

## Internal Bulletin 12

Friday 4th June

### Prosecution summing up

Prosecution made a submission asking for a document on the charges, incorporating Sec 4.1. of the 1883 Explosives Act in the conspiracy count, to be presented to the jury. This section implies a reversal of the burden of proof onto the defence rather than the prosecution. The prosecution maintained that in the present case, he was not asking for any such reversal but the defence objected to the submission anyway because of the possibility of misleading the jury. The judge ruled that the document go ahead to the jury, though later he asked for the reference to Sec 4.1. to be deleted.

First part of the summing up was on the question of explosives. "Are the 38 petrol bombs explosive substances under the definition of the 1883 Explosives Act? Unless they are, you need go no further." Pros went on to argue why they are:

A.1. If thrown, they could have exploded. P argued that both defence and pros agreed that an explosion could take place but their definition of conditions differed.

2. Differences between defence and pros about whether this explosion would include a large bang

3. There are cases where petrol bombs do explode: "The fact that they do not explode on every occasion does not matter."

B. Combination of petrol and air makes up an explosive substance and is covered by 1883 Act which includes "any material used for making an explosion."

C. 1883 Act not exhaustive but intended to include definitions under 1875 Act - "every other substance ... used to produce a practical effect by explosion or a pyrotechnic effect....." Pros argued that: "Parliament clearly intended that something which acts in the way a petrol bomb may act: a spurt of flame: be included within the reference of this Act."

He then went on to the indictment:

Count 1: alleges that all 11 except Sabir Hussein and Saeed Hussein made an explosive substance to endanger life or property, or enabled others to do so. Pros said there were 4 points to consider:

1. the question of explosives

2. The Act refers to aiders, abettor and procurers. Therefore the jury had to consider the involvement of those who were not directly involved in making or carrying out the manufacture but who "contributed to the idea of the manufacture" or "in the gathering of the materials for the manufacture."

3. Was the manufacture for unlawful or malicious purpose? This brings in the question of self defence. "It is for you to decide how the accused in fact saw this situation. Unless he actually had in mind a serious imminent threat to his community, the question does not arise. Even if he did, did he use reasonable means of defence?" Pros pointed to the failure to notify police or community leaders and lapse of time before petrol bombs were made. Pros went on: "You have to consider the consequences ..... what sort of society are we going to live in if one side and then the other, feels justified in using such devices?"

4. The question of intent. If petrol bombs were to be thrown at property or people the intent to endanger was there.

Count 2: Conspiracy:

Count 2 precedes count 1 in time. Includes all 11. It means: "the agreement or conspiracy to make petrol bombs for an unlawful purpose." It is an offence to conspire against any Act of Parliament. The unlawful object in this case is "the use of petrol bombs in a civil disturbance."

There are 4 points to be considered:

1. the question of explosives



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2. the agreement to make petrol bombs
3. "Was a particular accused party to this agreement for at least part of the time? Attendance at a meeting is not necessary for one to be a conspirator. And he remains one even if he leaves the conspiracy."
4. Was the object unlawful? "We say that if the petrol bombs were not made for reasonable self defence, then the object was clearly unlawful. In fact we say that the common purpose was use in the breach of peace in a civil disturbance."

Pros then went on to talk about July 11, the background and to go through the defendants one by one. The main points of this were:

1. to discount the reality of racist attacks or threat from skinheads
2. to assert that the petrol bombs were intended for rioting
3. to compare defendants' statements from the dock and TG's from witness box with "voluntary statements" made while in police custody. These "voluntary statements" are the prosecution's only evidence apart from fingerprints, bottles themselves etc.
4. to raise questions about the honesty of defendants or their witnesses - by bringing up previous convictions; questioning truth of present statements, witnesses etc.

Below are extracts from his summing up. Detail is not included because this mainly consisted of extracts from statements from dock e.g. on fact that petrol bombs were made for self defence, fact that they took threat from skinheads seriously etc, compared with "voluntary statements" which included use of petrol bombs against police, big shops and for rioting generally.

"In July 1981, there had been civil disturbances throughout the country. Nothing had happened in Bradford but those responsible for keeping the peace were anxious.

In Bradford, there had been a number of violent attacks on Asians. This was inevitable considering the number of Asians in the town..... not disproportionate .....You may consider that the police acted in a satisfactory manner. When there are accusations against the police about their failure, it usually comes from those who are prejudiced against the police such as Marsha Singh.

..... Race relations in Bradford were good. Chief Inspector Ellis testified to that ..... Some incidents were bound to be racial but there has been no increase in such attacks. There is racial arson and violence but the situation in Bradford in 1981 was no worse than before ....

.....incidents referred to: the attacks on the bus drivers etc ... but the relevance eludes me. There was nothing conclusive about the Shezad cafe. Mohammed Arif's murder was the result of an accidental resemblance and the murderer was convicted. 4th Idea, a left wing bookshop ... at the occasion of every attack the police have attended promptly.

So the picture overall looks as it should be. The police have done their job overall.

Witnesses have been brought from other parts of the country - Southall, Bethnal Green, Luton etc. But it has to be proven that these events had any effect on the minds of the accused before 11 July ..... Chief Inspector Ellis said that he consulted the community. Mohammed Ajeeb has direct access to senior police officers. Contact existed and the force existed to deal with the problems."

TG: "... He failed in fact to take any reasonable precautions, if he did in fact believe the information (about skinheads). He did not contact either the police or the community, but cancelled the ready made meeting. Why?" Pros said it was because TA had told him to make petrol bombs. Pros went on: "It was not simply a defensive strategy - the petrol bombs were to be used in a riot against the police and large shops - and statements by some of the accused testify to this....."



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"Is it just a coincidence that on the very day that the petrol bombs are made a serious disturbance occurred in the evening?" Pros went on to interpret events on evening of July 11. "An attempt to suggest that TA and TG were police targets, because they had been seen to demonstrate elsewhere - there is no evidence for this ....." Pros said that the accused had "delusions of grandeur" - they think "that the Special Branch had nothing else to do but to attend on them. Special Branch involvement in the case has been marginal."

....."The disturbance had nothing to do with skinheads and little to do with race. It had nothing to do with self defence. But of the 11, the only ones not there were BK and IK. Does not that tell you something about the purpose of the petrol bombs? We say that the petrol bombs were not used, only because the police made some key arrests ....."

(AM): Pros brought up the fact that in his statement from the dock he said he had been assaulted by police in corridor at police station. He asked if this was true, why had no complaint been made?

(TA): Pros brought up the fact that during the "interrogation" by police, TA had denied knowledge of certain meetings until the police had shown photos of him at meetings and quotes from speeches he had made (!!). Also said there was no reason for an Asian person to object with sharing a cell in the police station with a skinhead. Pros said if he objected to this would he be expected to react to a skinhead walking down the street with no aggressive intention? Pros pointed out that a statement from the dock could not count as proof and the police had denied putting a skinhead in the same cell. He said it would be wrong for the police to lie.

