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Clampdown

Following the march, police reports and uproar in the press persuaded the Home Office that decisive action was necessary. However, with the help of dissenters within the establishment, Howe and his comrades emerged victorious from the first round of the Mangrove case.

Government reaction

News of the march went straight to the highest levels of government, and the official response was all but immediate. *The Guardian* of 12 August reported that Reginald Maudling, the Conservative Home Secretary, would have 'a complete dossier within 48 hours' due to the fact that 'Special Branch has had the movement under observation for more than a year [and] Police now regard Black Power as, at least, worthy of extremely tight surveillance.' *The Guardian*, however, was wrong on two counts, recently declassified documents reveal. First, Maudling had the report on his desk on 11 August, the day prior to the paper's report. Secondly, as the Branch itself acknowledged, the information it contained was rather outdated.

Over the next week or so, Maudling received a series of reports as well as recommendations on how to proceed against the Black Power Movement. The first, a Special Branch¹ 'dossier' that was extensively discussed in the press, contained three reports. The first, dated 9 August, concluded that the march had been an attempt by Black Power radicals to lure the police into a prearranged trap:

It would appear most probable that the seemingly aimless march around the back streets of Ladbroke Grove and Harrow Road was designed to lead the accompanying uniformed police as far from reinforcements and aid as possible before a pre-calculated situation led to their being attacked by the demonstrators in a mainly coloured residential area.

The report made no mention of the police decision to stop the march or of the disproportionate police presence. The second report was a more generic Special Branch briefing on the history of Black Power in Britain based on intelligence gathered in the late 1960s. This second report contained an appendix detailing the 19 arrests that followed the march. Notably, Howe was not mentioned in either of these reports or the Appendix (Ibid.). The third report, drawn up by Deputy Assistant Commissioner Gerrard, the officer who was formally responsible for the policing of the march, gave the following account of the Mangrove: '[t]he brief facts are that this restaurant was raided on a drugs warrant over 12 months ago and arrests were made and the offenders subsequently convicted at Court' (Ibid.). This form of words was misleading, implying that the arrests and convictions pertained to drugs, which they did not.

Maudling received the dossier with a covering letter from James Waddell, deputy under-secretary to the Home Secretary (Ibid.). The letter contained advice on how the Home Office might proceed against the protestors. In essence, Waddell considered two possible courses of action. The first was to deport Michael X, Roy Swah and Crichlow, whom Waddell assumed were the organizers of the march, in accordance with the terms of the recent Immigration Act. However, Waddell acknowledged that this might be impossible as it was probable that these men had been resident in Britain for more than 10 years. A second solution, said Waddell, would be to use the provisions of the Race Relations Act. This option was fleshed out in a second letter, apparently from Waddell, which Maudling received on the following day. The Race Relations Act, it suggested, could be used in two ways. First, he suggested referring Michael X to the Race Relations Board on the grounds that he was planning to set up a 'black only' supermarket, a project that Waddell opined 'might be questionable and might have to be considered by the Race Relations Board' (Ibid.). Waddell considered the second option more promising. He suggested using the Act's prohibition of the incitement of racial hatred against Black Power protestors. This view was based on the suggestion that Black Power was an inherently racist ideology. However, Waddell recognized that this was a dangerous approach. Prosecuting Black Power radicals for incitement could be viewed as an attack on free speech and might, therefore, arouse public sympathy for the activists. Equally, such a prosecution could give wider publicity to the activists' 'racialist views' (Ibid.). The letter concluded that Maudling might consider talking to moderates who had proposed greater scrutiny of the police and making a speech decrying the events of 9 August.

Special Branch was not the only organization that reported to Maudling following the march; the Home Office also commissioned a report from the Community Relations Commission (Ibid.). The resulting document, written by Sam Morris, the deputy secretary-general of the Commission, contained a detailed account of police and community relations. In general terms, it argued that the demonstration reflected the strength of feeling in the black community against police harassment. Morris' report contained a detailed description of seven aspects of police misconduct, ranging from the practice of stopping black people who drove cars on the assumption that they are in possession of a stolen vehicle to planting weapons on black people. The report went as far as to say that violence might have been engineered 'by that small section of the force which appears to specialise in either harassing or beating up black people or both, or in preferring bogus charges against them' (Ibid.). The official response to the report was cold in the extreme. The report was sent to Maudling with a covering letter that described it as 'a most disappointing document' due to the fact that it 'merely sets out one view of the recent incidents' (Ibid.). By contrast, the police and Special Branch reports were forwarded to the minister without censure.

Waddell's suggestion of meetings with moderates soon bore fruit and on 18 August, the Home Secretary met with Dr David Pitt. Pitt was the chairman of Campaign Against Racial Discrimination, a civil rights group founded in the wake of Martin Luther King's visit to Britain. Notes of the meeting indicate that Pitt argued that significant reforms were needed to protect black people from the police and to stop the rise of the Black Power groups who capitalized on poor community relations. He suggested reforms ranging from more black police officers and greater use of community relations officers to better record keeping in the police force and the introduction of an independent element to the Police Complaints Commission. Maudling's response to these suggestions was not recorded (Ibid.).

