# as as Watching the police as as

While monitoring demonstrations we have noticed some worrying developments in police tactics. Although increased police activity will not surprise "seasoned" campaigners it is worth reporting these develop-

The first came on the Anti CJA demo in April 94. We observed a group of 5 uniformed police with coloured photocopied sheets of people's faces. At first we had no idea what the photos were of. However, it soon became clear that they were looking for "trouble makers" from the Welling and Hyde Park demos(and maybe others). These officers were present throughout the whole event. Their sole purpose was to walk up and down the demo looking for "suspects". If you think you may have been "caught on camera" bear this in mind at future demos.

Next came the Reclaim the Streets events (in Camden in May & Isling-

ton in July). Both events went peacefully with little obvious pohad large numbers of officers (with ing. full riot gear) in side roads at both events. At Islington there were at least 20 van loads of riot policeon standby.

At both, once the majority of the crowd had left, the police moved in to clear those remaining. At Camden the protestors (and local roads, being on the pavement. How- are now suing the police. ever, the police pushed EVERY-BODY towards the tube thus blocking the roads for at least a further hour. At Islington there were maybe 100 people left in the road. Uniformed police were moving people when the riot police moved in. Again they blocked the roads for at least an hour while they pushed, hit and harassed people all the way to Kings Cross. If their intention had been to clear the streets why not move

the demonstrators to the VERY wide pavement in Upper Street as the lice presence. However, the police uniformed police were originally do-

What we can possibly see from both these events is that at the end the police were determined to show those few remaining protestors who was "boss". 29 people were arrested and a number of others hurt. With 2 cases still ongoing only 3 people were found guilty - of minor people) were not obstructing the Public Order offences. 2 people

> There are points to draw from all this. 1 - bear this in mind at future events. 2 - are the police trying to scare us off attending demos ? 3 do the police see those of us who continue the protests as "trouble makers" and therefore legitimate targets for attack and arrest ? 4 should we think seriously about how we end events and deal with these developments?

### BUST FUND - BUST FUND - BUST FUND

While the need to meet future office expenses is urgent, we cannot wait until our administrative costs are sorted (ie when pigs fly) to begin collecting for the other part of what the LDMG does - the bust fund. This is money which directly helps those arrested and/or imprisoned. This is for everything from a phone card or a fiver for somebody who finds themselves in a cell with nothing, to help with travel and

childcare for people who need to attend court dates, prison visits and other help where needed. We have all thought at some point "that could have been me". People should not be left to bear on their own the costs of participating in a struggle which is meant to be collective. Give what you can! Cheques should be made payable to LDMG and state that you want the money to go to the bust fund.

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# LEGAL DEFENCE & MONITORING GROUP

ANNUAL REPORT FOR 1995/6



### How to get involved

We need as many volunteers to help with the Legal Defence & Monitoring Group (LDMG) as possible. You can get involved with the L.D.M.G. by helping to monitor demonstrations, attend courts to take notes, fundraise or help in the office.

There are lots of opportunities for anyone to be involved and training will be provided for people who are not 100% confident with certain things, such as staffing the phones, effective monitoring etc. Please offer us your time in any way possible.

For more information about the L.D.M.G., or copies of our leaflets contact us at: BM Box HAVEN, London, WC1X 3NN, or 20181-802-9804

### What is the L.D.M.G.?

In September 1994, four of us who were into getting the group going held our first public meeting in Conway Hall, Central London - 40 people turned up. At present our regular biweekly meetings have up to 20 people at them. We also set about constructing an office, raising money, training legal observers, producing a bust card, and working with solicitors and barristers who know about Public Order law.

The original idea behind the L.D.M.G was to form legal back up on demonstrations, especially in light of the C.J.A.

Working in the same way as the Trafalgar Square Defendants Campaign (TSDC) during the Poll Tax demos, the main LDMG roles are:

- to monitor police behaviour on demonstrations & pickets,
- to give unconditional support to anyone arrested or injured,
- to provide sympathetic solicitors to those people arrested who want one,
- to assist anybody assaulted by the police or wrongly arrested to sue the police,
- to monitor court cases and provide support to those held on remand.