In summing up Pros made same points as at beginning. "There is no escaping the fact that the petrol bombs were not made for self defence. They were made to be used in a civil disturbance. The fact that no device was used that night was because partly by chance, the police were lucky enough to arrest key figures in the manufacture of these 'terrifying' devices.



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Monday 7 June

Defence summing up - Mike Mansfield for Tarlochan

MM began by quoting Sup. Holland's statement, made 2 months after the events of 11 July, and pointing out that it had a serious bearing on the case - "Police officers must be prejudiced and discriminatory to do their job. Prejudice is a state of mind drawn about from experience ..... Searching longhaired youths in bedraggled clothing could produce drug seizures, and searching West Indian youths wearing tea cosy hats and loitering in city centres could detect mugging offences ... Subordinate officers are expected to act in a discriminatory way i.e. against those people who by their conduct, mode of life, dress, associates and transport are most likely to be criminals." It is this state of mind that determined the approach that the police took to the case, to what happened on 11 July, what the police have said about it and the way they ran the investigation.

"We intend to strip away the prejudice surrounding 11 July. The view that the leaders of the UBYL organised riots on 11 July comes from this prejudice. The police looked for evidence that fit that view - they saw connections with the riots nationwide, in Toxteth, Brixton, and elsewhere. Who's got delusions of grandeur?

The arrest of TG on 11 July was the result of the 'tea cosy hat' approach. TG says it was because he was known to the police because of his previous activities. The police deny this. But when you look at the list of campaigns that TG was involved with, how realistic is this? The police all admit that they knew of one or more of these campaigns. But they claim to know nothing about this man - is this believable?

If you add this to the makeup of the Bradford police station, you get a clearer picture: the Uniformed Branch and the CID are on the same floor; the Collator's office keeps information, not just on criminal records, but generally - and the SB involvement is not just marginal - why else did they have to be present at every stage in the investigation. DI Sidebottom admitted that their job was to collect information and that information was available to him.

MM went through details of arrest on night of 11 July and showed up contradictions in details of police statements on this. e.g. 'We Want a Riot' chant; PC Irvine said he saw TG at time when PD meeting was supposed to be taking place etc. He ended up:

"If TG and TA were intending to use bombs on the night as the Pros suggest, they wouldn't have made themselves so conspicuous on the mound. If the petrol bombs were meant to have been used in a riot, why were they still at Horton Hall? If TG is concerned with the welfare of his people, why was he at the mound? Because the invading skinheads could have come at any time, not just within four hours, but any time, and through the centre of town, and he had gone round the pubs to see whether the skinheads had arrived or were drinking there. The centre of Bradford is one of the most obvious places where they would go first."

MM went on to arrests of 30 July. He said by this stage it was a matter of looking for evidence to fit the riot theory. At the briefing on 30 July, DS Huntington had said that the general feeling was that the petrol bombs had been made for riots and that the UBYL had attempted to organise such riots. MM went through the details:

- three arrested first were all politically active - TA TG and Anwar K.
- TA's political interrogation; Anwar K asked about split between AYM & UBYL.
- supposedly extreme left wing literature taken from TG's house.
- first question in TG interview had been: "From my enquiries, I gather that you are a member of the UBYL." Asked him about founders, members etc...
- police ignored statements on self defence and threat from fascists. Didn't bother to check up on any of this.



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Monday June 7 (cont)

"And Sup. Holland's explanation is "tea cosy hats" all over again. He decided not to check up on 4th Idea because it was frequented by left wing students and the like. This was said by the man who was in overall charge of the investigation! Who is looking for the truth in this case?

One of the matters arising from TG's interview: DI Sidebottom's view of the disturbances throughout the country as violence directed against authority and without any racial connotations. He included Southall in this description. This was the police officer who said that he wasn't aware of the problem of racial violence in Bradford or any organised fascist activity. All the rest of the police officers agreed with him - a blanket oblivion of the facts - you'd almost think that they didn't want to see the truth. "

MM went through interview and statements in more detail - on same theme showing how the police had looked for evidence to fit their own theory.

"Having stripped off all this dead wood, I would now like to begin on the next stage - self defence ..... One of the questions the Prosecution put to you was the question of society and the consequences for it. One of the kernels of this society is that if your community is threatened with danger, you have the right to take whatever action necessary to defend yourself - a fundamental right for survival. When TG made the petrol bombs, he had a genuine and honest belief that coming into Bradford were coachloads of skinheads who were capable of inflicting extreme damage on the Asian and the black community as a whole ... He would have been entitled to throw petrol bombs at attacking skinheads if they had actually rampaged. But he said all he wanted to use the petrol bombs for was to act as a deterrent. And they weren't used at all because the situation did not arise. So the first question you have to ask is - did he have a genuine fear in his mind on 11 July? With regard to the law, the question is one of reasonable defensive measures ..... If you are to convict this man, you must be sure absolutely that there was no intent to defend his community."

MM went into details of racist violence against the Asian community as witnesses had shown during the trial. "What has hit the Asian community in Bradford, and elsewhere, is organised hatred. And this is the injustice which TG has attempted to fight against. Details of evidence about rumours in Bradford and genuine fear of attack and fear that the police would not give protection.

"This self defence is about survival and human instinct - it is not about urban terrorism at all. As Ajeeb said in the witness box, he tried to deal with the threat sensibly. But if his own family had been threatened in any way, he would have been forced to take whatever action was necessary to protect it."

MM went through the testimony of Ken Leach and Anwar Ditta as to TG's character.

He summed up: "Is there evidence that they did or might have believed, a rumour, about skinheads, who could have inflicted great danger on his community and hence the need for defensive measures? If so on both counts.

MM went through the explosives argument again. "The case has reached this stage only because certain police officers in Bradford had chosen to attempt to justify their "riot theory" and then it became an explosives case - and it all snowballed to the present trial.....This is not an issue of explosives or terrorists, but of self defence....."

"These young men were captivated and driven by a tension in Bradford which hopefully will never arise again. If you feel that TG had intended to defend himself and his community against the threat of violence by racists, then you must acquit him. Malcolm X said: "I believe we must defend ourselves by any means necessary against the racists." That is the case for TG."



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Monday June 7 (cont)

E. Alexander summed up for Bahram Noor Khan.

Tuesday June 8

Extracts from Paddy O'Connor's summing up for Masood Malik:

"It is a measure of the difficulties that the prosecution has found itself in in this trial, that something was said which should never have been said. It raised the question: What sort of society is it where someone who prepares petrol bombs could be acquitted? I ask: What kind of society is it which allows racist attacks, which tolerates and fosters that kind of hatred and which criminalises Masood Malik for taking the defensive action which he was justified to take in response? The attack by the prosecution was a blatant attempt to intimidate you, the jury, but you should not allow it.