In addition to this flurry of activity at the top of government, Special Branch redoubled their efforts to monitor Black Power groups. From the available evidence, it seems that the Branch had written off Black Power following the release of Egbuna. The Mangrove march changed this, and by the beginning of 1972, they seem to have infiltrated the Panthers and had gathered a great deal of information concerning the internal politics of the group and the nine defendants tried in connection with the Mangrove demonstration.

Press response

The Mangrove march became a media sensation. At first, the tabloids focused on the violence against the police. The *Daily Mirror*'s front page headline read '17 POLICE INJURED IN A MOB ATTACK' (10 September 1970), while the *Daily Mail* led with 'Police hurt by Black Power mob' (10 September 1970). Broadsheets covered the march in more measured tones; *The Times*, for example, carried the headline '19 people held in clash with police' (10 September 1970). The story continued to play out in the press over the next fortnight as papers speculated about the causes of the trouble and what the incident might mean for the future of racial politics in Britain.

Reports in the *Sketch*, the *Mirror* and the *Mail* indicate that reporters had very little grasp of the real nature of the march, and in the absence of a more secure foundation, they fell back on stereotypes and conspiracy theories. Many of the tabloid reports stoked public fear about the threat of Black Power in Britain. The *Daily Sketch*, the perennial rival of the *Daily Mirror*, led the way. Early reports conjured up the spectre of a tightly knit, militant Black Power Movement that was poised to unleash a wave of terror on the country. The paper's article, 'New Threat of Black Violence', claimed that the POQO, a 'terrorist Black Power group', had sent an ultimatum to the commissioner of police (11 September 1970). The report left the exact nature of the ultimatum obscure, but stated in no uncertain terms that the POQO was 'a South African terrorist organisation linked with the Black Panthers' (Ibid.). Some journalists tried to fathom the motives behind the march, often with farcical results. Michael X's comments added to the confusion. In the *Daily Mirror*, on 11 August, he argued that the demonstration had aimed to win the liberation of 'Jamaica, Bahamas, Bermuda, Barbados and St Vincent'. By 14 August, he was advocating the doubling of police pay. Finally, the tabloids were split on the merits of PC Frank Pulley, the first celebrity to emerge from the Mangrove case. On 16 August, *The People* argued that tensions in Notting Hill would be eased by transferring Pulley out of the area. The *Sunday Mirror*, published a week later, gave Pulley a chance to respond. The article, entitled 'My Answer, by Pc Pulley', set out Pulley's view of the campaign to get him transferred: '[a]ll that has happened recently is that villains – and in my manor there are some nasty ones – have decided they would be able to operate better if I wasn't there, and they are out to get rid of me.' In the *Sunday Mirror*'s interview, Pulley dismissed the accusations of police violence, operating a protection racket, planting drugs on black people and harassment. Of his alleged racism, he said:

I LIKE coloured people. . . . They are a sunny race. When I moved house I went to Southall – and there are probably more coloureds there than in the manor. After twelve years in a cosmopolitan place like Notting Hill it's impossible to think in terms of colour. If I see a chap across the street I don't think "There's black Joe." I just think "There's Joe." It's as simple as that.

(*Sunday Mirror*, 23 August 1970)

The broadsheets' misunderstanding of the situation was often as profound as that of any of the red tops. The *Guardian's* report on 11 August was at a loss when it came to the meaning of Black Power. Apparently, there was no agreed definition among the Mangrove's patrons. *The Telegraph's* editorial drew broader political lessons from the march. Likening Notting Hill to Ulster, the editor argued that the violence justified W. F. Deedes' proposal, published on the same day, to cut immigration drastically (11 August 1970).

Before the Magistrate

The first hearing, dealing with charges of affray, took place on Monday, 10 August. The police were granted more time in order to gather evidence of incitement to riot, riotous assembly or affray. C. L. R. James was the first to recognize the severity of the situation and called a meeting at the Metro Youth club to discuss matters with Howe, Crichtlow and the other leaders of the march (Howe 2010). Six weeks later, the police began a series of dawn raids, initially arresting seven of the marchers (GPI New 38).

Howe's solicitor advised him to plead guilty, assuring him that he would be let off lightly with a 5-year stretch. Appalled at the prospect, Howe rejected the advice out of hand retorting, 'I spend that with your wife, my friend – that five years' (Phillips and Phillips 1999: 280). As a result, he walked out of the solicitor's office with his case notes determined to defend himself.

On 29 December 1970, Howe and his fellow defendants appeared before the Marylebone Magistrates' Court to face the new charges. This would be the first test of the prosecution's case. Fortune, it seemed, smiled on the defendants as the case was heard by David Watcher. Howe recognized the significance immediately. He recalls that in the early 1970s, a few magistrates were beginning to discern the dynamic at work between the police and Notting Hill's black youth. Watcher was such a man: part of the establishment, but a dissenter nonetheless. Howe attributes this to the fact that, as a Jew, Watcher was no stranger to the racial

prejudice that dogged the British justice system (Howe 2010). Consequently, he subjected the prosecution's case to serious scrutiny.