Our first practical experience on the streets was in March 1995, and we have regularly monitored demos since then - on average around 2 events a

month. Each costs around £150 for such things as mobile phone and walkie talkie hire, printing, travelling costs for Legal Observers etc.

The L.D.M.G is funded by donations and fundraising events, and has no paid workers - only volunteers.

#### What follows are:

- articles we feel will be useful for those of us who attend demonstrations and protests,
- a report from the events we have been at and details of those arrested,
- groups & prisoners we support,
- us asking for you to help out with your time and/or money.

CALL US

If you are arrested on a demo monitored by L.D.M.G., phone the number on the bust card. A solicitor recommended by us will come to see you at the police station. L.D.M.G. legal observers will also be at the station to talk to you, your friends, or people waiting for you. We aim to stay at the police station until everybody is released/accounted for. A defendants meeting for arrested people and witnesses will have been arranged for the next day. Contact us for details

### Successes and future activities

We have monitored demonstrations against police & state racism & brutality, marches against the CJA, mass street parties and events organised by the Direct Action Network. (See pages 4 to 6 for full details).

There have been 47 arrests on events monitored by us. We have given assistance to people arrested, ensuring they get legal advice at police stations; providing crucial witnesses; and monitoring the progress of court cases. The vast majority of these cases have ended either in an outright acquittal, the dropping of charges altogether or the reduction of the charge to a bind-over.

40 observers have now been fully trained up. Each one is given a detailed information pack explaining their role, relevant police powers, rights on arrest, etc. There is also a briefing before the event itself. Future training may include video excerpts of the LDMG in action, to give new

volunteers an idea of the reality of legal observing.

The police have tended to concentrate on harrassing demonstrators rather than LDMG volunteers. However, observers are regularily threatened with arrest for things such as obstruction, inciting a riot, and an obscure law to do with helping someone else commit an arrestable offence.

### Looking Forward

In the next year, we plan to get more people trained as legal observers. Interested? Then call us now. But we also want to spread the idea that everyone taking part in political protests should be a legal observer. The police are watching us - we should all be watching them, whether we're formally acting as observers or not.

Opposition to the CJA has seen a lot of people getting involved in protest for the first time. Many don't know

about their rights. In the next year we plan to get information out as widely as possible on people's rights on arrest, police powers, etc. We are producing leaflets on your rights in the police station and the new law on the right to silence. We also want to get out and speak to people. If you're involved in a campaign or political organisation and want to know your rights, invite LDMG to come and talk to one of your meetings.

A sister group to LDMG is forming in Brighton and hopefully Glasgow. If you want support in setting up a group in your area contact us and we will help however we can.

We also need to publicise the group itself more widely. You can help by taking leaflets, or this report, and distributing them to friends, groups, etc. We also need money! Donations will be gratefully received & will help us keep a presence on the street, keeping an eye on London's finest.

# Know Your Rights!

It is a simple fact that people who attend demonstrations and "public order" situations are more likely to be arrested than those who don't. Even if you are arrested for a minor offence you will find yourself entering a bewildering and often frustrating journey through the English legal system.

Even if you don't expect to be arrested it's important to have a knowledge of your rights for 2 reasons. *Firstly*, a vast number of individuals are arrested on protests simply, for example, by being "in the way" when the police charge into a crowd to arrest "troublemakers". *Secondly*, you may be with somebody who is arrested or witness an arrest yourself.

To minimise your fear, increase your (or someone else's) chances of an acquittal and demystify the whole process, you need a basic knowledge of your legal rights. You will be more relaxed, able to keep your head and to think more clearly in what will always be a hostile environment.

#### WHAT TO DO IF YOU GET ARRESTED

The first thing to do is to ask the arresting officer WHY you are being arrested. You are entitled to know the reason for your arrest. Shout out your name so somebody knows you've been arrested.

You are then likely to be taken to a police station, where you will be taken before the Custody Officer. S/he will record your details & list your property, which will be taken from you. You will be asked to sign for this. Sign directly under the very last item on the list, so that items cannot be added later. Also DON'T sign for any items that are not yours.

The police seem to have a particular dislike for demonstrators, so they are likely to be prejudiced against you from the beginning. You have an ABSOLUTE RIGHT to the solicitor of your choice FREE OF CHARGE, whatever your income. Phone a solicitor, even for a minor offence. It shows the police you are not someone who they can take advantage of.