The prosecution has chosen to charge Masood Malik under the Explosives Act, and effectively, they have chosen to make this whole trial depend upon their ability to prove that this Act is applicable in this case. They have failed to do so ... they have failed to prove that the devices in this case constitute an explosive substance ... The only real and scientific evidence on this question has come from the defence experts, who have vouched that the Explosives Act cannot possibly apply to the petrol devices made by these defendants.

The only evidence presented by the prosecution on the question of MM's state of mind and the intent behind the making of these devices i.e. the voluntary statement, is utterly and totally discredited. You are asked to be sure that words on the document signed by him in custody were his own, voluntary words. But you cannot possibly be sure of this. The whole of the prosecution case rests on one sentence in this document, referring to TG and TA as ringleaders, and the intention to use the petrol bombs against police and shops. But whether this came from the police, as large chunks of the statement certainly did, or not, this sentence does not provide sufficient evidence.

This evidence was given by police officers who are professional witnesses ... but even these police officers have been proven to be liars..... It was proven that the statement taken down by DI Sidebottom and DS Huntington did not contain the exact words, without omission, addition or prompting, of MM ... They lied blatantly when they denied this, and it was not a happy occasion.

Only DS Holland was prepared to admit that admissions from the defendants had been a 'desirable object' because it would contain the whole case against that defendant ... And you have clear clues that by the time MM signed that statement in custody, he was a broken young man, who had been intimidated into making an admission.

MM's statement was obtained in secret. The usual safeguard of another person being present seem to have been regarded as nonsense. This court has safeguards: the lawyers, the jury are all safeguards. You would not think much of a trial which disposed of the judge, the jury, the gallery and left just the defendants and the police.

MM's statement from the dock is clear. The petrol devices are made for self defence, against the threat of a racist attack. It was a matter of instinct ... and the right of self defence is not a recent, liberal invention... The prosecution say that there were other means of defence which the defendants could have taken advantage of, and they point to the police... But on the evidence you have heard, would you say that the police have tried their best to stop racist violence in Bradford? There may be steps they could have taken, if they recognised the problem of racist and fascist violence in the first place; but they don't ... Would it be possible in any other category of crime for police officers to say that they are happy about it, that is is an



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Tuesday June 8 (cont)

acceptable situation, as they have in the case of racist attacks? The police do not have an absolute right to the uncondition confidence of any community; they have to earn it, and in the case of the black community, they have failed miserably.

Why have the police not prosecuted the National Front? That sort of literature stinks, and things that stink leave a trail behind which can be followed ... if you want to.

There were no immigration controls when the British soldiers went to India and Pakistan. There were no second class citizens ... but when Asians wanted to come here, they face the immigration laws and their families are split apart by these laws. They are degraded, pushed into ghettos, and forced into second class citizenship... And then they see racist groups on the rise and racist violence increasing, when their homes are attacked, they are asked to ignore this violence! They are asked to rely on the very people, the very state which are responsible for their situation: the state and its police force ..... This state to which MM is asked to turn exclusively is the state which has as its senior police officer someone who can make a speech urging police officers to be prejudiced! "

O'Connor said that the prosecution had failed to show that on 11 July last year these youths should have told themselves that the police would protect them. They had failed to disprove the self defence argument: the defence did not have to prove it. Judge Beaumont intervened, saying: "Don't make any more political speeches."

O'Connor responded by reminding the jury that: "Politics are about relationships between people. It is a funny country when a political speech is considered an insult before open-minded people. A political speech may actually be something to be proud of."

He said that questions of self defence were usually about the right to use force. But in this case no force was used, no injuries were made, and no damage caused. The case concerned preparations and precautions for an eventuality. He pointed out that the government of this country is making preparations, in self defence, for the "destruction of mankind."

MM had an honest and instinctive reaction to a situation on July 11 last year. "Is he to be branded a criminal for that?" he asked.

Quotes from Kadri's closing speech for Ahmed Mansoor.

"37 years ago, we, black and white together, crushed the menace of fascism. Not many black people lived in Britain at the time, but the ideal was the equality of all men. Since then, the black population in this country has increased ... and with that, the threat of fascism has crept back, to attack these black people.

This trial, of 12 young Asians, is a political trial on this issue. But has there ever been a show trial for the fascist murderers in this country? After Deptford, when 13 black youths were murdered? ... Or after Walthamstow, when an Asian woman and her three children were murdered? ... I address you as a barrister, but I cannot divorce myself from the facts; I address you with one foot in the dock ... I address you in emotional terms, because this trial is about an emotional issue.

Councillor Khabra, who gave evidence in this court described what our youth said after Southall last year: "Never again! Never again shall we be attacked by the racists. If the police fail us, then we shall defend ourselves!" That is what this trial is about.



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For the last few weeks, we have heard in the media how the leaders of this country have declared that aggression in the South Atlantic will be met with aggression, that aggression cannot be allowed to pay ... and these leaders have sent an armada to defend 1800 people and half a million sheep ... And yet, in Bradford, the black community has been subjected to racist aggression for years, and those authorities have refused to take any steps.

The police are seen to be more interested in protecting the fascists ... The official police view is that organisations such as the NF are never responsible for trouble... We are met with a police force here which refuses to recognise the fears of the Asian community. Its officers have claimed in this court to be unaware of any problem of racial violence in Bradford ... they have claimed to be ignorant of the official Home Office report on racial attacks, and its recommendations for the police.

This trial is about 8 days that changed the face of the black community in this country. On the 2 July last year, the racists moved in on Walthamstow, resulting in the murder of Parveen Khan and her three children. On the 3rd, this was reported in the press including banner headlines in the Daily Jang. On the 4th, even before the first shock had subsided, the Jang and the rest of the press was carrying headlines about coachloads of fascist skinheads invading Southall. On the 5th, the TV programme 'Skin' reported the contents of a leaflet distributed by those fascists in Southall. And on the 6th, the Jang published a copy of this leaflet. On the 7th, the Jang published statements by community leaders urging the community to defend itself. For the next 3 days, rumours were rife in black communities everywhere, about imminent skinhead invasions. And on the 11th, TG, AM and the rest of these defendants, heard the rumour in Bradford. AM and his family read the Jang.

Let it not be a white man's verdict; or an Asian verdict; or a West Indian verdict; let it be a multi-racial verdict, for that is what our society is. And it will always be, unless we are repatriated.

I have never minced my words. This is a corrupt and hypocritical prosecution. (After the judge reprimanded him, he said to the jury:) I don't mean that the barristers of the prosecution are corrupt, or that the DPP is personally corrupt. The police, who say there was no race problem in Bradford; who say that Mohammed Arif was not the victim of a racist attack. They are the source of corruption ... and why has there never been a conspiracy charge on the National Front? I say the National Front, the British Movement and Column 88 are a running conspiracy. But there have been no show trials of fascists, those merchants of hate.

