

“People are still being deported and thrown into detention centres”

An interview with British “Stansted 15” defendant Melanie Strickland

Margot Miller
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World Socialist Web Site reporter Margot Miller spoke to Melanie Strickland, one of the “Stansted 15” defendants who were tried and found guilty in the UK after their courageous protest in defence of the right to asylum.

The 15 face possible lifetime jail sentences after they blocked the deportation of undocumented migrants at Stansted Airport in March 2017. The activists, who belong to the campaign group “End Deportations,” breached the perimeter fence and locked themselves around a government-chartered Boeing 767 to prevent take-off. On board, 57 undocumented migrants from UK detention centres were being forcibly removed, bound for Nigeria, Ghana and Sierra Leone. Some faced torture or death on return, with the UK government’s actions a flagrant denial of the migrants’ human rights.

Campaigners displayed banners proclaiming, “mass deportations kill” and “no one is illegal.” The airport runway was shut for one hour and 20 minutes, with 19 flights diverted. A police removal team spent 10 hours extricating the protesters from the body of the plane.

After a nine-week trial at Chelmsford Crown Court, in December the jury found the defendants guilty of endangering safety at an airport in contravention of the 1990 Aviation and Maritime Security Act, part of Britain’s anti-terror laws. The defendants expect to be sentenced in February or March.

On January 7, lawyers lodged a 100-page submission at the Court of Appeal in London. They submit that Justice Christopher Morgan displayed bias in his summation of the case and that he wrongly directed jurors to ignore the defendants’ motives instead of permitting them to put their case of necessity in defence. Morgan told the jury to discount the reasons the defendants gave for their actions—alleged abuse of human rights, immigration policy, consideration of proportionality—which he said did not have “any relevance.”

The appeal will also focus on the decision to use anti-terror legislation against a peaceful protest. The charge of endangering the safety of an aerodrome requires approval by the attorney general. Lawyers argue the court failed to adequately check that the attorney general had given proper consent for the terror charge to be laid. The judge did not order full disclosure of all materials sent to the attorney general.

The Socialist Equality Party demands the dropping of all charges against the Stansted 15 and their exoneration.

Melanie, 35, has worked in the not-for-profit sector for 10 years. She explained:

“Primarily, we wanted to stop that flight and to give people more time to lodge an appeal and get decent lawyers for them to secure their right to stay in the country. It was like a whistle-blowing action. We wanted to show the public what was going on, so that the government couldn’t deny this happened, and that it happens on a systematic repeat basis. That was

why we live-streamed it.”

Originally, she and her co-defendants were not charged under anti-terror legislation:

“Our lawyers have asked multiple times ‘Why have the charges been changed?’ and we’ve never received any concrete explanation. We did the action on the March 28, 2017. About four months later, the CPS [Crown Prosecution Service] informed us that it was applying to the attorney general to change the charge from aggravated trespass to endangering safety at airports under the Aviation and Maritime Act.

“Aggravated trespass is the charge that protesters always get as it’s so broad. But the Aviation and Maritime Act is an obscure piece of legislation brought in to implement the UK’s obligation to the Montreal protocol, an international treaty dealing with terrorism at airports. It was also implemented in the UK in response to the [1988] Lockerbie bombing.

“It has very rarely been used. There’s only been one case and that involved a man flying a helicopter who got into a dispute with the director of an airport—I think it was Coventry. He flipped out and drove his helicopter at full speed towards the control tower and only pulled away at the last minute a couple of times. Everyone ran out in fear of their lives. It was a week after the 9/11 attacks. He pleaded guilty and got three years in prison, reduced to two years on appeal.

“Originally, we expected to have our trial in September 2017 for aggravated trespass, then it was moved to March 2018, and then the judge postponed it again until October. We had a 10-and-a-half-week trial that involved lots of different state elements—the police, the Home Office—they engaged a barrister. I don’t know what intelligence gathering they were doing throughout the trial proceedings, presumably at extreme cost. The attorney general, who gave the consent in the first place, and the prosecuting barristers for the CPS—they all seemed to be in on it.”

We asked Melanie why she thought such draconian legislation was used against a peaceful protest.

“I think they really wanted to make an example of us. We were challenging a very contentious government policy. Very few people knew that these deportation flights were taking place, in the middle of the night, in a remote part of Stansted Airport, that people are thrown into detention centres, and that the government targets particular nationalities to fill seats on planes chartered by the Home Office six months in advance—such as Nigeria, Ghana, Jamaica that have ‘high asylum intake,’ as the government puts it, and also where national flights don’t go to.

“It fits in with the authoritarian trend that’s been happening recently that we saw with fracking protesters who got 16 months before it was overturned by the Court of Appeal—which is completely unprecedented for a peaceful protest. Also, there has been a trend across Europe and across the world to criminalize ordinary citizens and campaigners who show solidarity with migrants and refugees. It’s steps along the way to fascism,

which is still in the living memory of people, like the nightmare of the Holocaust and the atrocities of the world war. We are not there yet, but that could happen the way that things are going—it's scary and sinister. People need to be alert and counter that."

Melanie explained why, at the end of the trial, the defence argued that the jury should be discharged.