You are allowed TWO phone calls - one to a solicitor and the other to inform a friend/relative of your whereabouts. USE BOTH CALLS. The police can only deny you them in extreme circumstances.

Once in the cells you are likely to have a fairly long wait. It will feel like you are there for ever. But, you will soon be out - so keep calm.

The police may decide to interview you - have your solicitor present. However, you may just be held until they decide whether to charge you with an offence or not. Or, they may offer you a caution - BE CAREFUL. You won't have to go through the courts, BUT IT MEANS you are admitting guilt. Although the police may tell you different, this is recorded, but it is not a conviction.

If you are charged with a recordable offence (basically most imprisonable offences) the police can take your fingerprints. They have no special powers to take your photo, but they will normaly try and take one anyway. In certain circumstances they can ask for a non-intimate sample such as hair or saliva. Your solicitor will tell you if you can refuse or not. If you are injured or need medical attention, ask to see the police doctor.

At some point, you should normally be released on bail. The police can only refuse bail if a specified ground for refusal exists - eg. they have reason to believe you will fail to turn up at court. You will have been asked for your name and address (which they may check). If you do not give these, or they believe the address you give to be "insecure" (a tree house or maybe a squat) again they may refuse bail. The police can't simply refuse bail because they do not like the look of you.

If you are refused bail at this stage, you will be taken before the Court the next weekday morning. If you have not already done so, **get a** solicitor now. The magistrates will reconsider bail and unfortunately they may be persuaded by a lawyer when they won't listen to you.

# More powers for the state: fewer rights for defendants



Following on the heels of the 1994 Criminal Justice Act, 1996 will see the Criminal Procedure & Investigations Bill further undermine the rights of defendants facing criminal charges. Both Labour and Tory parties are supporting restrictions on the prosecution's duty of "disclosure", which requires them to pass on to defendants all material gathered by police in the course of their investigation.

This duty was fully established after it emerged in the Judith Ward case that the prosecu-

tion kept from the defence, evidence that could have led to her acquittal.

Under the new Bill, you will only be entitled to full disclosure if you reveal your defence - which allows the police to concentrate on disproving your innocence rather than proving your guilt. Failing to disclose your defence will also mean judges can infer guilt. A provision requiring defendants to give names and addresses of their witnesses has been dropped - we'll probably have to wait until 1997 for that one.

Meanwhile, MI5 is to have new powers to bug and break into property to combat "serious crime". There is no clear definition of a serious crime but in related legislation it includes conduct "by a large number of people in pursuit of a common purpose". This could cover anything from the Salvation Army to car-boot sales but it will clearly be directed at the activities of political organisations and campaigns. Warrants for bugging and breaking into property will be given by politicians, not courts.



An account of the events L.D.M.G. have

Demo against the CJA

North London Organisers - Campaign Against the CJA

This was the first demo we monitored, so it was a test for us. About 500 people turned out for the demo which met at Stoke Newington Police Station, marching to Tottenham Police Station. A brief rally was held afterwards, in Tottenham.

No arrests were made.

### 18th March "We Remember" Demo

North London Organisers - Colin Roach Centre

Starting in Hackney. 150 people marched and laid wreaths on the route to Stoke **Newington Police Station.** 

There were no arrests.

### 17th April C.N.D. Demo

Central London Organisers - C.N.D.

200 people, marched from Marble Arch to Trafalgar Square and then held a meeting in Central Hall, Westminster. C.N.D. failed to forward the £50 promised to L.D.M.G by the organisers.

There were no arrests.

### 30th April Anti-C.J.A. Demo

Central/South London Organisers - Campaign Against the CJA

About 3,000 people marched from the Embankment, via Parliament to Clapham Common. There was a large police presence throughout the day.

There were 5 arrests. We only got details of 3. 1 was cautioned for Drunk & Disorderly; 1 disappeared while on bail; 1 was taken

directly to Sussex as there was a warrant out for her arrest there.

There were police on the demo with photos of demonstrators they wanted from past demos. Demonstrators and organisers take

### 4th May Protest at British Aerospace's A.G.M.

London - West End Organisers - Campaign Against the Arms

The protest took place at the hotel hosting the above's A.G.M. There was a static protest, but we were there to monitor a direct action "die in" by about 20 protestors and a roof top protest.