The Home Office report is an indictment of you (the jury) and me and everyone in this court. And the only people who didn't know about it were the West Yorkshire Police.

I remind you what the magistrate from Southall told this court: The Asian community is proud and shall be proud, when our youth protect our homes, our mosques. We shall create martyrs, but we don't need martyrs. We need justice: and the trial of those who are the real cause: the perpetrators of violence against our communities."



Wednesday June 9

Geff Robertson made defence summing up for Vasant Patel;

"In the enterprise for which Vasant Patel is here, nothing really happened - no policemen were injured and no fire was started - and even if the rumours of the invaders had proved correct, perhaps nothing may have happened - what the defendants did was to prepare precautionary and deterrent measures, after the events in Southall.

What is on trial here is this preparation - the fact that the rumours could have materialised and the fact that these defendants genuinely believed in the threat make them innocent - the question is not what they did, but why they did it.

A moral dilemma - when is it justifiable to use force against aggression and in this case, when is it justifiable to prepare force to use against aggression?

Is it ever right not to be prepared to use force against aggression, especially if the accredited agencies are not interested in providing protection? The law provides the right of self defence in just those circumstances.

Who are the enemies of society? These young men who were attracted to an organisation which focussed on the issues which affect the black community? Or those youths they feared on the motorway?

Mr Holland made a significant admission: that he decided at the outset that the making of the petrol bombs did not amount to justifiable self defence - and he was wrong in fact and in law. But this decision ruled the entire approach to the investigation. The whole incident was blown up entirely out of proportion, into a major criminal case."

GR outlined VP's involvement on 11 July and his previous experience of racist attacks. He then went on:

"TG told the news about the skinhead invasion to VP among others and the relevant question is not what other alternative methods were available to them, but why they took the measures that they did; and in the circumstances, their action was an honest and instinctive response in self defence.

This was not a premeditated act as the prosecution would have us believe. VP did not bring the rags to the meeting, but had to go home after it to get them. The decision was taken on the spur of the moment in the face of the imminent arrival of invaders. " .....

"Why were the petrol bombs made? It is crucial to understand this for the sake of all of the defendants. A decision to prepare themselves in case trouble arose, to make devices to be used in the last resort. When the eventuality did not occur and the skinheads did not arrive, the preparations were abandoned.

The prosecution failed to see this question because they had decided to look at only half the case, in spite of the evidence before us:

- a. Mr Ellis told us about the tension in Bradford on 11 July.
- b. Mr Ellis and some other police officers told us that the crowd in Bradford centre that evening were mainly white.
- c. The prosecution had this fantasy of TG going round the pubs inciting youths to riot against the police and shops. And to justify this, they have had to give some sort of leadership to TG and TA. This is simply not credible because if you are going to throw bombs, you are not going to make yourself a target in that way, with the weapons themselves half a mile away.
- d. The petrol bombs were hidden, where they could only be got at after a deliberate act of choice - this is comparable with TG's evidence.
- e. After the police sortie resulting the arrest of TG and TA, there was no move made by any of the defendants towards these weapons to use them in a reprisal.
- f. And afterwards, no attempt was made to destroy the weapons - the defendants



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did not want anything to do with them and not a single move was made to carry out the supposed objective of the supposed conspiracy.

In fact, the whole incident was an instinctive response to a genuinely felt threat. But because the full story wasn't appreciated, these 12 were treated as terrorists.

What the prosecution has to prove is that VP was part of a gang which made the decision to make bombs in order to attack the police and large shops and only if you are totally convinced of this can you convict him.

There is evidence to raise reasonable doubts of his guilt on both counts:

1. Are these in fact explosive devices? Unless you are convinced of this, that is the end of the case. The theory of the prosecution expert is an unproven theory.
2. The evidence against VP is inadequate. You have to consider only what he said in his statement which is the whole of the prosecution case: only two relevant passages: the reference to rioting in connection to what TG had told him. But he qualifies the references, saying that TG advised that "we should be prepared/ready for trouble". This is the language of defence and not of aggressive intention.
3. In his statement to you, he set forth his true intentions - wholly consistent with his statement to the police.
4. VP did not bring the ingredients with him. They were collected after the meeting. It was an honest and instinctive decision, on the spur of the moment.
5. Is it justifiable to prepare yourself and your community against organised aggression? The law says yes. The threat was extremely serious. They feared firebombing and their response was proportionate to the danger and the danger they feared.
6. (see d. above) The weapons were not kept at hand. It would have taken a deliberate choice to use them.
7. (see e above) No moves were made to use the weapons in reprisal after the arrest of TG & TA.
8. (see c above) The prosecution case simply does not make sense: TG the leader getting himself arrested at the very time when he should be using the weapons against the police.
9. (see f above) After that day, the weapons could still have been used. But they were abandoned, because the one grim eventuality for which they were prepared did not come about.
10. All evidence points to an honest and instinctive response.
11. Are these defendants terrorists? Or are they young men who got a bit carried away in the fear that they genuinely felt? Are they the enemies of society, or are the real enemies the racists who attack the homes and people of the black community?

If there is any reasonable doubt on any of the above points, then you should acquit Vasant Patel. "

Extracts from summing up by M. Russell for Pravin Patel:

"When Pravin Patel heard from TG last 11 July about coachloads of skinheads invading Bradford, he panicked .... What he did that afternoon, on the basis of what TG said, was a defensive action born out of real fear and panic.

The prosecution in his opening speech, used the phrase: "that afternoon there was no threat from the National Front or the skinheads." Where did that phrase come from and why was it used? ... What is relevant to this question is the police



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attitude to his entire case .... Even according to the Home Office report on racial attacks, the police tend to underestimate the significance of racist attacks for the victims or for those threatened ..... So many of the police officers who gave evidence had never even heard of any racist attacks, or even the Home Office report itself .... What you have to assess is, if the police approached this case with a closed and narrow mind, then how much can we rely upon any document they produce as evidence? ... The police were determined to present their case to the court and their closed mind may have come about after the first statement which TG wrote: 12 such statements would have never allowed this case to reach here.

The evidence against PP can be summarised easily: it is the statement obtained from PP in the police station ... and it was exactly such a confession extracted from George Lindo that was used as the only evidence against him to bring a wrongful conviction.

The point about Nazism and Fascism is that it kills people because of the way they are born ... And the fascists in this country are on the way to following the same path if they were to ever gain power ... It is a politics of death ... It is not just a matter of left and right, of six of one and half a dozen of the other - as the prosecution suggest.

The evidence against PP, or the lack of it and the lies in it, call out for his acquittal.....Jurors have suffered in the past to uphold the right of acquittal of a defendant ... Jurors have stood up for their convictions and refused to compromise or make deals in relation to this right of acquittal ... I ask you to do the same."

Crabtree summed up defence for Isaaq Kazi:

(extracts) - "IK is only indirectly concerned with what happened and the decision not to give evidence was not taken lightly.

