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Ten Years on Bail: ‘Darcus Outta Jail’

For 10 years, Howe tumbled from one case to another. The arrests came thick and fast, as did the charges. Actual Bodily Harm, Threatening Behaviour, Wilful Obstruction and Obstructing the Police; as far as the authorities were concerned, there was no end to his crimes. By and large, juries saw things differently, and Howe was acquitted at the end of five of his six cases. Police interest in Howe is easy to explain. Howe picked up the theme of police corruption and racism in *Black Dimension* and never let it drop. What is more, he had bruised a few egos by besting officers in the Mangrove trial. Many of Howe’s arrests indicate that elements in the Met, and later in the Manchester Constabulary, would seize on any excuse and go so far as fabricating evidence to even the score. Special Branch certainly kept tabs on Howe. Even after his acquittal in the Mangrove case, they continued to keep him under surveillance. According to a Special Branch report from 1972:

HOWE, is regarded as one of the leading black militants in London. He is a writer of black extremist literature and has taken part in many Black Power activities. He is prominent in the affairs of the Black Panther Movement, although recently he has been critical of the present leadership.

(NA HO 325/143)

With this reputation it is no surprise that he would have trouble with the law for some time to come.

‘The Old Bailey Three’

The Mangrove trial was one Black Power trial among many. The pages of the *National and International News Bulletin* and the *Black People’s News Service* were full of court reports of ‘frame-ups’ that ended up at the Old Bailey. As a result, Howe and other black radicals were often at the court, reporting,

protesting or giving evidence in one case or another. The case of the Oval House Four was no exception, and on 20 June 1971, Howe was arrested after a scuffle between demonstrators and police outside the Old Bailey (*TO*, 2–9 October 1972). Three protesters were arrested, facing, between them, six charges of Assault and Actual Bodily Harm.

The ‘Old Bailey Three’ comprised Howe, Olive Morris and Abdul Macintosh. Morris later became something of a Brixton folk hero. She was an active member of the Panthers and ‘a genuine rabble rouser’ in Howe’s words, a founding member of the Brixton Black Women’s Group (ROC 2009: 5) and a woman who turned squatting into an art form (*Ibid.*, 40).

The committal hearing took place at the Guildhall in January 1972 with the full trial at the Old Bailey starting at the end of October (*TO*, 2–9 October 1972). In terms of defence strategy, the trial of the ‘Old Bailey Three’ was a partial rerun of the Mangrove trial. Howe put in a series of pre-trial applications to strengthen his position. He requested a tape recorder, so that he could scrutinize the proceedings; to have a ‘McKenzie’ and ‘a fair representation of black people on the Jury’ (UC DHP Box VII/4). Finally, he requested the names, addresses and occupations of the potential jurors. These requests were granted, and Louise London, a law student, acted as Howe’s McKenzie.

As in the Mangrove case, the defendants used their right of challenge to influence the make-up of the jury. Consequently, all four of the black citizens in the jury pool made it onto the jury. The defendants selected the remaining jurors ‘on a class basis’ (*Ibid.*), favouring candidates who, according to the information obtained from the court, lived in working-class areas or had working-class jobs. Howe set out his reasoning for selecting jurors from the white working class in a letter to friends in Trinidad dated January 1973:

Our decision to have white working class jurors needs to be explained. As a class they are presently involved in a continuous struggle against capital and the political regime. At such moments in history sections of the class acquire instincts and attitudes which they are without in times of social peace. Consequently there exists a willingness to explore areas hitherto considered taboo. Such as the bringing on of verdicts which in essence condemn police malpractice and corruption.