"The judge did direct the jury to disregard our defence—all the things that we'd said about people's lives being at stake and that's why we took action. Normally a judge reads the judgement out or gives a ruling and then provides reasons as to why. But in our case he didn't. That is one of the bases of our appeal.

"Separate to that, the reason why our legal team made the application for the jury to be dismissed after the judge had started summing up is because he directed the jury to convict us. He said, 'You may think it's common sense that any person going into a restricted part of an airport, authorized or unauthorized, poses a danger to the safety of the airport.' That was one sentence that prompted our legal team.

"It's common sense that what we did was dangerous [he implied], but it's not common sense at all. The legislation we are being charged under is really complicated and the police never said to us at the time, 'What you are doing is dangerous, you're compromising the safety of the airport.' Danger had never been raised until four months later, when the CPS told us, without any explanation, that the charge was being changed. The judge took the prosecution's case and presented that to the jury and didn't really say much about the defence case. He was very biased in his summing up.

"He told the jury that we can't have the necessity defence—so the jury were not allowed to take into account that we said we acted to assist people in grave danger."

Melanie said the Stansted 15 have received strong public support:

"During the trial we had lots of support from the people of Chelmsford—Quakers who let us use their meeting space every day, who put us up in their homes. Since September of last year Amnesty International organised a campaign that's been amazing. They arranged for an observer to sit at court every day to make sure that we were having a fair trial. It didn't really help that much as it turned out! [Green MP] Caroline Lucas has been very vocal and supportive and has asked helpful parliamentary questions.

Asked whether Labour Party leader Jeremy Corbyn had said anything, Melanie replied:

"He hasn't said anything publicly. I met him just before Christmas and he said to me you're changing history—you know that? Which was lovely."

Despite facing state intimidation, and a possible long custodial sentence, Melanie remains committed to the struggle to defend basic democratic rights and feels the actions of the Stansted 15 have been vindicated.

"The people on that flight, 11 of them are still here. I know that from Freedom of Information requests. They include trafficking survivors, women who've endured the worst forms of sexual violence, people with dependent children and asylum seekers. People who have come to this country seeking sanctuary and made a claim that have a genuine fear of persecution. These people are voiceless. They live in our communities all over the country. This government is shafting them. This 'hostile environment' [towards immigrants that Prime Minister Theresa May said was her policy as home secretary] is hostile for all of us.

"It's vital that we stand up for our rights and the rights of our migrant brothers and sisters. Although I feel that the political discourse has shifted somewhat now that our case has got a bit of coverage, the policy hasn't changed. People are still being deported, still targeted due to their nationality and thrown into detention centres. They have as little as five days to find a lawyer and challenge their deportation order by judicial review. Most people aren't successful because the barriers are huge.

"It's actually got worse as people are deported from military bases now. There is even less accountability and oversight. So we need to step up our efforts.

"People are moving because of war and that's a result of imperialist policies. It's a legacy of slavery that keeps these countries economically poor. People are being deported in a brutal way to ex-colonial countries, Nigeria, Ghana, Jamaica, India.

"Climate change is another reason why people move, and again Western countries have historically contributed to that. In Ghana, it's largely an agricultural economy so most people are subsistence farming. Nigeria has a much greater urban population but there are vast parts of Nigeria that have been environmentally devastated, particularly around the Niger delta where Shell, a British company, operates. The life expectancy there is 40. The water is polluted, the soil is polluted, you can't grow crops there."

The 15 defendants are due to begin their sentence before their appeal is heard.

"We lodged our appeal on January 7, but there is a massive backlog in the court of appeal. It'll take months before our appeal is heard. This is how messed up the criminal justice system is. As a defendant you don't get compensated for that, if you're found to be innocent—for the fact that you've lost your job, your home, you've lost all that time in your life doing a sentence you should never have been given.

"When you look at the statistics of people that go through the criminal justice process, it's largely working-class people, largely ethnic minorities. Those people get the worst of the sentences compared to those of a more privileged background.

"When the welfare state was created, legal aid was meant to be an important part. It is essential in ensuring access to justice and that there aren't miscarriages of justice. Everyone should have the right to a good lawyer to robustly act in your interest and that should be free, available on legal aid. But the legal aid budget has been decimated and migrants are bearing the brunt.

"You don't get legal aid for most immigration cases anymore, just for asylum cases and some immigration cases involving domestic violence—if you can find a legal aid lawyer because the government has made legal aid contracts so unattractive. There are vast parts of the country where lawyers don't do legal aid or immigration cases because you hardly get paid anything and there is so much form filling in and bureaucracy. I live in Waltham Forest [in north east London] and volunteer at a local migrant centre. There are no legal aid immigration lawyers and this is a massive borough."

Melanie expressed her solidarity with WikiLeaks' Julian Assange:

"I went to the demos when he was first in the Ecuadorian embassy years ago. He's a whistle-blower and he deserves our support. I think it's a disgrace what's happening to him, the fact he's been locked up there for years and what is the end outcome for him?"

A documentary made by filmmaker Sue Clayton in defence of the Stansted 15, including live streaming of the protest, can be viewed here.

The author also recommends:

Trial of "Stansted 15" anti-deportation protesters begins in UK



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