I shall be criticising the police conduct with IK and I shall ask you to ignore the statement police got from him in the police station. Not because of anything IK might have said, but because of what is in the notes of the police officers themselves.

Why did the police officers go to such an extent to bring charges against IK & Jayesh Amin? The reason is that they would have been the chief prosecution witnesses against all the others. So they had to be brought to admit that they themselves had something to do with the events. IK finally gave in. But JA did not and this was not for the lack of police efforts. And JA is free now because of the lack of evidence against him.

But JA was never threatened the way IK was. If he had been, he too might have admitted to something that he had never done.....

As far as IK is concerned - please treat IK's case as separate from anyone else. When you look at his case in isolation, please do not blame him for not giving evidence."

JC went on to go through the details of how the police extracted the statement out of IK - by threatening him with heavy charges and punishment and alternately promising that he would be let off lightly etc.....

"On count 2, the prosecution must prove that IK agreed to something for unlawful purposes - it was framed as a conspiracy simply to draw in Sabir Hussein and Saeed Hussein, who never participated in the making in any way - the only evidence against IK on this count is contained in the interview and the statement given by IK to the police.



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Wednesday June 9 (cont)

The police noted everything they said to IK during that time and they presented all of that to the court, not because they're stupid but because they wanted to see if they could get away with such methods and such evidence in the future.

IK must be acquitted, not just for the sake of justice but also for the sake of the public good."

Thursday 10 June

Ed Rees summed up defence for Giovanni Singh:

The general aspects of this case apply to GS as much as to anyone else. GS cannot be guilty of either of these charges:

1. Count 1 because he did not know that petrol bombs were being made when he bought the tube
2. Count 2 because he was never part of the agreement to make petrol bombs.

His case may be slightly different from that of others, but his experience of racism and racist violence is the same. The Crown, the DPP and the police have been intent on denying this experience. A beneficiary of one of the more illogical attitudes i.e. that of skin colour, he obviously does not share the complacency of the police and the prosecution that the situation in Bradford is acceptable. They would say that he is lying if he says that he is concerned about that position - "racial attacks were certainly not a problem in July 1981, and certainly not in Bradford" - and this attitude has permeated throughout the case.

After the events last summer the police were obviously very angry ... it was all a law-and-order problem for them ... it was all due to "trouble-makers" for the police .... hooligans and law-and-order problem ... a tunnel vision ... and the very people who could have told you about the politics behind this case, the Special Branch have been kept out of the witness box.

GS says that he did not know about the petrol bombs until after they were made. He did not take part in the siphoning out of petrol. He simply faded after the tube was bought. He was arrested on Saturday night simply because he went to TA's aid.

From GS's first interview - in three answers, the whole of the prosecution case is supposed to rest... with "admissions" about the petrol bombs, rioting, police and shops - the police are liars but not very good liars. Solicitors were denied access to those in custody because solicitors get in the way, but again, the police lied about this.

GS's second interview - he is shown the statements of the others and he makes one himself. There has been enough of the game of lies that the police have played. The whole of the statement is questions and answers."

Tariq Ali summed up his own defence:

Everything you have heard so far about the charges against us is about a human reaction - our action in defence of our people was a natural reaction. I am not begging for mercy. I don't ask for forgiveness. I am asking for understanding. When you come to consider the prosecution case against myself, you must remember that it comprises of only 15 words - 7 words on 11 July and 8 words on 30 July. The rest is speculation. You are my protection because you are ordinary people.

The threat of fascist terror affects everyone of you and not just black people. If the fascists ever seize power, anyone who raises their head will have their heads chopped off.



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thursday June 10 (cont)

But there is a reign of terror now for black people. The institutions that subjugate them, and the highest authority in this country has approved of this terror: Margaret Thatcher and her "swamping" speech; the immigration authorities; hundreds of deportations every day; the fascists' reign of terror is justified by the highest authorities. The British Movement models itself on the German fascist machinery. There is a leader guard and the rest is all propaganda machinery.

I am on trial because of 15 words. The rest of the case comprises of my political beliefs. It is those beliefs that I will put before you: convict me if you will. I have been labelled an extremist. If by fighting for my people, you label me an extremist, so be it.

I am here because of the impression of terrorism that they have created.

This country allows you to hold your views. It allows fascists to hold their views. It must allow me to hold my views. The police are not the instruments of compassion when they treated us they way they did in our cells.

Friday 11 June

My view of life is that it is a defensive struggle for survival. The prosecution suggest that the UBYL broke from the AYM because we wanted violence. That is rubbish. It was to avoid the corruption that arises from state funds. We are not a violent organisation. Anwar Ditta was subjected to violence and in response we initiated a prolonged mass campaign - not violent - and it was the same with Gary Pemberton.

The prosecution posed the question of society in the future. My view is that we live in a country that prides itself to be a free country.

This is a political prosecution. The only reason I was raided in the first place was because of my political association. It doesn't make any sense at all that they denied previous knowledge of me ... They carried out a political interrogation before anything else. In the magistrates' court, some of the things that were said only reinforce this sense of a political prosecution. And then the bail conditions - "not to attend any political activities." After our arrest 800 people came together in a meeting for our defence. The community understood that this was a political trial. You would not hear slogans demanding our freedom otherwise.

The people who have played the most important part in my being here are the Special Branch. And yet I haven't had a chance to question them at all for their motives. The monumental fantasy behind the charges in this trial - the events of 11 July i.e. my arrest and the present charges are presented as somehow linked. You are supposed to speculate about this link .... it is the speculation in which the Special Branch believe.

It is important to determine whether the police came to arrest me or invite me ... in the first place on 30 July. DI Windle said that it was made quite clear in the briefing that TG and TA were to be arrested and brought back to the police station.

The case against me - the verbals - are so untrue as to be ludicrous. But once they are put before me, it is a great big uphill battle to prove that they are untrue. DI Sidebottom and DS Huntington said that notes were taken during the interview there and then. I say that no such notes were taken. They went away after the interview and concocted the whole lot. There are several points which prove this: 1. the caution is not present in the notes 2. coloured people - I never use these words 3. UBYM - I would know the name of my organisation 4. There is not a single slip of the pen in the notes 5. In the notes it is reported not direct speech.



Friday June 11 (cont)

Almost every other defendant has said that they were asked about me again and again. Why? Because they were trying to get whatever they could to convict me. The only question I ask is: Why they did not verbal me up even more? Perhaps the senior officer involved in my interviews realised that there were some limits.

(He went into details of the 15 words that he is reported to have said by police which are the only evidence against him: "This is it lads, let's get them." & "I believe it was I who suggested that we would need the means to defend ourselves.")

Throughout my statement, I insist on our motives of self defence. And if you convict me, that is what you will convict me for.

You are my protection against any injustice. You can stop a wrong, but you cannot put right what has been wronged already - that is my 3 months in prison. Once the judge begins to sum up, I will not be able to interrupt, so you must bear in mind what I have said. ....