(*Ibid.*)

Finally, the three also looked into the background of the presiding judge. Through conversations with friendly barristers, Howe learnt that John Fitzgerald Marnan Q.C. had been Crown counsel within the Minister of Legal Affairs in Kenya between 1958 and 1959, where he had prosecuted members of the Mau

Mau (*Kenya Gazette*, 2 September 1958). He subsequently transferred to the Federal Supreme Court in the West Indies (*West Indies Gazette*, 1 January 1959). Howe's initial impression was that the Marnan, in contrast to Clarke, was 'mild, courteous and accommodating'. In spite of this, Howe was not prepared to let down his guard. Outright confrontation had failed the state in the Mangrove case, perhaps they hoped to achieve more with a new strategy. After the jury was empanelled, Howe made one last request, that each juror should be given a notebook and a pen so that they could make notes as the trial progressed. The judge's response indicated that he too had been doing some pre-trial homework. He denied the request, appealing to Howe's experience as a public speaker: 'Mr Howe, you are a man who is accustomed to speak to large numbers of people. This experience, you will appreciate, teaches you that if your audience is taking notes while you are speaking, they tend to miss some of what you are saying' (UC DHP Box VII/4).

The trial began on 30 October 1972, in Court number 3, with Howe defending himself. The prosecution's case comprised the testimony of nine police officers. Bizarrely, their case was riddled with inconsistencies. In Morris's case, there were divergent accounts of her footwear, no trivial matter as she was accused of kicking and injuring an officer. In Howe's case, the inconsistencies were even starker. He was accused of assaulting Inspector Murrell, but when Murrell took the stand, he flatly denied that the assault had ever taken place. PC Lomas accused Howe of biting his finger. However, under cross-examination, Howe demonstrated from Lomas' own notebook that the bite was inflicted by a woman. Howe summed up his approach to cross-examination shortly after the trial thus:

My attitude in cross examination was informed by the fact that their entire story was a pack of lies, and I made no bones about it. I accused them of having no respect for the truth, of being liars and cheats, etc.

(UC DHP Box VII/4)

Lawyers representing Morris and Macintosh took a more circumspect approach. Even so, as the prosecution rested, it was clear that their case had disintegrated. As a result, the judge instructed the jury to retire and reach a verdict on the charges facing Morris and Macintosh relating to the assault of PC Reid. Although he provided no formal direction, it was clear that he was asking the jury to find Morris and Macintosh innocent prior to their defence. Conspicuously absent was any direction regarding Howe. The jury found in favour of the defendants, Macintosh was discharged, Morris faced two further charges.

When Howe took the stand, he argued that he had acted lawfully in trying to prevent an illegal arrest. He concluded with the broader political point that ‘if we as black people turned our backs in the face of such persecution, we would be paying much dearer in the future’ (Ibid.). The prosecution made no headway during their cross-examination. Finally, Howe called four witnesses, two lawyers, an Indian flight attendant and a doctor, whose names had been taken after the incident by Panthers on the demonstration. Each one stated that the fight had been precipitated by the police and that Howe had done nothing wrong.

Howe’s speech on the final day of the trial, 6 November, addressed the politics of the trial. ‘I asked the jurors to make a clear social commitment against police corruption by finding me not guilty. I added that if they failed to do this, “then the words of the West Indian poet ring true”’:

Sooner or later but must
 The dam going to bust
 And everyman will break out
 And who can stop them
 What force can stop this river of man
 Who already knows its course.

(Ibid.)

The words were those of Rastafarian poet Bongo Jerry, brother of Richard Small, one of James’ collaborators.¹ The poem was a statement of Howe’s philosophical position; a political statement but one which Howe had constructed to sidestep the tired phrases that cropped up again and again in the moribund rhetoric of the British white left.

The case indicates that the state’s strategy had evolved between the trial of the Nine and the trial of the Three. Marnan and the prosecution made great play of Howe’s intelligence and verbal dexterity. It is possible to speculate that their purpose was to appeal to a distrust of intellectuals that is often attributed to the British working class. Another change from the Mangrove case was the behaviour of the judge. Marnan, by contrast to Clarke, stressed impartiality from the first. For Howe, Marnan ‘was attempting to pull one on the jury, that he was sympathetic to our case. If he has established that, then he could tilt the case in favour of the prosecution.’ That said, Howe’s hope rested with the jury rather than the judge, and whatever Marnan’s motives, the jury acquitted him and Morris of all charges.

