



state crackdown on
anti corporate dissent:

the animal rights movement

Corporate Watch

www.corporatewatch.org
news@corporatewatch.org

The following articles were produced by *Corporate Watch* over the past few months as part of our *News Updates* and *Newsletter*.

Contents

Crackdown on anti-corporate dissent: The animal rights movement <i>May 2009</i>	5
Animal right activists convicted of 'conspiracy to blackmail' <i>December 2008</i>	10
Jailed SHAC activists receive indefinite ASBOs <i>January 2009</i>	13
NETCU: Seriously Organised? <i>May 2009</i>	15
Whose agenda do reports of 'eco-terrorism' serve? <i>November 2008</i>	18
Links	20

CRACKDOWN ON ANTI-CORPORATE DISSENT: THE ANIMAL RIGHTS MOVEMENT

May 2009

During the past three years, the police and the Crown Prosecution Service have launched a new campaign against anti-corporate animal rights campaigns across the country. The crackdown has led to the imprisonment of activists linked to Stop Huntingdon Animal Cruelty (SHAC) for a total of 50 years and the jailing of Sean Kirtley, who was linked to the Stop Sequani Animal Torture Campaign (SSAT), for four and a half years. The sentences, the charges and the nature of the prosecutions have all been political. Public opposition to the crackdown has been confounded by a media smokescreen thrown up by the press releases churned out by the National Extremism Tactical Coordination Unit (NETCU), portraying activists as 'extremists' and disseminating misinformation. Many of those jailed have not committed any conventional crime but have been targeted by new legislation intended to counter the threat posed to the pharmaceutical industry by effective direct action.

The role of NETCU

The National Extremism Tactical Coordination Unit was set up partly as a replacement for the Animal Rights National Index (ARNI). The creation of NETCU came at the same time as a realisation by the police that the small, autonomous direct actions against companies involved in vivisection in 1980s and 90s were being replaced by mass campaigns such as the campaign to shut down the Hillgrove cat breeders and, later, Stop Huntingdon Animal Cruelty (SHAC).

NETCU monitors the policing of animal rights campaigns and other political movements, often focused anti-corporate campaigns; follows prosecutions through courts and cultivates informants. One of NETCU's most important roles, however, is the undermining of campaigns through partisan use of the media and support for groups presenting counter arguments to the dissenters NETCU is targeting. For instance, the NETCU website hosted links to the pro-vivisection Research Defense Society and articles praising PROtest. NETCU is also one of the least transparent of all UK police departments and shrug off all requests for information about the work of the unit. The political nature of NETCU's work is illustrated by several press releases boasting of activists being prevented from doing street collections and leafletting (see, for example, 'Animal rights campaign refused permission to hold street collections in Sunderland' at www.netcu.org.uk/media/article.jsp?id=280).

Serious Organised Crime? The Sequani Six

"All effective campaigns that have tried to change the world have suffered severe repression at the hands of the state. If the state isn't interested, then you're not being effective." - Sean Kirtley

An amendment to the Serious Organised Crime and Police Act (SOCPA) in 2005 made it illegal to "interfere with the contractual relations of an animal research organisation" or to "intimidate" employees of an animal research organisation. One of the people consulted during the drafting of the act was the CEO of Sequani labs in Ledbury, Herefordshire. The labs had been the subject of protests due to their involvement in animal testing.

On 9th May 2006, coordinated dawn raids took place at various homes around the Midlands. The massive police operation, dubbed 'Tornado', was given up-to-the-minute coverage on the news section of the NETCU website. Computers and mobile phones were seized as well as items like a plastic witches' nose that were later exhibited in court. Twelve people were charged under SOCPA. In the trial of the first seven defendants, in January and February 2008, the prosecution alleged that the events at 16 demonstrations against Sequani and related

companies amounted to an 'interference with the contractual relations' of Sequani. The incidents related to words spoken (allegedly offensive), acts of trespass and the sending of a repeating fax message to block up company fax machines. All of these charges are minor and would be extremely unlikely to carry a prison sentence. However, when they form an element of a SOCPA offence, they can carry up to five years in prison.