The whole case against me amounts to nothing but a political prosecution. It is aimed at my political views. It is nothing but to get me off the streets. At that time I fought for my people. I am not a terrorist but a victim of terror. I ask you to acquit us all. A case has been put to you which consists of fantasy, lies and deceit. My statement is not just about black people, but anyone who is threatened with the menace of fascism.

J. Gibbs summed up the defence for Sabir Hussein:

JG mainly concentrated on the details of SH's case - "I won't concern myself with the technicalities of explosives and pyrotechnics or with the case for self defence. That has been amply put before you already. I shall confine myself to the details of Sabir Hussein's case. " .....

She went through the details of this and concluded: "The point has been made about SH's complete absence from the meeting. As he said to you, after the long and persistent questioning, he finally gave up and signed the document put to him by the police.

It is not for Sabir Hussein to prove his innocence to you. But he has done just that. There is so much independent evidence that demands his acquittal.

Helena Kennedy summed up the defence for Saeed Hussein:

There are three areas of justification for the acquittal of these defendants:

1. You are satisfied that the petrol bombs were made in self defence. You have understood something of the threat against the Asian community.
2. These defendants just do not give the impression of being hooligans.
3. The prosecution did not present a satisfactory case. The police prevaricated and often lied in their evidence.

Looking at the closing speeches of the rest of the defence lawyers, there is a significant difference between the way the cases have been presented by black lawyers and white lawyers. Those of us who are white just cannot give the direct experience of racism and fear which the black lawyers can. But we have learnt something about it.

In fact this experience of discrimination and fear has been faced by almost everyone, whatever the minority they have come from. It is an experience which you will find in your own life to touch upon this case, even if you can't know what it is like to be black yourself.

The difference in the hostilities faced by black people today, from that faced by other minorities before, is that the conditions are now ripe for the rise of fascism, as in the case of the Jewish community in the 30's. Then, the only



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Friday June 11

reason why fascism did not catch on here as it did in Europe and elsewhere, was because of the very real resistance to it.

The abusive letter from a fascist to the UBYL after Anwar Ditta's victory was one of the things which produced a shiver in this case. Saeed Hussein's sealed letterbox after Walthamstow is another. A third is Anwar Ditta's permanent safeguard against fire.

Self Defence is an ancient right. But the prosecution have pinned their case on saying that self defence is not an issue here at all. They are not prepared to shift their ground. In this case, in the wake of the sort of attacks on black people in Walthamstow and Southall, these defendants thought it reasonable to take the defensive measures that they did. What you have to look at is the panic in the minds of each of these defendants in the course of about one hour, from the meeting to the making, in the face of the fear of droves of skinheads attacking their homes. The petrol bombs were a sort of an insurance policy.

The judge may tell you that there is no such thing in Britain as a political trial. But Saeed Hussein in his own words told you about the politics of this case. It is politics if the authorities do not have the confidence of a community and it is politics if members of a community have to defend themselves against attacks.

On the one hand , you have these defendants reading in the papers about people like themselves being attacked. On the other hand, the police were reading about riots and petrol bombs being thrown at the police. So for the police, petrol bombs meant riots and riots meant attacks on shops and themselves. It was this "wooly hat syndrome" which ruled their approach to this case and nothing was going to turn them away from this path.

The fascist have been firebombing and using fire to attack Asian people for a long time. So it was inevitable that these defendants would think in the same language. If you reject the case for self defence, you will be ignoring this background.

Saeed Hussein is probably going to be the easiest one to deal with for two reasons. 1. The evidence against him and the ambit of it, is minute. Count 1 has been dismissed against him. As for count 2, he has already made it clear that there was no unlawful purpose behind the making of the petrol bombs. This is what his statement to the police says: but the only reason he is still in the dock is because of what Mr Porter and Mullaney have said in this court. That is that he admitted intent to use the petrol bombs against police and large shops in his interview. It is clear if you look at this interview that this is doubtful. The notes of this interview which took 200 typed lines, were written down afterwards and the police officers claim to have remembered what was said exactly. It is the sort of lie that has permeated the case.

2. The prosecution case is just not good enough on the matter of explosives. They are asking you to resolve a dispute which is ongoing in the scientific community. To ask you to convict people of a crime on this basis is game-playing that puts to risk the lives of 11 people.

There has been a certain amount of controversy about the involvement of politics in this trial and whether this is a political trial. If it wasn't already political beforehand, it became a political trial when Paul Kennedy (Prosecutor) asked you: "What kind of a society do we want to live in?" - anathema to this system of justice. The one thing that juries are about is democracy. Not about blanket decisions simply because you don't like petrol bombs. But about looking at the motives behind the actions of defendants.



Friday 11 June (cont)

When you return verdicts of not guilty, you will also be making a declaration for the kind of society you want to live in - a society where there will be no racist violence or fear, a truly free society.

Judge Beaumont's summing up:

We all live in this country, are citizens of this country and have common interests. We have to see that truth and justice should always prevail. And that violence should never prevail. All citizens, whatever their colour, should live in peace.

You have the important task of deciding this case, deciding where the truth lies, on the basis of the evidence that has been put before you. Forget all the other cases mentioned here, except those that may have affected the minds of the defendants. Forget everything you have heard or read outside this courtroom.

In summing up, I have to tell you the relevant law and the evidence. I have to direct you on the law, and you must take the law from me. Forget what some of the counsel have said about this. The burden of proof lies with the prosecution. None of the 11 defendants have to prove anything at all. Before you convict anyone, you must be sure, that the prosecution case presented to you is satisfactory in all respects.

Give the case of each defendant quite separate consideration and you will bring separate verdicts for each of them - 20 verdicts in all. The two counts do not necessarily stand or fall together. Conspiracy is possible without any part in the manufacture. But the contrary, is difficult to envisage. A conspirator can join the conspiracy at any time after its initiation.

Count 1:

1. The prosecution have to prove that the petrol bomb is an explosive device. From the scientific point of view, the experts disagree. I direct you as a matter of law that these devices are capable of an explosive effect. It is up to you to decide from the point of fact.
2. The prosecution say that each defendant contributed to the making of the petrol bombs. But you have to be satisfied that each defendant deliberately contributed to the making.
3. The issue of self defence is a major and perhaps central issue in this case.
4. The intent to endanger life and property. The prosecution ask you to infer that intent from the nature of the devices themselves. It is open to you to do so. You can ask yourself, what other intention could they have had when they made the petrol bombs. But it is a very high intent that the prosecution has to prove.

The defence against this first count is 1. that the petrol bomb is not an explosive device and 2. the case for self defence.

The law of self defence:

Legitimate, reasonable self defence is a defence on both counts. It is legitimate against any form of violence - common sense - but the law imposes a limit. The force must be reasonable and proportional to the circumstances.

