

Wednesday 26 May

Today was an important day in the trial of the Bradford 12. It was the opening of the defence case. One of the 12 - Jayesh Amin - was freed: both charges were dropped against him. Supporting the mass picket today were among others, Jaswinder Kaur, Nasira Begum, Nasreen Akhtar, Cynthia Gordon, Najat Chafee, Pow Shien Leong and her sister Pow Yean Leong and representatives from other campaigns from all over the country. (more details later.)

Included with this bulletin is the press release sent out tonight. This bulletin covers today in court - the opening of the defence case. We have got behind in covering the trial. Details of the end of last week and the beginning of this will be sent out by the weekend at the latest in internal bulletin 7. This will include the end of the prosecution's case - TA's cross examination of police witnesses and defence's cross examination of Holland, the policeman in charge of the case.

### Court Report

1. Judge Beau mont ruled against certain films being used as evidence by the defence. TG had seen these films (about fascist organisations) on TV and defence claimed that they had affected his state of mind. Judge ruled against them being used as evidence.
2. Submission made by EA that there was insufficient evidence against BK on either count was overruled by Judge.
3. MM asked that the matter of who decided on the explosive substances i.e. whether it was for the judge or jury to decide, be decided then. Judge ruled that it was a matter of fact i.e. for the jury to decide.
4. Judge agreed with previous day's submission by ER on Jayesh Amin. Jury came in and was directed to strike out names of Sabir Hussein, Saeed and Jayesh from count one and the name of JA from count two. 'I am directing verdicts of not guilty'. (JA walked out)

### 5. Opening of Defence Case

MM opened the case. The extracts below give the main points made in his opening speech.

"It is the experience and reactions of TG that have led up to the events of 11 July that are the subject of this case ....." "You, the jury, have the final decision on the facts of this case - and the facts deal with his reactions, the state of mind that he had when he contributed to the events of the day of 11 July ....."

He explained the two counts (conspiracy and manufacture). On both counts onus of proof lies with the Crown. "There is no issue that he participated in the manufacture of the devices - the issue on the first count is whether the prosecution can prove that he intended to endanger life or property. And on the second count that he had an unlawful purpose. His case is that he did not have any such intent or purpose with respect to the bottles. He accepts that the devices were made. But he explains that he was panic stricken as a result of what he had heard. That is that white people with evil intention and armed to the teeth were going to come to attack Asian homes in Bradford. If they did, then as a last resort, they were to build a shield of fire in the road in self defence."

"So on both counts, the issue is whether he or those around him believed their community to be under the threat of a serious assault."

MM went on to the issue of whether petrol bombs are explosives or not.

"Another issue which is matter for you to decide is regarding the term 'explosive substance'. The defence is saying that the device is not an explosive substance but only a petrol filled milk bottle and it will bring

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two experts to give evidence for that purpose. In the end it is a matter for you to determine what the meaning of the word explosive is. The Crown has chosen to indict these men on the basis of explosives, so you have the duty to determine whether these men come within that specific arena."

"The prosecution has to prove to your satisfaction that TG did not intend self defence. They have to prove that his intention was to endanger life or property. If you have even a doubt then it is not to your satisfaction and the prosecution will have failed."

MM said he would give a thumb nail sketch of TG's background and experience to enable the jury to understand his state of mind on July 11. He went through a whole series of campaigns and activities that TG had participated in. (repeated later). He described the 1976 NF march in Manningham, Bradford and the effect it had on TG. He described his involvement in campaigns against deportation, against the Nationality Act, and his contact with the Aliens and Registration Department. "All of this contributed to the ill of ease of mind. During all this time what concerned him most was the escalation and the gravity of the attack on his people. MM quoted a film title "Fear eats the soul": and added: "It can do."

"On 11 July these matters came together. He gets some information from the Fourth Idea Bookshop that strikes fear ..... the fear and the panic he feels when he hears that people of a certain sort may be coming to Bradford. He communicates this information and the fear, necessarily, to others."....

"Under the pressure of last July when there was a great deal of tension. You must appreciate the pressure on this man at this time."

"So to sum up: the prosecution has to prove TG's intent to endanger life or property or an unlawful purpose. If you doubt that and think that he might have genuinely believed that his people were threatened, then his course of action, however extreme, his actions, were lawful."

TG then went into witness box. Under cross examination from MM he went through his life history - born in East Africa, lived in Bradford last sixteen years. Schooling etc.

The campaigns he had been active in included: NF march in 1976 - anti-fascist leafletting.

Campaign round Gary Whiting - white anti-racist stabbed by NF during 1976 march.

Asian trade unionist Saeed Rahman - anti deportation campaign - Bradford.

Abdul Azad - anti deportation - Oldham.

Jaswinder Kaur - Leeds

Cynthia Gordon - Manchester

Nasreen Akhtar - Rochdale (Cynthia and Nasreen walked into public gallery as they were talked about in court)

Anwar Ditta - Rochdale

George Lindo - Bradford

Gary Pemberton - Bradford

Pickets of NF meetings in Eccleshill

Campaign round Eccleshill 13 - arrested during pickets

Asian Youth Movement

Black Freedom March

United Black Youth League

Racist attacks - Kashmir Cafe, Leeds Road.