The 18-week-long trial, subject to a media-gagging order imposed by the judge, examined reams of computer and mobile phone evidence. The prosecution produced an 'expert analyst' who examined the network of phone calls between the defendants and presented them as evidence that they were organising demonstrations. The very act of planning to demonstrate against Sequani was portrayed as illegal. The prosecution identified what they presented as a 'hierarchy' in the SSAT campaign and portrayed certain defendants, including Sean Kirtley, as the 'leaders'. Much was made of the fact that Sean Kirtley's computer showed that he had updated the SSAT website. SMS messages and emails downloaded to computers, through email clients like Thunderbird or Outlook, were read out in court.

What the defendants were accused of essentially amounted to nothing more than a public, legal protest campaign. Nothing the average person would perceive as illegal occurred. No acts of direct action were relied upon by the prosecution and no physical damage had been done to Sequani or any other company (except for one window broken by accident).

The trial at Coventry Crown Court took its toll on the defendants. According to Sean Kirtley, defendants suffered "mental and physical exhaustion, nightmares and disturbed sleep" as a result of the stress. Wendy Campbell told Corporate Watch, "It nearly killed me but I was innocent, so I stood my ground."

All defendants apart from Kirtley were acquitted. The judge, a game-shooter, remanded Kirtley and later sentenced him to four and a half years imprisonment and a five-year CRASBO on release, which is an anti-social behaviour order (ASBO) imposed by a criminal court.

So let us look for a moment at the specific charges against Kirtley. He was not directly accused of using offensive language: the prosecution admitted he was mostly silent at demonstrations. Nor was he accused of sending disruptive faxes. The only charges against him were of allegedly 'organising' demonstrations through phone calls and emails and updating the SSAT website. The SSAT website was not offensive and did not even advertise the demonstrations at Sequani. It merely discussed animal abuse by Sequani and listed companies doing business with it. It also encouraged readers to engage, politely, with these companies and not break the law. SSAT was also a general animal rights resource with information about the fur and dairy trades and anti-foie gras campaigns.

Thus, Sean Kirtley, perhaps more than any other prisoner in the UK at the moment, is a political prisoner punished for nothing but exercising his right to freedom of expression and right to protest.

The SHAC Seven

Stop Huntingdon Animal Cruelty (SHAC) is perhaps the most ambitious and most effective anti-corporate campaign against vivisection in the world. Its aim is to close Huntingdon Life Sciences (HLS), Europe's largest animal testing laboratory. In its attempts to do so, it has aimed to persuade companies to desist from investing in, supplying or providing services to HLS. This tactic recognises that corporations cannot do business in a vacuum but rely on other companies to provide a network of services to them.

In May 2007, police arrested 32 people in raids dubbed 'Operation Achilles'. Since then, 15 people have been charged with 'conspiracy to blackmail' and are being tried in two separate cases, of which the trial of the 'SHAC 7' was the first.

The charges related to six years of campaigning against HLS, which the prosecution claimed was 'blackmail'. Blackmail is defined as "making an unwarranted demand with menaces." The alleged blackmail in the three and a half month long trial at Winchester Crown Court takes a little bit of creative thinking to understand. SHAC, in which all seven on trial were allegedly active, published publicly available company details of customers, investors and other companies doing business with HLS. SHAC supporters were encouraged to write to them or protest against them in the hope that they would cease trading with HLS. SHAC always added a caveat that actions should remain within the law. In fact, SHAC went to such lengths to remain within the law that Natasha Avery, one of the defendants, entered into long correspondences with the police over SHAC-related demonstrations, even praising the policing of some as even-handed.

Throughout the history of the SHAC campaign, autonomous direct actions, often under the banner of the Animal Liberation Front (ALF), have taken place against HLS, secondary and tertiary companies and their employees. Cars have been paint-stripped, company property damaged and letters threatening more damage have been sent to company offices and, sometimes, to directors' homes. Hoax bombs have been sent and, on one occasion, an incendiary device was placed at the home of a company director of a related company. These actions are not alleged to have been carried out by SHAC. However, during the trial a spreadsheet, allegedly pieced together from fragments of a document linked to a computer in the house where the SHAC office was based, was produced. The spreadsheet detailed actions against HLS, including the sending of letters accusing directors of being paedophiles and damage to cars, giving the place and the date when the actions occurred. The prosecution alleged that other documents recovered from computers provided tenuous links between some defendants and the spreadsheet.

