officer. He said he was taking a note of the number of the officer involved, and said to a bystander something to the effect that "we have no defence against this fascist brutality."

He denied assaulting the officer who arrested him, and said that other demonstrators were trying to pull him away from the officer.

Mr. Aubrey Fletcher decided that the punch on the shoulder and kick on the shin amounted to "a most serious attack on a police officer." He found **Privacy** guilty on both charges. He said that the assault could "only be dealt with by a sentence of two months. On the threatening behaviour charge, **Privacy** was sentenced to a further month, or £15. fine.

The sentence was not suspended (Privacy was a first offender) because the charge of assault is excluded from the sub-section of the Criminal Justice Act dealing with suspended sentences.

A characteristic of British law that (Privacy) and others, cannot understand is that sentences can vary from court to court. At Marylebone Court, for instance, on charges arising from the same demonstration, a young West German-said by police to have appeared "to go berserk and hit every police officer in sight" - was conditionally discharged for three years and ordered to pay 10 guineas costs.

He also does not understand why, at Marlborough Street court, 10 days earlier than his own conviction, a 20-year-old student was fined £15 and bound over for a year for assaulting and obstructing a police officer and using threatening behaviour.

Notice of appeal was drawn up in the cells by (Privacy) and his counsel immediately after he was convicted. The appeal was heard on May 9 and 10.

Meanwhile various witnesses had independently contacted his solicitors. One witness was the man to whom (Privacy) had turned just before his arrest. This man had extensively inquired about (Privacy) after his arrest.

(Privacy) appealed against conviction only. Three witnesses appeared for him. Apart from the man to whom (Privacy) had spoken there was a social worker, who had also been arrested, who had shared a cell with (Privacy) and who gave evidence that he had been "particularly interested" by (Privacy) because "he obviously wanted help, particularly to get in touch with a solicitor and had not been allowed to ring one".

A witness

The other witness was a student who had been contacted through the Socialist Society at the London School of Economics and who had seen the incident.

After the appeal was dismissed (he did not appeal against sentence), (Privacy) went on a four-day fast in Brixton prison. He only called this off when he was allowed to petition the Home Secretary. This was on May 14. He has had no reply.

Since his release from prison at the end of May (someone unknown to him paid his fine on the threatening behavior charge), he has, in the words of his solicitors, "dedicated himself single-mindedly to establishing his innocence."

The efforts he has made seem quite extraordinary since he appears to have spent a considerable proportion of his time in attempting to interest influential bodies and persons in taking up his case." the say.

In a letter his solicitors have sent to Mr. Quintin Hogg, Shadow Home Secretary, they say: "The unusual thing about (Privacy) is that he is certainly not the only person who although innocent, has been found guilty of an offence he feels very much the stigma of a conviction on his good name, and also will go to any lengths to clear himself of what he considers to be a quite unjustified and unfair conviction."

When I raised (Privacy) case with the police, a spokesman said: "We don't discuss individual cases with a third party. If this person has a complaint, he should make it in writing to us and it will be looked into as a matter of course."

A note attached to the solicitors digest of the events sent to Mr. Hogg says that (Privacy) counsel was "particularly disturbed by the sentence and the way it was pronounced." A Home Office spokesman said:

A petition from (Privacy) was received by the Home Office. It has been considered by the Home Secretary. We cannot publish the result until (Privacy) has been informed by us. The result was sent to the prison, but I gather, was overtaken by events.

I understand, however, that the Home Secretary has seen no reason to interfere with the courts decision. The matter of the legal aid application was not mentioned in the petition.

The spokesman went on: "To generalise on legal aid, it is utterly a matter for the court to decide, having taken all things into consideration. There is no comment we can make on it all. It is decided by the gravity of the charge involved, the circumstances of the defendant and so on.

In the matter of being allowed to contact a solicitor I can, again, only generalise. The normal practice is for one to be allowed to contact one's solicitor-even before one is charged - as soon as possible. If a man has really been kept incommunicado, then it is certainly contrary to normal practice."

The spokesman added that if **Privac** could find new witnesses and new evidence then he could immediately get in touch with the Home Secretary.

In fact, **Privacy** is spending most of his time trying to contact new witnesses. He has enlisted the help of the National Council for Civil Liberties, the National Union of Students, and the Students Union at the Regent Street Polytechnic, where he was formerly a student.

Privacy has not worked since he was released from Brixton. He says "I believe that my chances of getting the sort of job I want are extremely dim. I am spending most of my time in touch with people who might be able to help me. I just want my case reopened." He has ordered a transcript of the appeal which will cost him £63.

Privacy who has worked for several years in various community projects in London, and his legal advisers are still not satisfied on the questions of legal aid, disparity of sentences, and his being held incommunicado. **Privacy** believes his case to be a cause for concern indeed.