Howe’s strategy had also changed between the two trials. His cross-examination was more finessed: ‘it wasn’t as forthright as the Mangrove . . . you

can't go through a huge experience like that and come and do it again in another court, so there was a little more *politesse*, a little more skill, but the punch was always there.' The verdict was reported in *Time Out* under the heading 'Darcus acquitted again' (*TO*, 16–23 November 1972).²

'Self defence is no offense'

The year 1976 was another good year for West Indian Cricket. The 25th of May witnessed the end of a 3-day test between the West Indies and the Marylebone Cricket Club. The visiting team won by a staggering 219 runs. An elated Howe watched the '35-over rout' with Basil Jarvis, the Mangrove cricket team's opening fast bowler and his eldest daughter (*Daily Mail*, 26 May 1976). Nonetheless, the news was not all good, for it was also the day on which Enoch Powell's latest speech on immigration made the front page. Speaking in the House of Commons in typically apocalyptic terms, he prophesied: 'I do not know whether it will be tomorrow, next year or in five years . . . but in these divided [immigrant] communities nothing can prevent the injection of explosives and firearms. The thing goes forward, acting and reacting until the position is reached, I dare say it, where Belfast today might seem an enviable place' (*Times*, 25 May 1976). For a man languishing in the political wilderness, Powell still had remarkable clout. His words reverberated around the press, and the next day, Roy Jenkins announced a raft of measures to tighten up on illegal entry to Britain.

It was against this background that Howe journeyed home by tube from Lords. Automated ticket barriers had only recently been installed at Notting Hill Gate station. Preferring not to get nipped, Howe showed his ticket to the attendant. Mr Conlon, the ticket inspector, barred his way. Grabbing at Howe's arm, he bawled 'where the fuck do you think you are going you black bastard . . . black cunt' (Howe 2011e). There was no way that Howe would stand for this, so he whipped off the attendant's cap and slapped him in the face with it, as well as sweeping the change in his ticket box to the floor. As the two men argued, a black ticket inspector intervened, advising Howe 'don't bother, he is not worth it'. The altercation came to nothing, and Howe was preparing to leave when Paul Camp rushed up shouting 'stop I am a barrister'. Howe replied that he didn't care who he was even if he was 'the Prime Minister of England', adding that Camp should go fuck himself. The two men exchanged blows, Camp armed with an umbrella dislocating Howe's thumb. The lawyer's wife called the police

and the two men were then taken to Notting Hill police station, Howe in a van, Camp, who had sustained no serious injuries, in a car (Ibid.).

The charge was Actual Bodily Harm. Howe stood trial at Knightsbridge Crown Court on 5 September 1977. The prosecution called Camp and Conlon. Howe once again defended himself. The jury pool, reflecting the denizens of Knightsbridge, was wholly white. During the 3-day trial, Howe argued that he was merely defending himself, and if anyone was guilty of bodily harm, it was the umbrella wielding Camp. In his closing speech, Howe pointed to the inconsistencies in the statements of the prosecution's witnesses; he argued that the arrest should be seen in the light of the local police's long-standing enmity towards him and in the context of Powell's statement. On this last matter, Howe argued that with hatred of immigrants in the air, 'a lot of us are not going to allow anyone to abuse us without a response'. Flyers produced by the Race Today Collective record that Judge Clover's summing up ascribed Howe the role of '*black aggressor against white "little Mr Conlon"*'. After 15 minutes of deliberation, the jury found Howe guilty as charged. Clover sentenced him to 3 months in jail and fined him £100, concluding that he was 'an arrogant man who lost his temper' (DH PC 1).

The verdict came as a shock to Howe's supporters. Howe admits that due to illness, he was not as well prepared as he might have been and that he was rude to the judge. 'I was getting fed up with him really. He said to me, "Why don't you shut up." I said, "You shut up!"' (Howe 2011e). As for the accusation of arrogance on Howe's part, the judge saw arrogance because he demanded servility.

Howe appealed immediately, requesting bail pending the hearing. Bail was denied, but Howe did get a preliminary hearing on 9 September at the Royal Courts of Justice. Here, Judge Gibson granted legal aid for the appeal hearing and set a date of 14 September for a full appeal. For Howe, who was sentenced on 7 September, this meant at least a week held at Her Majesty's pleasure (UC DHP Box V/12).

