

Case against nine asylum seekers in Britain collapses

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The Labour government's prosecution of asylum seekers involved in an August 20, 1997 protest at the Campsfield Detention Centre collapsed on June 17. After 10 months of psychological distress and three suicide attempts, eight of the refugees--Sunny Ozidede, Stanley Nwaidike, Edward Onabanjo-Agora, Harrison Tubman, John Quaquah, Lucky Agbebaku, Enahoro Esemuze and Sambou Marong--were found not guilty of violent conduct and riot charges. The case of the ninth detainee, a minor who was too ill to attend the trial, was "stayed". He is being held in a secured hospital.

Campsfield is the largest detention centre in Britain and holds up to 200 refugees. Detainees are held without charge for an unlimited time behind heavily fortified gates and fences. If convicted, the nine faced up to 10 years imprisonment, followed by deportation. Instead the trial, which was expected to last eight weeks, crumbled after just 11 days. This was despite the severe limitations placed on the defendants' case by the deportation of two of their key witnesses.

Video surveillance footage presented to the court by the prosecution exposed the unreliability of its own witnesses. The camp is run by a private security firm, Group 4. Guards claimed that the defendants had conspired to incite a riot by circulating rumours that two detainees had been strangled and killed. John Allen, a Group 4 supervisor, denied that his officers had held anyone by the neck. But video footage showed Allen dragging a detainee by the neck, in front of other detainees. When the defence lawyer asked him: "Don't you think that seeing this, the other detainees would think that he is being strangled?" Allen did not reply.

The defendants were accused of going on a violent rampage, armed with batons, destroying property and throwing missiles at officers. These charges fell apart in

the face of conflicting testimony of several prosecution witnesses.

Group 4 officer Mo Stone admitted that two officers had smashed telephones in the women's section to prevent detainees from using them to inform the outside of events in the camp. The guards did not report this and then attempted to blame the asylum seekers.

Security guard Terence Morley claimed that Sunny Ozidede had threatened to kill him, but admitted at the trial that no such threat was made. He also claimed that there were weapons in the hands of the refugees. It turned out that the "weapon" in question was a feather. Morley was forced to admit that he had not seen anyone cause damage.

Chief Immigration Officer at Campsfield, John Graham, claimed that Sunny Ozidede had used threatening words and actions on August 19, the day before the protest, and so he had placed an order for Ozidede's transfer. Graham admitted that he later realised that Ozidede was not involved in the earlier incident, but did not correct his earlier statement. Graham made a number of what Frances Webber, barrister for the defence, called "inaccurate and inflammatory statements" about "illegal immigrants".

Security guard Caryn Mitchell Hill claimed that she had been cornered alone in the doctor's corridor and grabbed by a detainee who asked her, "Where are you going, white bitch?" She identified her supposed assailant as Sambou Marong. Video footage showed Hill standing with two other officers, having a cigarette before proceeding down the corridor unhindered. She alleged in her police statement that detainees were holding long bars, but admitted in court that they were unarmed.

Chris Barry, a detention escort officer, claimed that Sunny Ozidede had kicked and punched him and hit

him on the head until he fell unconscious. He said that his shirt had been ripped and solvent fluid had been thrown over him, but had not reported this to a doctor. Within five minutes of the alleged incident, Barry is seen on camera on the roof--fit, healthy and with a dry and intact shirt. This also disproved the claim by fellow guard, Timothy Allen, that Barry had not been on the roof with him.

None of the prosecution witnesses were able to positively identify any of the defendants. They did not provide any names in their original statements, no identity parades were set up and their descriptions of the alleged offenders were often completely wrong. Chris Barry wrote in his statement, "Sunny has short black curly hair, stocky build and clean shaven and he was wearing a lime green T-shirt." Sunny Ozidede was wearing a white T-shirt, has a moustache and beard, and a shaven head. Barry admitted that he could have mistaken the identity of every defendant he had named.

Following a statement on June 17, in which yet another security guard was caught lying about defendant Edward Onabanjo-Agora throwing a dumbbell, the prosecution was forced to admit defeat. Nicholas Jarman, leading barrister for the Crown Prosecution, told the court that the case was essentially based on evidence from Group 4 officers on duty during the incident and, "no prosecution properly conducted could or should invite a jury to convict on the basis of this evidence."

After the trial's collapse three of the defendants were released. Sunny Ozidede and Edward Onabanjo Agora had already won refugee status. Lucky Agbeba was granted temporary admission.

The other five--Stanley Nwaidike, Sambou Marong, John Quaquah, Enahoro Esemuze and Harrison Tubman--were moved to five different police stations before being taken to Rochester Prison.

On June 22, another group of 82 detainees, including asylum seekers from Turkey, the Ivory Coast, Nigeria and Pakistan, launched a hunger strike demanding the right to discuss their cases with the Labour government.

Although the media heavily covered the camp protests and the run-up to the trial, often branding the asylum seekers as "violent thugs", the trial's collapse received scant attention. An article in the *Observer* criticising the Labour government's prosecution of the Campsfield defendants prompted threats and

complaints by Michael O'Brien, the Home Office Minister, whilst Group 4 lawyers warned that they would sue if "such articles continue to be published."



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