Although some of the police and hotel's own security were heavy handed there were no arrests.

### 14th May Reclaim the Streets I

Camden High Road Organisers - Reclaim the Streets

500 people blocked Camden High Road from 1 pm to 7 pm protesting about the excessive use of cars. Although most of the day passed off peacefully and in good humour, the police waited until the

protestors' numbers were low and attacked the crowd that remained.

There were 10 arrests. 1 wanted to accept a caution against the advice of our solicitor; 4 got bindovers in court; 1 was found not guilty; 3 have "disappeared" while on bail; and 1 is about to have their case dropped. At the time of writing this 1 person is suing the police for wrongful arrest.

### 27th May African Liberation March

South/Central London Organisers - A coalition of groups

The march started at Kennington Park and ended at Trafalgar Square, stopping very briefly outside Downing Street. The march was peaceful with around 200 protestors although there were over 500 police who expected trouble.

There were no arrests

### Saturday 10th June Brian Douglas March

South London

Organisers - A coalition of groups

400 Demonstrators assembled in Clapham. A peaceful march followed, stopping outside Kennington Police station to lay a wreath in memory of Brian Douglas, and others who



# on the Streets monitored and outcomes for those arrested

have died due to police brutality.

There was 1 arrest but this was not on the demonstration. However our solicitor visited the arrested person who decided she wanted to use her own solicitor once released.

### 11th July Incapacity Action Picket

South London Organisers - Incapacity Action

A small & effective picket outside Balham Dole Office to demonstrate at the arrival of Peter Lilley (MP).

Lilley was pelted with an egg and liquids of various kinds but there were no arrests.

### 23rd July Reclaim the Streets II

**Upper Street Islington** Organisers - Reclaim the Streets

Over 1,000 people took over Upper Street in Islington to protest against environmental damage and death caused by cars.

After most protestors had left uni-formed police officers were replaced and reinforced by around 50 riot police in full riot gear (which increased to around 200). The conduct of these officers was aggressive and confrontational, with officers hitting demonstrators with batons, shields and fists. At no stage were demonstrators attacking the police.

By the end of the day there were 19 arrests. 3 who were not connected with the demo saw duty solicitors and were found guilty of drugs offences; 2 using duty solicitors were held for 7 days and found guilty of Section 4 of the Public Order Act; 2 people were cautioned; 3 were bound over by the court; 1 person wanted to plead guilty to Criminal Damage; 6 people were found not guilty or had their charges dropped; I case is ongoing; and 1 person lost contact with us.

At least one demonstrator was hospitalised and a number of others were injured.

To our knowledge 2 people are now suing the police because of the police's actions.