On his first afternoon in jail, some of the Prison Officers identified themselves as members of the National Front and started pushing him around. Howe had no intention of giving them an excuse to persecute him and therefore became 'a perfect prisoner' (Howe 2011e). Howe had never sought martyrdom or seen a prison stretch as a political tool. Therefore, he spent the week unobtrusively playing by the rules. On the Saturday, the first full day, he quit smoking to avoid developing an increased dependence. On the Sunday, it was a choice between joining the IRA contingent in Church and seeing a film. Howe chose the latter.

He soon picked up Pentonville's golden rule: 'you don't do nothing for nothing' so when his cell mate asked him to write to his girlfriend, Howe agreed in exchange for a piece of fruit. As Howe remembers it, 'half of Brixton was in the exercise yard' and they greeted him with shouts of 'Darcus!'. By and large, Howe kept himself to himself – he had no desire to participate in the culture of the prison more than he had to (Howe 2011e).

Outside Pentonville, the Race Today Collective immediately formed the Darcus Howe Action Committee to campaign for Howe's release. The Action Committee quickly came up with a concrete programme, asking supporters to send letters and telegrams to the Home Secretary and the Lord Chancellor 'protesting the savage sentence and conviction,' to picket the court during the appeal hearing and to picket Pentonville. Hassan recalls that the Action Committee made use of Race Today's connections in Trinidad, Jamaica and America to create an international campaign. George Weekes, now a Senator in Trinidad, was one of many who sent a telegram to the Home Secretary protesting the sentence (GPI BPM 5/1/6/1).

The Action Committee picketed Pentonville every evening, chanting, singing and wearing army greens. Hassan estimates that there was a core of 20 demonstrating every evening, Dhondy recalls that on some occasions there were as many as 100. During visiting hours, Howe saw Hassan, Ian Macdonald and other members of the Action Committee. As well as legal advice, one or two managed to smuggle in a fortifying drop of brandy. The committee met every evening to discuss the way forward. It was at one of these meetings that criminal barrister Len Woodley came up with the legal strategy that would get Howe out of jail. In essence, Woodley argued that Howe's 16-month period on bail was punishment enough and that the appeal court should order Howe's immediate release.

The campaign seems to have worked. Howe's appeal came to court in a week. The outcome seemed to be a foregone conclusion. Even the Prison Officer who discharged Howe told him that he would not be coming back. On his arrival at the Royal Courts of Justice in the Strand, Howe was greeted by around 50 supporters carrying placards reading 'SELF DEFENCE IS NO OFFENSE' and 'YOU CAN'T KEEP A GOOD MAN DOWN'. Lord Justice Lawton, Mr Justice Park and Mr Justice Michael Davies reduced the custodial sentence to the time served, allowing for Howe's immediate release. In giving the judgement, Lawton recognized that the incident 'might well have been sparked off by an offensive remark'. He justified the court's immediate intervention in terms of

Figure 5 Protest outside the Central Criminal Court during Howe's appeal hearing, September 1977. Leila Hassan and Howe's daughter Taipha hold placards.

the 'staleness' of the case, which had taken more than a year to come to court, and the protracted and no doubt stressful period of bail. Lawton also pointed to Howe's 'valuable service to the community' (*Times*, 15 September 1977). Howe's release was greeted by applause from the gallery. On hearing the news, a chant 'We freed Darcus Howe' broke out outside the court (*Jamaican Weekly Gleaner*, 23 September 1977). Howe left the court a free man carrying his daughter Taiphe (*Telegraph*, 15 September 1977).

Meanwhile, *Race Today's* poet, Linton Kwesi Johnson, had immortalized the campaign to free Howe in his song 'Man Free (for Darcus Howe)'. The track appeared on Johnson's 1978 debut album *Dread Beat an' Blood* recorded by 'The Poet' (Johnson) and The Roots, a group of nine musicians including dub master and record producer Dennis Bovell. Lenin Woolford, Howe's comrade and friend since the late 1960s, remembers people listening to the song at parties and clubs all over Port-of-Spain throughout 1978 and 1979, even though most did not know who Darcus was or why 'The Poet' was so keen to get him 'outta jail'.