It is for you to decide whether the force used was reasonable or excessive. So you set the standard what reasonable self defence is. When petrol bombs are made in anticipation of an unknown number of people coming from a distance, is that a reasonable form of self defence?

The defendants' state of mind is relevant. In the anguish of the moment, if any defendant did honestly and instinctively act in self defence, it would be very powerful, but not conclusive.



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friday 11 June (cont)

Was there any heat of the moment? The prosecution suggests not, because of the time lapse from the news to the making. You have to decide whether the heat of the moment applies.

Count 2:

This is a much less serious charge than count 1. The prosecution has simply got to prove the unlawful purpose for the agreement. A conspiracy is an agreement of two or more persons to commit an unlawful act. You have to decide if each defendant deliberately took part in that agreement. The existence of the conspiracy is not an issue - except for with IK and Sb H - the purpose of the conspiracy is.

The making of these devices is obviously unlawful isn't it? Unless you decide that these defendants were acting in reasonable self defence?

Matters of law:

The statement made by one defendant cannot be used as evidence against another.

Statements to the police, written or by word of mouth, which the defence claim were not voluntary - the position in law:

- a. If you take the view that an admission was obtained by force, you can still accept it if you believe it to be true. But when a defendant claims such such an admission is not true, then it is less likely to be so.

Past convictions:

Normally a jury is not allowed to know previous convictions, but a defendant has the right to reveal them.

1. TG's - you can safely believe it to be an act of irresponsibility (question of riding in a stolen car).
2. TA's - relates solely to his credibility as a witness. It is to his credit that he has revealed his past record himself.

Nine defendants have elected to give unsworn statements from the dock. This is a right by law. But it is quite different from evidence given from the witness box. A statement from the dock is not on oath, and no cross-examination is allowed. Strictly speaking, this unsworn statement is not evidence at all. It has less cogency than sworn evidence. Consider it in relation to the evidence as a whole and attach to it such weight as you will in that context. Bear in mind that the defendant has to prove nothing. IK chose to say nothing, and that was his right: the burden of proof is on the prosecution.

Other matters:

Mr Kadri, with TA and HK, called this a political trial. SK is wrong. In the circumstances last July, what could the police and DPP have done but to bring a prosecution? It is a criminal trial.

Mr Kennedy asked a rhetorical question: "What sort of society do we want to live in?" The answer must be: 1. one where people live in harmony with each other. 2. one where people are not allowed to build stocks of weapons for use against each other.

The central issue of this trial is: what was the intention of each of the defendants in making the petrol bombs?

In considering the mess of evidence, I suggest you stand back and try to distinguish the wood from the trees.

Other points of law:

The police notebooks are used by police officers to refresh their memories in trials. The police may make them up after interviews which may lead to some similarities between police officers or they may make them contemporaneously.



friday 11 June (cont)

Judges rules: they are not rules of law, but for the guidance of the police. The police have a discretion in the matter and you must decide whether this is justified.

The Home Office report on racial attacks. You have a copy. You may think that it has only slight relevance to what you have to decide because the defendants could not possibly have read it. But it does show that attacks on Asians, not necessarily in Bradford, but in West Yorkshire, which includes Bradford, are serious. And this situation could have had a bearing on the state of mind of the defendants.

4th Idea Bookshop: The beastly attacks on it are a fact. But what relevance could this have here? How could defendants of Asiatic origin be affected by this? save in a general way?

Special Branch: There is evidence that they went to the homes of every defendant. They took an interest in this case. There is evidence that their interest was to investigate any possible link between the disturbances in Bradford and those elsewhere.

The explosives matter:

The prosecution must prove that the 38 petrol bombs are explosive substances. I direct you that the devices are explosives. This is not binding on you.

The legal definition of explosives appears to be wider than the scientific data. The 1883 Explosives Act defines it as any material used to make an explosive substance. Dr Boddington conceded that he did not consider petrol bombs to be an explosive substance only because it would not normally act as an explosive. Dr Bowra was more insistent that petrol bombs are never explosive in the scientific definition.

TG told you that the petrol bombs were to produce a curtain of fire. What is that if not a pyrotechnic effect? The 1875 Explosives Act allows such a pyrotechnic effect. The legal definition is once again wider than the scientific data.

Monday 14 June : Judge's summing up (cont.)

The judge then came on to the events of 11 July and went through the evidence for and against each of the defendants in detail.

On the events of 11 July:

Prosecution and defence agree that the atmosphere in Bradford was tense. But their reasons are different. There had been serious disturbances in Brixton, Toxteth and Southall and the police feared a similar riot in Bradford. The police were right: a disturbance did take place. The defence say that the defendants feared a skinhead invasion. They were wrong: no such thing took place. Defence says that the petrol bombs were made in the event of a skinhead invasion. The key question for you to decide is whether the fear was genuine or not.

In the afternoon there were crowds at the Interchange, including TA. In the evening there were 150 youths at the Mound including TA. They were jeering at the police according to PC Irvine and other police officers; there were cries such as 'We Want a Riot'. TA and TG amongst others were arrested. Police officers say for incitement. Defence sa this was a deliberate pounce by the police. PC Wright and PC Benn arrested GS and Sb H for obstructing TA's arrest. This is admitted by the defendants. PC Manning arrested TG. In TG's evidence, he said that he was not at the Mound to have any part in any disturbance. Ch. Ins. Ellis gave evidence of "atmosphere of fear" in Bradford that afternoon. The police had intelligence that a large scale disturbance was to take place in the evening. Extra police officers were drafted in. At 10.30 p.m. a large



Monday 14 June (cont)

crowd of mainly white youths jeering and abusing the police. Defence has submitted that he has embroidered his evidence re "We Want a Riot" and such cries. There were 45 arrests including 8 non-white. Ellis said there was no political motive in arresting TG and TA.

Police had had contact with the Asian community. But Ellis said that no fear of a skinhead invasion had been communicated to the police. And that it would have been taken seriously if it had been communicated.

Det. Supt. Holland was in overall charge of the investigation. He said the political side did not enter into the matter at all: it was a purely criminal investigation. When the petrol bombs were found, the bottles were sent to the forensic department and the fingerprints of TG and AM were found on them. This led to TG's arrest and others on 30 July.

(The judge then went through the evidence for each of the 11 defendants one by one. This was too detailed to be included. The most important point out of this detailed summing up was that with four of the defendants, GS, IK, Sb H and Sd H, he implied although did not directly rule, that they should be found not guilty. When summing up on TA, the judge made three key mistakes on the facts of the evidence. TA had to interrupt to point out these factual mistakes: for example the judge said that in the afternoon TA had said that ~~wt~~ was he who first mentioned petrol bombs to TG. TA objected that he had not said this: he had said that TG first mentioned them to him. The judge agreed this was factually correct.)

At the end of the detailed summing up MM made some submissions for the defence: They were on questions of law.

#### Explosives

1. You said to the jury that the legal definition is wider than the scientific definition. That is not accurate. There is no legal definition. And which scientific definition do you refer to?