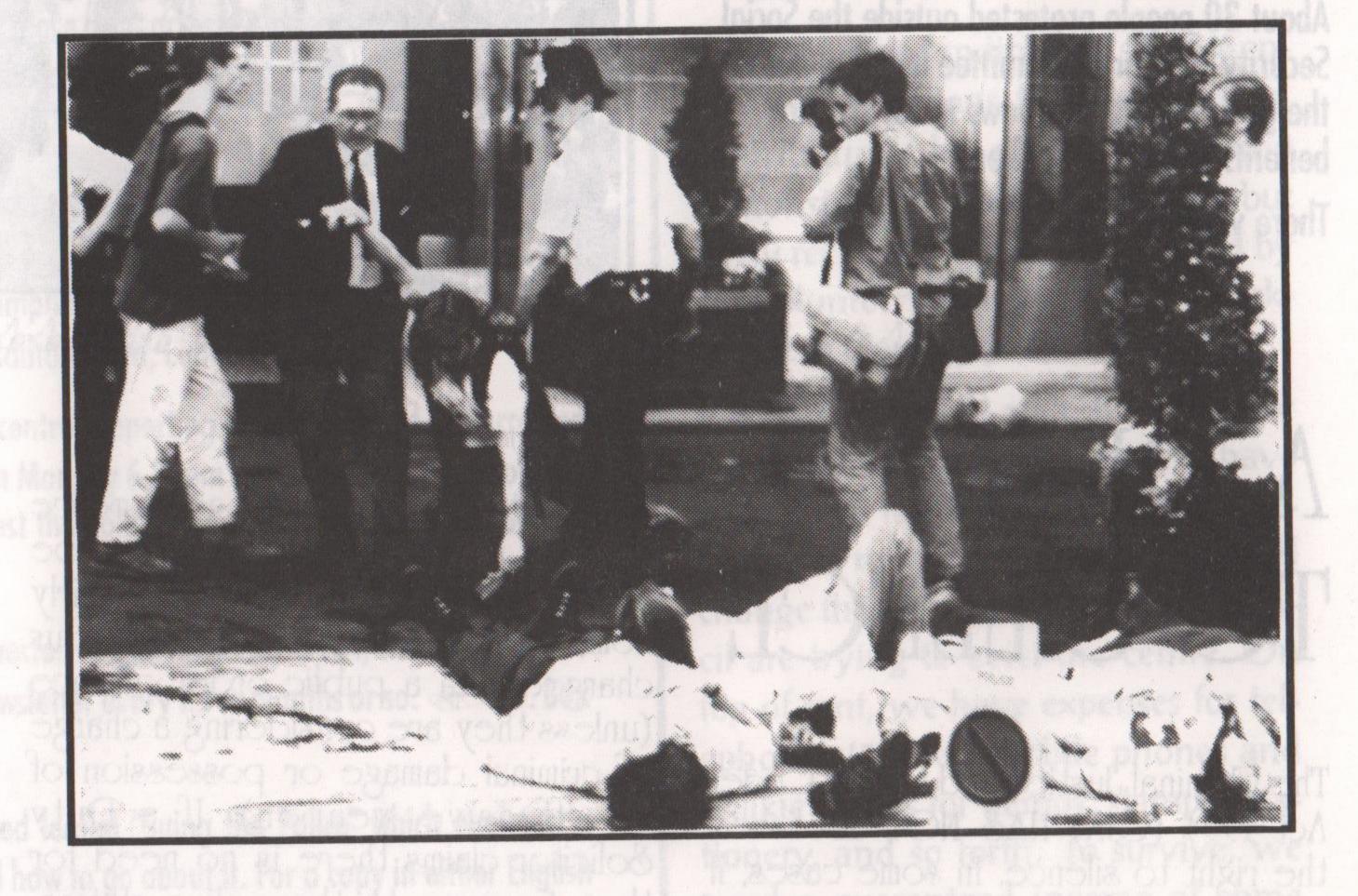
### 12th August March & Picket supporting Mumia Abu Jamal

London - West End Organisers - Anarchist Black Cross



police station. 3 were released without charge; 1 was taken directly to Warwickshire as there was an arrest warrant for them there; the 5th was charged with Affray and released at about 10.30pm.

Our solicitor saw all 5 (including the person sent to Warwickshire) and is representing the one person charged.



70/80 protestors marched to the Disney store in Regent Street where a number of demonstrators entered the store, and effectively closed the shop for half an hour. Police and shop staff were very oppressive and aggressive. 2 Legal Observers were assaulted - 1 by the police, the other by an employee of Walt Disney.

6 protestors were arrested. LDMG's solicitor on call spoke to all 6 that evening but 2 were held overnight without bail. At court 4 of those arrested accepted bindovers, while the other 2 pleaded "not guilty" and received "Conditional Discharges".

### 7th October Justice Demonstration

North London

Organisers - A coalition of groups

Over 500 people marched from Hackney Downs to Tottenham.

5 people were arrested outside Tottenham

### 7th November **Direct Action Network**

Parliament

Organisers - Direct Action Network

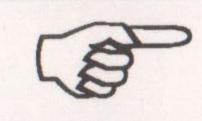
100 people with disabilities protested outside parliament against the Governments new laws relating to people with disabilities. They blocked roads around parliament. 1 person was arrested and seen by our solicitor.

### 11th November Picket of Jenny's Burgers

Crouch End - Haringey Organisers - J.J. Fast Food Locked out Workers Support Group

Some 20 people picketed the Jenny's Burger Bar in support of the J.J. Fast Food strikers. There were no arrests.

### Continued on page 6



## A Presence on the Streets cont.

### 24th November Demo against Children in Need

Shepherd's Bush - West London
Organisers - Direct Action Network

About 30 people demonstrated outside BBC TV studios in Wood Lane to demand that people with disabilities need rights not charity.