Citizen Howe

The Silver Jubilee of 1977 is perhaps the closest the British people have come to nationwide carnival in recent years. On 7 June 1977, Britains took to the

streets in celebratory mood. When people take to the streets for Carnival in Port-of-Spain, the accent is on parade and dancing. During the Silver Jubilee, by contrast, the British were content simply to sit. In ordered rows at trestle tables, millions turned out to under red, white and blue bunting to enjoy sandwiches, sausage rolls, tea and jam tarts in plastic Union Jack hats.

In Notting Hill, Frank Crichlow threw the Mangrove Restaurant behind the local street party. This was a party with a difference; instead of the ubiquitous Union Jacks, All Saints Road was to be decorated with the flags of the African nations, flags of the Organisation of African Unity and the red, green and gold of the Rastafari. The road had to be closed and therefore, permissions had to be sort. Crichlow enlisted Howe, and the two men went dutifully to the local police station to inform the Community Relations Officer that they would be celebrating African Liberation Day on the same day that the rest of the country was celebrating the Jubilee. They laid out the timetable for the day and left assured that everything was set for the party.

Crichlow pulled out all the stops. Howe recalls his efforts to get the finest ice cream for the party. On the day, he opened a little kiosk on the corner of All Saints Road and Westbourne Park Road, a couple of doors down from the Mangrove, serving Marine Ices that he had bought in from Camden Town. It was mid-afternoon and the party was winding down, when a car containing four police officers pulled up. The officers were on duty, but in the spirit of the Jubilee they were drunk. Inspector Hunt, who was in the front passenger seat, leaned out of the window and shouted 'Frank Crichlow's a cunt!'. A moment later, he called out again: 'Darcus Howe's a fucking arsehole!' (Howe 2011e). Howe pulled open the car door and performed a citizen's arrest on the inebriated officer. Howe read him his rights London-style: 'You're fucking nicked you cunt!'. The other officers were too intoxicated to put up anything more than token resistance (Ibid.).

Howe incarcerated Hunt in the basement of the Mangrove, making Wappy King, a local hustler who was well acquainted with the penal system, his *ad hoc* warder. Howe asked King to get the officer a sandwich and a cup of tea. King protested – this was better treatment than he had ever received at the hands of the police. But that was part of Howe's point: King, the working-class hustler, would teach Inspector Hunt how to treat his charges. Next, Howe phoned Scotland Yard to put them in the picture: 'I have got Inspector Hunt here under arrest for disorderly behaviour and incitement to riot' (Howe 2011e). The response was swift; 'seven van-loads of police' arrived in riot gear (UC DHP Box V/5). King escaped arrest by jumping out of a window. Evading police capture had never featured large on the QRC curriculum, and Howe's attempts to follow King's

example were an abject failure. The police arrested him for kidnapping a police officer (Howe 2011e).

With the benefit of hindsight, it is possible argue that the citizen's arrest was the apotheosis of the 'policing the police' initiatives which characterized Black Power in the late 1960s. But this is not how Howe saw it. 'I was just rocking 'n rolling', he explains. The arrest was spontaneous; he was making it up as he went along. But at the back of his mind was the adage taken from James: 'all movement comes from self movement'. The citizen's arrest was Howe on the move.

By the time of the trial, the charge had been reduced to 'Threatening Behaviour and Willful Obstruction' (UC DHP Box V/5). On this occasion, Howe enlisted the services of the solicitors Clinton Davis and Co., the firm had represented members of the Black Unity and Freedom Party, and were therefore known to Hassan (Hassan 2011). A letter from the Solicitors to the Chief Clerk at Marylebone Magistrates Court, dated 16 September 1977, requested a postponement of the trial due to the fact that Howe was suffering from nervous exhaustion (UC DHP Box V/5). The request was granted and the trial date was put back from September to December. The magistrate seems to have seen the situation for what it was. He dismissed the case after the prosecution rested. He did, however, offer Howe one piece of advice: 'Mr Howe', he said, 'next time you have a party, don't go and talk to the police' (Howe 2011e).