The first blow for the police occurred early in the hearings. Nathaniel Stignac and Rudolph Woods, who had been arrested on charges of affray, were acquitted. In a damning closing statement, Watcher told the prosecution that their presentations had failed to achieve the 'necessary stamp of truth' (GPI New 38). The court did not consider the charges of incitement to riot until January 1971. The 5-day hearing that began on 1 January was a major upset for the police case. The prosecution dropped the charge of incitement and Watcher threw out the charge of riot. Fundamentally, the prosecution's case was founded on three elements: first, they argued that the language used by demonstrators showed their intention to riot; secondly, there were reports from police officers concerning the behaviour of the defendants; and finally, the police reports were shot through with innuendo, suggesting that the Mangrove was a den of criminals and that Black Power, as a movement and as an ideology, was inherently criminal. Watcher dismissed all the three lines of argument (NA CRIM 1 5522/2).

On the question of the language used by the demonstrators, *IT* reported that '[s]even officers were asked if they took the slogan "Kill the Pigs" literally and they said that they did.' Watcher dealt with the first line of argument thus:

Magistrate: Where is the evidence of force?

Prosecution: They were shouting "Kill the Pigs."

Magistrate: This is highly provocative but, forgive my language, if they had shouted "Fuck the pigs" or "Bugger the pigs", the police would not have taken that literally would they?

Prosecution: No, but the word "Kill" embodies some sort of violence.

Magistrate: So do the other two.

Prosecution: One man said, "We are going to smash up the Pig House."

Magistrate: But they passed at least one Pig House and nothing happened.

(GPI New 38)

In a trenchant display of common sense, Watcher refused to allow the prosecution to argue that the shouts of protestors constituted evidence of either intent to riot or incitement.

Records preserved at the National Archives also show that Watcher was sceptical and ruled a large number of comments in the police statements inadmissible. In total, Watcher ruled that statements on 23 pages of police statements were inadmissible (NA CRIM 1 5522/2). Equally, police witnesses did not all speak with one voice. One senior police officer stated that '[t]he

melee was spontaneous. As I saw it, it was an occasion when everyone was for himself' (*IT*, 28 January–11 February 1971). But it was a retired postman, Mr Harris, who sounded the death knell for the incitement charge. Taking the stand on the last day of the hearing, Harris told the court that '[t]he demonstrators were peaceful until the police stopped them to allow the traffic to pass. . . . It was then a fight broke out. The demonstrators thought that the police were interfering with them, and they reached for milk bottles, stones, bricks and sticks. The leaders lost control then. I saw several policemen and black demonstrators lying on the ground. The whole thing was a misunderstanding on both sides' (*IT*, 28 January–11 February 1971). The testimony apparently caused panic on the prosecution bench. With their case in disarray, the prosecution quickly dropped the charge of incitement and replaced it with one of riot for six of the seven defendants. Watcher swiftly rejected the new charge. He concluded that the evidence pointed to a spontaneous melee and not to a preplanned riot. Nonetheless, he allowed the charges of affray and possession of offensive weapons to stand and all seven defendants were committed to a trial at the Old Bailey (*Ibid.*).

In a jubilant mood, the seven defendants finished the day by holding a press conference at the Mangrove Restaurant. The event was James' idea. James was a seasoned activist who, as Howe acknowledges, had more finesse as a campaigner than his nephew in those days. Howe clearly considered Watcher's decision to be a decisive victory for the campaign. Speaking at the conference, he proclaimed:

. . . the police conspiracy to conceal the truth is over. Black people are going to continue in the spirit of resistance. The question of police maltreatment and persecution of black people may appear to certain classes and social groupings in Britain as a new phenomenon. This does not mean that black people haven't had to live with it for almost a decade. The result of the hearing today demonstrated once again the contempt with which the police hold black people. The police were prepared to go to any lengths to pin incitement and riot charges on us who have exercised our right to demonstrate. The streets are the only platform.

(*IT*, 28 January–11 February 1971)

Sadly, the celebrations were premature. The state had invested too much political capital in the prosecution of the Mangrove demonstrators to allow the central charge of incitement to fall on the decision of a single magistrate. The Director of Public Prosecutions took the highly unusual step of effectively overruling Watcher's decision and reinstated the most serious charges of riot and incitement

to riot by way of his own voluntary Bill of Indictment against nine defendants. Howe and his comrades, who were soon known as ‘the Mangrove Nine’, would have to fight these charges a second time, this time at Court Number 2 of the Old Bailey, with the prospect of up to 10 years in prison if they were found guilty (Macdonald 2010).

Note

- 1 The Branch’s involvement is significant: it was established in 1883 in order to fight ‘Fenian’ terrorism. The *Metropolitan Police Instruction Book* set out its remit in the following terms: ‘[t]he duties of the Branch include enquiries concerning the security of the State, and naturalisation of aliens’ in addition to border control. Notably, the security of the state and the naturalization of aliens went hand in hand. During the 1950s and 1960s, the Branch kept organizations that campaigned for black rights under continual surveillance in the belief that they were fronts for communists and therefore posed a threat to state security.