There were no arrests

### 6th December - Stop Attacks on Asylum Seekers

Central London Organisers

A coalition of refugee & other groups

About 30 people protested outside the Social Security Advisory Committee meeting about the governments new laws to cut welfare benefits to Asylum Seekers.

There were no arrests

### 16th December - Stop the Immigration Race Checks

North London
Organisers - a coalition of groups
About 2,000 people marched through

Hackney protesting at the proposed cuts in Welfare Benefits to Asylum Seekers.
Marchers stopped at locations where the new proposals would have special effects (scholls, dole offices, etc).

There were no arreats



# A QIGHT TO SILENCE

The Criminal Justice and Public Order Act 1994 (CJA) HAS NOT abolished the right to silence. In some cases, if you have not given your version of events at the earliest opportunity (ie at the police station), this may be held against you by the court. But, it is one of many factors the court take into account.

Our advice is keep your mouth shut. Don't talk to the police, about anything, until a solicitor tells you to. The police can't force you to speak to them. Remember - NOTHING is "off the record" in a police station and there is no such thing as "doing a deal". Don't be drawn into talking to an apparently friendly police officer as you may give something away or implicate someone else.

You have to give your NAME, ADDRESS & DATE OF BIRTH, but that's all. Once arrested & in a police station, our advice is REMAIN SILENT. Only speak to the police or answer their questions if a solicitor tells you to, and you

decide you want to.

Many Duty Solicitors don't go to police stations if you are not going to be interviewed by the police. It's fairly common not to be interviewed if your charged with a public order offence (unless they are considering a charge of criminal damage or possession of an offensive weapon). If a Duty Solicitor claims there is no need for them to come to the police station, INSIST that they come down. YOU are the client.

If the solicitor still insists that s/he won't attend, explain that you want to arrange your own solicitor. Get to know the name (& phone number) of a good firm in your area. If you are not in your area, you may be given a "Bust Card". USE IT. Ask other arrestees if they know of a good solicitor. Use your imagination!

DO NOT be drawn into talking with the police until your solicitor is with you. They may tell you that the right to silence no longer exists or constantly remind you of the new caution. Stand your ground. It does still exist, allbeit in a modified form.

In The Interview
If you decide, or your solicitor advises

you not to answer police questions, remember "NO COMMENT" means just that. Once you have given your name, address & date of birth at the start of the interview don't answer ANY more questions while the tape (which the police use to record the interview) is running. Even if asked what colour jumper you are wearing - answer "NO COMMENT". This tactic is often used by the police to draw you into answering other questions. By answering, it makes the interview a "MIXED INTERVIEW", and if the case goes to court, the whole interview can be put before the court. If you have answered "NO COMMENT" to every question, any transcript will simply say something like "THIS DEFENDANT MADE A NO COMMENT INTERVIEW

Finally, NEVED sign any statement written by the police, or any police offcers' notebook (or Incident Deport Book) without having been given legal advice to do so. By signing an officer's notebook you are, in effect, agreeing with all the contents of the book. You may not have even read it, so how do you know what it says?!! DO NOT be pressured by the police into signing such a document. You are not obliged to sign these, and if you do, it is more likely to work against you.

### PRISONER SUPPORT

Since the start of the LDMG we have said that we would always fully support anyone imprisoned on any demo we're present at. Although no one has been sent down on any of the demos we've monitored, we have printed the names and addresses of those prisoners where, if we had been formed, we would have been there. Writing to or visiting prisoners helps to break down the boredom and isolation felt by those serving time inside.