The London case

Howe's next brush with the law occurred in June 1978. The trial, which yielded the clearest evidence of police malpractice thus far, was precipitated by the burglary of Howe's home at 112 Mayall Road in the early hours of Saturday 17 June, the fourth time the house had been burgled. Thieves took jewellery, money and a stereo belonging to Hassan. Hassan quickly found the culprits, who had made no attempt to cover their tracks, and informed the police. The robbery took place on Saturday night, but by Monday, in spite of repeated calls, the police had done nothing (Howe 2011e).

The robbery was a symptom of a bigger issue, a lack of connection between Brixton's black working class and the black intellectuals of the Race Today Collective who had set up shop in one of the poorest areas of London. The

decision to move The Collective into the heart of the community was not without its problems. Howe puts the issue in the following terms: 'if you decide to go back into the community, as opposed to where Siva was, then they saw you as social workers . . .' Hassan concurs, 'the young ones just thought we were social workers and what you did with social workers was intimidate them' (Hassan 2011). At first, the community had no idea that the offices were bringing out a magazine or engaged in a broader fight for racial justice.

The following Monday in the early evening, Howe, Hassan and Lorine Burt were en route to St Mathew's Church to discuss using their hall to prepare costumes for the Notting Hill Carnival. Passing 60 Mayall Road, Hassan saw the top of her stolen stereo lying in the garden. Leading the way to the basement of 60 Mayall Road, Hassan found a group of small-time thieves and local badmen. Hassan demanded her things back. According to a written statement given at the time, Hassan received the following response, 'res' you blood claatself gal. Which stuff you-a talk 'bout?' (UC DHP Box V/5). It was at this point that Howe was attacked from behind by Michael Dixon who was carrying a large dagger. Howe overpowered him and, holding the knife to his throat, told Hassan and Burt to 'wreck the joint'. Looking back, Howe has the following words of advice: 'never tell women to wreck a joint! I saw the television sailing through the window! And they're trying to pull a stove off its hinges. They wrecked the place!'

News of what was going on travelled fast, and a crowd started assembling on Mayall Road. Fearing violence, Hassan and Burt hurried to the police station. Howe, having retrieved the stolen property, returned home to find that his place had been ransacked. Howe called up as many members of the Collective as he could to help him defend the house. This was class war: Cambridge graduates and former private school students defending a house against a growing posse of Brixton's lumpen proletarians. Howe, assuming the role of Commander-In-Chief, gave Dhondy and Akua Rugg, *Race Today's* arts editor, a pep talk to help the miscast intellectuals get into character: 'Farrukh, you killed 15 people in Mumbai. Akua, you killed ten people in Nigeria.' 'I beg your pardon?' responded the nonplussed Rugg (Howe 2011e).

As the posse continued up Mayall Road, it was clear that the Collective was outnumbered. Dhondy recalls that there was a group of around 25 armed with machetes advancing on the house ready to 'teach Darcus a lesson', while the eight or ten members of the Collective armed with cricket bats defended the house.

Confrontation could not be delayed indefinitely, so with no alternative, Howe went out to meet the leader of the crowd, 'a bad fellow', Ivan Dixon, the brother of the owner of 60 Mayall Road. There was a tense stand-off, but before the situation could escalate, the police arrived and escorted Howe back to Brixton police station. Ivan and Elorine Dixon were arrested after a scuffle, Michael Dixon was arrested later. On Mayall Road, the police assured Howe that he was not under arrest. The story changed back at the police station where Howe was informed that not only was he under arrest, but also that he was refused bail, for his own safety's sake. Hassan, who was waiting at the station, remembers the disbelief on the faces of the officers who compared the scene on Mayall Road to a carnival (Howe 2011e).

