

Wales

# Whose Conspiracy?

We reprint below a statement by four of the defendants in the ten-week long "conspiracy" trial that ended in Cardiff crown court on November 16th, 1983, (see last issue of 'Class Struggle').

## THE BITTER TASTE OF 'JUSTICE'

On November 15, at Cardiff Crown Court, the four of us were found not guilty on every one of nine charges relating to conspiracy and explosions.

These very serious charges had been hanging over us for more than 16 months, including a ten week-long trial - the biggest and most expensive court case in Welsh legal history. Throughout this time, on many hundreds of occasions, our names were published and broadcast as the alleged perpetrators of a bombing campaign.

This defamation will, despite the verdict of the jury, blight our names for many years to come.

We trust, therefore, that you will afford us this opportunity to make the following points about our ordeal, and about the police and legal system which produced it:

### 1. REMAND

Three of us spent between six months and nine months in prison on remand, awaiting trial. Cardiff magistrates remanded us week after week on the say-so of the police, making no attempt to inquire into the strength of the allegations against us. One defendant was kept in prison for six months on a charge that was subsequently dropped! During our period of prison custody, two of us lost our jobs. Yet in Britain, unlike other EEC countries, we are not automatically entitled to compensation for this scandalous injustice.

### 2. EVIDENCE

The central and essential evidence

against three of us was that we had supposedly 'confessed' our part in terrorist activities to police officers in the police station - by word of mouth only, having written and signed nothing. We have always denied making such incriminating remarks.

This use of 'verbals' - unsigned, unsubstantiated police accounts of alleged interviews - has been condemned by every professional legal body for decades. As in some American states and European countries, 'verbals' should not be admissible as evidence in court - unless they can be confirmed by a tape recording of the interview, or the presence there of a suspect's solicitor.

### 3. SEARCHES

A major element in the evidence against one defendant was the alleged 'discovery' of a chemical at his house. The defendant has always claimed that this substance was 'planted' in his house by police.

Police searches in serious cases should take place in the presence of a solicitor. The current system, under which magistrates have scattered search warrants around like confetti, must be reformed.

### 4. POLICE CUSTODY

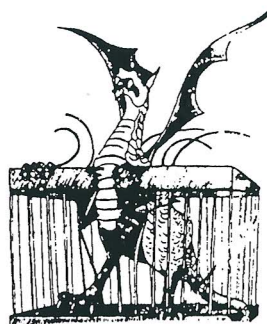
Most of our court case boiled down to a single question for the jury: "Do you believe the police accounts of what was said and done, when the defendants were in the police station, or do you tend to agree with the defendants' version of events?"

All of us insist that we were 'verballed', offered deals and threatened: two of us maintain that we were physically assaulted: one of us was brutalised into signing a false confession. The jury did not accept the police accounts of supposed interviews, nor did they accept the signed confessions as true

and voluntary.

In future, there must be safeguards for people in police custody, immediate access to a solicitor, and the right (for example) of police authority members to inspect police stations unannounced, would be a start.

## Cardiff 6



### 5. CONSPIRACY

Conspiracy charges are notorious for their use in Britain - especially in Wales - against political and trade union dissidents. They are a substitute for real evidence of criminal activity. They permit the prosecution to introduce all sorts of prejudicial matter into a trial - as was an abundant feature of this trial.

In his summing-up, Judge Farquharson told the jury that if they accepted the defence case, they the jurors would be agreeing that numerous - and very senior - officers from four different police forces had conspired to fabricate evidence on a massive scale. So who conspired against whom?

We let the jury's verdicts answer that question. for Civil and Political Liberties.

### 6. TRIAL BY JURY

Had we been tried in northern Ireland, all of us would undoubtedly have been found guilty in a non-jury Diplock Court. As it was, we had the protection of trial by jury. Even then, considering how enormous are the powers and resources of the State, justice is not certain. We were fortunate to have twelve courageous and independent-minded people to weigh up the 'evidence' against us.

But there are moves afoot to abolish the trial-by-jury in at least some cases in Britain. Indeed, during our trial a Lord Justice in the Appeal Court, delivered a speech in Cardiff in which he dwelt upon the alleged 'burdens', 'inadequacies' and even 'injustices' of the jury system.

### 7. AN INQUIRY

Following the verdicts in our case, an internal police inquiry is taking place into our allegations against the police. We have no faith that such an inquiry can be sufficiently impartial in its considerations and ruthless in its conclusions.

Our allegations are very serious ones: we would not in all fairness expect any police officer - however honest and forthright - to find twenty fellow-officers (up to the rank of chief superintendent) guilty of conspiracy, fabrication, forgery, perjury, physical assault, making threats, and inducements, etc. etc.

Those are our charges, which we are prepared to argue and substantiate in front of any inquiry, even a one-sided police one. But the truth and justice would be better served by a more independent inquiry, such as one established by the Home Office or the Welsh Council

### 8. THE MASS MEDIA

Outside Wales, our trial and tribulations have received almost no publicity whatsoever. Despite the recent history of police swoops, mass arrests, frequent Special Branch intimidation and surveillance, protests and pickets outside police stations in Wales, culminating in this disgraceful show trial, these events and the issues raised by them have been ignored by the London-based 'British' newspapers, television and radio services.

Had this police persecution and show trial occurred in the Soviet bloc, the publicity throughout Britain would have been enormous. Mrs Thatcher and Mr Reagan would have denounced this hounding of political dissidents, the fabricated evidence, the KGB methods, the political charges, imprisonment without trial and so on. But when it happens here, all we have in the freedom-loving British mass media is ..... Silence.

We were arrested - on this and other occasions - because of our political views and activities. Our political and civil rights have been upheld by a brave jury. We remain what we have always been - socialists and Welsh patriots.

The British State has become more openly oppressive in its treatment of political dissidents in recent years. The Police and Criminal Evidence Bill should be seen in this context. We urge all people who treasure democratic rights to rally to their defence, to support the political and civil liberties organisations which give priority to this crucial struggle.

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