The Welling 8 - Anti BNP Demo October 93 - Karl Anacoura, RN0599, HMP Elmley, Eastchurch, Sheerness, Kent, ME12. Serving 3 years. Sanjiv Karla, RN0958, HMP Elmley. 2 years. Paul Gay, RN0593, HMP Elmley. 2 years 8 months. Russell Wild, RN0597, HMP Elmley. 3 years. Steven Kelly, RN0318, HMP Aldington, Ashford, Kent, TN25 7BQ. 16 months John McFeely, RN0596, HMP Lindholme, Bawtry Road, Hatfield Woodhouse, Doncaster, DN7 6EE. 2 years. Mark Gay, RN0594, HMP Canterbury, 46 Longport, Canterbury, Kent, CT1 1PJ. 3 years. Charles Ryder, RN0595, HMP Canterbury. 16 months. Hyde Park Prisoners - CJA Demo October 1994 - Trefor Harris, GH1875, HMP Brixton, Jebb Avenue, SW2 5XF. 20 months. Anti Poll Tax Prisoner - March 1990 - Nick Jefferys, HMP Brixton. 34 months

### CONTACTS

Listed below are other groups who are fighting to help those of us arrested, prisoners and those of us framed or killed by the police/screws. If we have missed your group, send us details and we will include it in future publicity.

Anarchist Black Cross (ABC) - Supports anarchist & class struggle prisoners and those fighting back inside. Produce Taking Liberties which is full of prisoner reports and up-dates. They have info on writing to and supporting prisoners. Their pamphlets include "No Comment" which is about what to do and not to say when arrested. 121 Railton Road, London, SE24.

Colin Roach Centre (CRC) - An independent centre supporting people arrested or harrassed by the police. They have free legal advice sessions, on Monday 6.30pm to 8.00pm, run by a solicitor who specialises in Criminal Law and complaints against the police. 56 Clarence Road, London, E5 20 0181-533-7111.

**Conviction** - Supports prisoners from the Manchester & East Midlands areas, in their fights to overturn wrongful convictions. They also publish a newsletter every three months or so. P.O. Box 522, Sheffield, S10 3RU.

Haringey Solidarity Group - Have produced leaflet "Suing the Police" which explains in simple language what you can sue the police for and how to go about it. For a copy in either English or Urdu P.O. Box 2474, London, N8 20181-802-9804.

Inquest - Monitoring coroner's inquests into deaths in custody. They advise lawyers on inquest procedures and campaign as a self help group with the relatives of the deceased. Offer advice and referrals as well as service to the bereaved. They also produce a newsletter. Alexandra National House, 330 Seven Sisters Road, London, N4 20181-802-7450

Justice For Women - Support women jailed for resisting abuse by violent partners, and women fighting back while inside. 55 Rathcoole Gardens, London, N8 9NE.

**Prison Watch** - Campaign for changes in prison conditions & reduction in the use of incarceration. They provide support & advice for prisoners & their families and assist families when deaths occur in prison. Support individual prisoners, especially those at risk, & try to prevent self injury and suicide by working with individuals and families. Monitor "Prison Deaths" - at least 65 in 1995. 4 Rochester Close, Derby, DE24 OHS 20332-756158.

Release - They offer a range of services to people concerned with drug use and people with legal problems. They help drug users, their families and friends, as well as professionals dealing with related welfare issues. 388 Old Street, London, ECIV 9LT 20171-729-5255, or 0171-603-8654 (24 hour helpline)

South Newham Action on Police (SNAP) - Promotes legal rights for people living in South Newham, particularly young people. Its stated aims are to "ensure that abuses of police power are properly dealt with, and where inadequacies exist in the way that complaints are dealt with and to campaign for change". P.O. Box 6382, London, E13 20171-473-3555.

### CASH HELP

We receive no funding and survive entirely on donations from individuals, contributions by groups organising demonstrations (often promised but rarely received) and money earned by our volunteers working for the Worker's Beer Company.

We have survived on a shoestring for our first year largely because we have been given free office space in the Haringey Unwaged Centre. This will change this spring as Haringey Council are trying to evict the centre. On top of rent, we have expenses for telephones (3 lines) mobile phones and walkie talkies for demos, stamps, stationery, and so forth. To survive, we need a guaranteed income of some £500 a month.

Many people have sent us donations and this has been invalauable. However, the best way to ensure a regular income flow is to increase the number of Standing Orders we receive. If you haven't already done so, please consider taking out a Standing Order (see back page) for a regular weekly/monthly payment to the LDMG. For those working could you consider a regular monthly donation of between £5/£25 ?

If this is not possible, please help any way you can with money, stamps and stationery which we are always in need of. We know you may have other political commitments (so do most of us) and that money is tight, but please keep in mind that supporting the LDMG is a way to support everybody in the struggle.