More than 2 years elapsed between the Howe's arrest and the trial, but this period was anything but uneventful. The next day, Howe arrived at Camberwell Magistrates' Court. By this time, the Darcus Howe Action Committee was already up and running and a picket demanding his release greeted him as he arrived at the court. Bail was granted, albeit against the express wishes of the police. The conditions were punitive. Howe was required to provide two sureties of £500, he was required to present himself three times a week at Tooting Police Station, he was not allowed to go within half a mile of Brixton and he was required to live at his sister's house. Following a second hearing in July, these conditions were moderated; Howe was allowed to visit the *Race Today* offices, but only during office hours. A further 2-hour extension of this 'curfew' was granted by Judge Thomas in December, again against the wishes of the police who claimed that Howe would use any relaxation of the conditions of bail to intimidate prosecution witnesses (UC DHP Box V/5).

The direct action against one of Brixton's hard men proved to be the turning point in the Collective's acceptance by the local community. After all, what kind of social workers would dare to take back their property from the Dixon family and then stand their ground against an armed posse? While it had landed Howe in court again, the confrontation meant that the Collective and its supporters could now go about their business unmolested. Over time, they established close ties with the community and would be trusted enough to be the only organization which was told the story of April 1981 insurrection by those who helped organize it (Howe 2011e).

The trial, initially set for July 1979, was postponed repeatedly (UC DHP Box V/5). The final round of postponements was brought about by Judge David West-Russell who reserved the case for himself. At first, he justified this due to his

familiarity with the case notes; later he claimed to have received threatening telegrams and therefore wanted to reschedule the case in order to hear it in a secure court room (UC DHP Box V/5). The judge's behaviour precipitated letters of protest. Patricia Hewitt, General Secretary of the National Council of Civil Liberties, latterly Labour Secretary of State for Health, condemned the judge's intervention in the following terms:

The Committee, of which I am chairman, feels that the improper intervention of Judge West-Russell interferes with the civil rights of Darcus Howe to a proper trial, and amounts to case-vetting . . .

(GPI BPM 5/1/6/1)

The letter-writing campaign forced a response from Lord Hailsham, the Lord Chancellor. In answer to a protest from Robert Hughes MP, Hailsham acknowledged that the wheels of justice were turning slowly, adding that the delays were, 'for the most part . . . outside the court's control' (GPI BPM 5/1/6/1).

The telegrams were part of a campaign initiated by the Action Committee which encouraged support from the Caribbean. Telegrams from the Oilfield Workers Trade Union, from Pan Trinbago, Trinidad's national steel-band organization, Jewel 22, Third World and the Renegades steelbands arrived at the court; Jamaicans Against Black Repression in Britain handed in a protest petition to the British High Commission in Kingston; and following an interview in the American journal *Black Scholar*, a campaign was launched 'on his behalf in the United States' (RT, 1978: 124). The case opened on 20 May 1980. In spite of Judge West Russell's efforts, the case was heard before Judge Oliver Cox. Howe, facing charges of Grievous Bodily Harm and Burglary, was represented by Ian Macdonald. In the event, the trial was a straightforward affair. On cross-examination, Macdonald was able to draw the jury's attention to the criminal records of the prosecution's witnesses. The three main witnesses, Michael Dixon, Glenroy Bailey and Coleman Clarke, had 39 previous convictions between them (GPI BPM 5/1/6/1). They also admitted being heavily armed. More damning still, they testified that in order to escape being charged following the Mayall Road incident, they had agreed to testify against Howe. Macdonald's cross-examinations effectively demolished the prosecution's case. Sensing the jury's mood, Judge Cox advised the defence to make an application for an immediate verdict. Having deliberated for a total of 3 minutes, the jury acquitted Howe of all charges (UC DHP Box V/5).

The Bradford case

The Bradford case was bound up with the campaign to free George Lindo, a young black man wrongly accused, and wrongly convicted, of robbing a betting shop. Bradford Black Collective, publishers of *Bradford Black*, invited Howe and the Collective to organize the campaign to free Lindo. On meeting Lindo, Howe was convinced that 'he was the epitome of a West Indian Christian' and no criminal (Howe 2011e). Howe's intuition proved correct, and Lindo was freed in March 1979. Not only was Lindo innocent, but also the case was a clear instance of police malpractice. Remarkably, the Manchester Constabulary were aware that officers had forged Lindo's statements and therefore that the conviction was unjust 6 months prior to Lindo's release (*Times*, 12 April 1980).