The definition is a matter of fact for the jury to decide. Mr Cook went to the Oxford English Dictionary for a definition because there is no legal definition in the Acts. The meaning of explosive substance is a matter of fact which should be left to the jury. All the Acts do is exemplify explosive substances. The Court of Appeal (Wheatley) simply extended this exemplification to include pyrotechnics.

You could have misled the jury that there is a legal definition, when such a thing does not exist. The jury has to decide the meaning and definition of explosive substances and then whether it applies to this case.

2. You did not ask the jury to consider the words: "manufacture with a view to produce a practical effect by explosion". In Sec 3 of the Act. This must be a first stepping stone to the definition or the meaning since petrol vapour itself is not specified in the exemplifications. The defence experts specified the highly controlled situation ~~xi~~ in which the materials in this case could produce an explosion. That is why the words "manufacture with a view to produce ..." are important. The intent is important in both the 1883 Act and 1875 Act.

3. If there is any ambiguity regarding these points then it must be put to the jury that the benefit of the doubt must go to the defendants. You have expressed a strong view that the materials are explosives on more than one occasion. This is unfortunate on such a delicate issue.

#### Self Defence

In dealing with count 2, you indicated to the jury that the making of the bombs was obviously unlawful, unless you decide that the action was taken in reasonable self defence.



Monday 14 June (cont)

The judge said that if the jury decided that his case was about the matter of the skinheads, then in spite of the possibility of endangering life and property if the petrol bombs were used, they would have to acquit every one on count 1 but not so on count 2.

Tuesday 15 June

Tariq Ali made a submission to the judge in the absence of the jury.

He said that his defence had not been put forward completely. (by the judge).

1. I met TG in the Central Library and then in the town centre. I suggested some sort of defensive measures were necessary. Petrol bombs were not discussed. I met TG again at Pemberton Drive. I was told there by TG that petrol bombs had been made. TG has corroborated this evidence. If I had been consulted, I would have agreed anyway. My defence falls in the same category as that of GS.

2. The police were suggesting things while I was writing the statement and putting pressure on me. e.g. 'You saw TG' 'You suggested petrol bombs' etc. TA claimed that the jury had not been told this defence in full.

Jury came back in.

Final words:

Please consider the statements made by the defendants very carefully. TA wrote his and says he sticks by it. TG stands by his first written statement. IK says his statement was obtained by threats and oppression - we haven't heard what IK says. All of the other statements, the defence say are comprised of answers to leading questions and are made up of police words.

Consider the wording individually. Is that what the defendants themselves said? Or is it that fudged by the Police? in whole or in part? Your answers may vary from statement to statement.

Why were these 38 petrol bombs made? For a riot? Or for defence against a possible skinhead attack? TG said in evidence that the motive was self defence. If the police are right, then the following did not mention skinheads as a motive at the very beginning in the initial interviews: BK, MM, AM, VP, IK, GS & SbH. But skinheads were mentioned by PP & Sd H. TG gave them as a motive at the very beginning. TA did not mention skinheads until he sees TG. Those who mentioned skinheads in their statements are: TG, TA, MM, Sb H, Sd H. Those who had no mention of skinheads in their statements are: BK, AM, IK, GS, PP, VP.

The prosecution case is that it was not self defence, the petrol bombs were made for a riot. Why were the police and community leaders not contacted? Why were there no lookouts? Why were they put at Horton Hall? Why were the defendants at the mound? Why was there a delay between getting the news of skinheads and the making of the petrol bombs?

The defence case is that the 11 July was the end of the week that started with attacks in Southall and Walthamstow. There was a natural fear in the Asian community and the petrol bombs were made in self defence. The defence say that the police approached the investigation with shut minds and self defence was completely disregarded.

In his summing up GR made the following important points: 1. tension in Bradford 2. why should TG and TA court arrest? 3. the bombs were not fetched after the arrest 4. the conspiracy was in a hurry - it was an honest and instinctive reaction.

TG says he heard the news at about 11 a.m. The plan to make the petrol bombs was later in the afternoon. It was not an immediate reaction on TG's part. It could have been on the part of the others.



Tuesday 15 June (cont)

There are four things that the prosecution must prove.

1. that petrol bombs are an explosive substance. The defence submit that the devices are not. Prosecution contend they are. I have expressed the view that they are. That view need not influence you at all. The 1883 Explosives Act defines explosive substances in Sec 9.1. It includes materials for making substances. I use the word 'defines' advisedly. Explosives has a wider meaning in law than in science. The defence say that petrol bombs are not an explosive but an incendiary from the scientific point of view. The curtain of fire may be thought of as a pyrotechnic effect.

2. that each defendant played a part. If there is any ambiguity give the benefit of the doubt to the defence. Admitted by TG, PP, MM, BK, AM & VP. Denied in the case of GS. Not admitted and not denied by IK. You may think that TA's statement shows he played a part, even a leading part.

3. The prosecution must prove that each defendant acted **unlawfully**. (re count 2) The burden of proof is on the prosecution to oust the defence of self defence. The defendants' state of mind is relevant. If you believe it is a reasonable self defence, the verdict is not guilty. On defence counsel asked: Is it wrong to meet force with force? The position of the defendants is that it was right but it leads into two further questions. What is the force used or threatened against you? What is the force you propose to use in response? You set the standards in this case.

4. The prosecution must prove the intention in Count 1. The defendants deny it. The prosecution invite you to infer it through the nature of the petrol bombs themselves.

My view is that if you are satisfied that the petrol bombs were made for a riot, you must bring verdicts of guilty on count 1. If you thought the motive was or might be self defence against skinheads, then you might think that the lesser count is more appropriate i.e. conspiracy, even though in relation to defence against skinheads, petrol bombs when thrown could endanger life or property, if the motive is self defence, then that cannot be the intent.

Count 2: conspiracy has been admitted by all the defendants except for GS and Sb H. The question is: was it reasonable self defence? If you feel the motive was not reasonable self defence, then you must convict on this count.

A general note: Suppose you form a view favourable to the defence, that the petrol bombs were made for use against a skinhead invasion, either to throw at skinheads or to erect a curtain of fire - though this was mentioned for the first time only in the court - is that legitimate self defence? You set the standards. If you think that a store of such devices to use against opponents yet to come goes beyond reasonable self defence, and that chaos and confusion in the country would follow, then the verdict must be guilty on count 2.

End of judge's summing up.

HK submitted that the use of the petrol bombs as a last resort only should have been raised.

MM submitted that Tim Whitfield and Charles James - witnesses for PP - had not been mentioned in summing up.

TA submitted same for Marsha Singh.

Judge ruled that MM's application on "manufacture with a view to produce.." that this was closed.

After 24 hours and 50 minutes at 11.20 a.m. on Wednesday June 16 the jury returned not guilty verdicts on all 11 on both counts.