Asian bus driver.

Deep concern with Deptford, Walthamstow and Southall.

MM asked TG to tell jury what happened on the day of 11 July. TG had gone to Fourth Idea Bookshop at about 12 noon. He met a friend of his there who told him of a phone call from Dalys bookshop warning of coachloads of skinheads coming on the motorway and she said it was reliable information. (Southall had just been discussed in court.) He went into the town and met TA and Sabir H. They had a chat and he told them about the phone call. Went to Pemberton Drive.

Went back into the town centre, saw TA and discussed with him in detail about the whole conversation that had taken place at Fourth Idea and the information he had obtained. TA told him that a lot of people in Bradford were talking about the same sort of racist attack. He then stayed in town for a little while and went back to Pemberton Drive. (about 3.30). He had a meeting there with several people including Saeed, Ahmed and Masood. At this meeting he talked about the imminent attack and about the need to protect our community; talked about what had happened in Southall and generally about racist attacks on our community and he advised everyone to take the threat seriously. Then TG said: "Under normal circumstances, we would have to mobilise the whole community, but under the present special circumstances, we don't have time and I suggest we make these petrol devices." He was asked why he said this. "The purpose of the petrol devices was to erect a shield of fire to deter any attackers from coming into black areas because he feared not just attacks on people but on homes as well. Denied prosecution allegations that the petrol bombs were for throwing at police officers, large shops or for causing any kind of large scale disturbance. They were purely for self defence.

TG then went through their movements - getting ingredients etc. There are no big differences with the prosecution on this. "Essentially I participated in the making of the petrol bombs," he said. He stressed to everyone that petrol devices must be used only as a last resort. They weren't to be used till I said so. It was my decision as to when to use them. After he went back to Pemberton Drive and met TA on the road. He spoke to TA and told him that he may not agree with what TG had done but explained the threat again and explained that "I had gone ahead and made the petrol bombs." He had stressed that they were only to be used as a last resort and that they were his responsibility etc. TA said he had just come from Manningham and there were a lot of people out in Manningham and a strong fear of a skinhead attack there. (By now it was late afternoon.) The next few hours until 11 he was in town making inquiries. Then at about 11.15 or 11.30 he had come up to the mound where a lot of people had gathered. He denied that either TA or himself were whipping up a riot against the police. He came along and saw TA being arrested and Sabir. His immediate reaction was to move off and to telephone for legal assistance but before he got that far, he was grabbed by a police constable, put in a van and taken to the Bridewell. He said he had done nothing to attract attention to himself. The police officer did not tell him why he was being arrested either then or in the van. In the van there was also TA, GS and SH.

MM asked him if the stockpile of petrol devices was to be used for any future purpose at all. He said no. He did not ever consider getting rid of them because he had already been arrested on 11 July and the police would already be on his back. It would be wise to stay away.

MM moved on to ask him about his arrest and interviews etc on 30 July. At the interview, he didn't see the police keep any contemporaneous record. They weren't writing anything. The first thing he had done was to ask for a solicitor and he had continued to ask. He had been told that they would tell him what his right was (i.e. the police). MM asked him about his initial reaction - the denial of anything to do with the petrol bombs. TG explained that they were lies because "I did not want other people to be picked up and go through what sometimes happens to people in police custody. He said that at that interview Det. Serg. Sidebottom had pointed out that he was a political activist (TG) and that they (police) had been at meetings where he was present. He denied having ever said anything about Brixton or Toxteth (included in police account of interview). MM asked him what he thought about Brixton. He replied: "My view is that what took place in the so-called riots was a confrontation between a community and the police."

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MM asked how he related that (Brixton) to what had happened in Southall. He replied that the two were significantly different.

He accepted his first written statement (written by himself). On the second statement (written by police) - he said he was feeling quite overwhelmed by this time. They had asked him questions about who had done what. They had told me about the people who had been arrested. Even though I signed the statement, there are things there that I never actually stated.

As for the third statement (made on 31st) he denied totally the police version that he had asked to see the police. He said he couldn't have said anything. "I was totally demoralised and isolated." "I didn't know who had been arrested and I could hardly get any words out of my mouth. He said that the police came in and talked about getting TA somehow since he had remained silent so far. They had asked him about TA's involvement. I told them that it had been none." Then they said they would give me bail and everyone would be let out if I made a statement that TA had put me up to the whole thing. Some of the things in that statement are incredible. They had asked me questions and sometimes I hadn't even replied but they have things written down. They have got a statement saying UBYL does not have a treasurer when in fact we do have a treasurer. They quote me as having said that TA was mentally stronger when in fact it was they who asked me who the leader was. I hadn't replied. Then they asked me if TA wasn't stronger than myself. I said that physically perhaps." MM pointed out that the statement itself has physically written first then crossed out with mentally written on top. "I just don't understand how all of that could be there.