Part of the campaign was a fundraising event, an evening at The Factory, a club in Manchester, featuring The Heptones, a local Jamaican band (UC DHP Box V/5). Howe was on the door in the early hours of 11 February 1979 when two officers demanded admittance. The officers, who appeared to have been drinking, jumped to the front of the queue, called Howe a 'black bastard' and pushed their way in. It was an unpleasant part of an otherwise successful evening, but Howe thought no more of it, until 5 months later, on 27 July, when he received a summons to appear in court on charges of obstructing the police (GPI BPM 5/1/6/11).

The news was shocking. There had been no arrest, no charge and no indication of anything wrong. A press statement issued by the Darcus Howe Action Committee described the charge in the following terms:

We believe that the charge represents an attempted frame-up by the Manchester police force, and that Darcus Howe has been singled out because of his political activities in the North.

(GPI BPM 5/1/6/1)

From Howe's perspective, the prosecution reflected a police vendetta. He had been leading a campaign exposing corruption in the Manchester Police, and now the police were attempting to get even.

Once again Howe was defended by Macdonald. Pointing to discrepancies in the prosecution's case, Macdonald argued that the police statements were 'a complete concoction, a set of lies, in effect trying to frame my client on concocted evidence' (*Argus, Bradford and Yorkshire Telegraph*, 19 March 1980). Macdonald also invited evidence from two members of the Bradford Black Collective, Courtney Hay and Andrew Clarke, and from Gus John who testified that the

police had arrived 'flushed with drink' and had been admitted to the party where they immediately started drinking.

The prosecution's case was untenable. Howe was acquitted and the presiding magistrates awarded him £200 in costs in recognition that he had done nothing to bring the charges on himself. Speaking to the *Argus, Bradford and Yorkshire Telegraph*, John La Rose, chairman of the Darcus Howe Action Committee, argued that Howe's acquittal showed that the prosecution was nothing but 'political persecution of Mr Howe, especially in connection with the George Lindo case . . .' (*Argus, Bradford and Yorkshire Telegraph*, 20 March 1980).

Conclusion: 'Six times framed, six times freed'

'Its strange,' Howe comments, 'where these things begin.' As a teenager, Howe noticed a certain attitude among the police towards the young people who lived in Belmont. It was a working-class area, and on Friday nights, the police would turn up 'and nick you on an obscene language charge'. Howe refused to be intimidated. His father told him 'if you didn't do anything, do not run'. This early experience with officious police and a sense of justice imbibed from his father have stayed with him from his youth to the present day (Howe 2011e).

The Mangrove case was clearly a political trial, involving the combined might of the Home Office, the Met, Special Branch and the British judiciary. Later trials were about more parochial issues; specifically, a long-running vendetta against Howe from certain officers at his local police station. Howe explains the attitude of the police in Darwinian terms.

You had this detritus of officers who were thrown at the black community, they didn't have to investigate, they just had to lock them up and charge them. And I discovered that later in Brixton. When you come out of training you want to be an Inspector, and there were those that couldn't make it. So they sent them to Brixton or Notting Hill. So we got the detritus, of that I am absolutely sure. As you mature in these cases, you realise they weren't disciplined by any kind of legality at all.

(Ibid.)

Howe never wanted to be a martyr and never courted a prison sentence. But he and the Race Today Collective were determined to expose racism in the police and fight a concerted campaign for justice in the face of corruption in the forces of law and order come what may.

Notes

- 1 Bongo Jerry's 'Sooner or later' was first published in Savacou (1970), eds. Edward [Kamau] Brathwaite, Kenneth Ramchand and Andrew Salkey.
- 2 Having been acquitted, Howe wrote to the Home Secretary demanding that the evidence of the police officers given during the trial should be investigated. The Home Office acknowledged the letter in January 1973, contacting Howe again on 26 February 1973, stating that the Director of Public Prosecutions had concluded that there was insufficient evidence to proceed against the officers in charges of perjury (UC DHP Box 6/3).