Thus, the alleged 'unwarranted demand' was what SHAC had asked companies: to sever links with HLS. The supposed threat, or 'menace', was that of direct action carried out by others. The existence of some evidence, albeit weak, of links between some of the people on trial and direct action was an added extra for the prosecution.

A further complication was that three people had pleaded guilty. A SHAC statement said that this was because they "could not hope for a fair trial" and that the government "had a political will to find them guilty of something." However, this effectively meant that it was accepted that blackmail had occurred, although the other five defendants denied conspiracy. The trial, therefore, was about how much the remaining defendants could be linked to this 'blackmail'. Much of the evidence, including the aforementioned spreadsheet, could not be challenged as the defendants who pleaded guilty were not cross examined.

Although it was technically accepted that blackmail had occurred, the prosecution never specified the exact nature of the blackmail. At its highest, the prosecution case linked most defendants to direct action through the computer evidence. However, the evidence of such a link was tenuous to non-existent. Failing that, the prosecution essentially argued that SHAC operated legally but gave tacit support to direct action. In some cases, particularly where activists had not been involved in SHAC for long and could not be painted as organisers, the prosecution argued that words they had said on demonstrations, ranging from threats to articulate speeches about the need to end vivisection, were evidence of 'conspiracy to blackmail'. The judge even instructed the jury that simply being on demonstrations where threatening statements were uttered could be evidence of 'conspiracy to blackmail'.

When the jury found 7 out of the 8 defendants guilty, it remained unclear which one of the prosecutions many definitions of the charges they accepted. It may be that they were simply influenced by the media storm whipped up by NETCU press officers or the wealth of irrelevant allusions to actions not carried out by the defendants, such as the theft of the body of Gladys Hammond in the completely separate campaign against Darley Oaks Guinea pig farm. It is evident that the defendants were convicted, to a large extent, through guilt by association with the actions of others.

At the three-day-long sentencing in January 2009, Judge Butterfield sentenced the defendants according to how he saw them in the supposed hierarchy of the SHAC campaign, not according to the evidence against them. Thus, Greg and Natasha Avery were given the heaviest sentences possible but were given credit for their guilty pleas and sentenced to serve nine years each. Heather Nicholson, who plead not-guilty, received the longest actual sentence, eleven years. Gavin Medd Hall was sentenced to eight years; Daniel Wadham, five years; and Daniel Amos and Gerrah Selby were each sentenced to four years.

So what does this mean for free speech and anti-corporate dissent in the UK? By the same logic, an anti-war campaign that publishes information on the whereabouts of a military base or arms factory and calls for its closure could be put in the frame for the same crime if that base was then the subject of an arson attack. All it takes is for the police to imply that the people running the public campaign are linked to those involved in direct action. Consequently, campaigners might feel compelled to publicly distance themselves from acts of direct action lest they find that, unbeknown to them, those involved in public action are responsible for the covert actions too and the whole movement is charged with 'conspiracy'. In fact, the use of such charges is a classic police tactic aimed at spreading paranoia and convicting as many activists as possible for acts carried out by a few anonymous people. The other aim is to minimise public support for illegal actions by harassing and criminalising those who speak up in solidarity.

Prospects for the Future

Sean Kirtley's conviction is one of the worst injustices in the recent history of the UK's political prosecutions. However, NETCU and the Crown Prosecution Service were not content with only convicting one defendant who received, from their point of view, a relatively short prison sentence. The trial of the five further activists arrested in Operation Tornado has not taken place.

SOCPA 145 or 146 (intimidating persons connected with an animal research organisation) would have been the logical charge with which to try the SHAC 7, however NETCU were keen to acquire harsher sentences which is why the more contrived 'conspiracy to blackmail' charge was used.

The use of these charges against activists has continued. In October 2008, four people were arrested after allegedly trespassing at a rabbit breeders in Lincoln and were later charged with SOCPA 145. In April 2009 three activists pleaded guilty. In May Vikki Waterhouse-Taylor, the remaining defendant, was found not guilty after the judge ruled that there was no case to answer. The three others are awaiting sentencing.

Since the SHAC 7 trial, police have threatened to bring several 'conspiracy to blackmail' charges against activists but have not yet launched a prosecution. The conviction of the SHAC 7 has, justifiably, prompted a lot of paranoia amongst activists. The prosecution of these activists for 'conspiracy to blackmail' was political and an attack on the individual's right to voice their anger and dissent against corporate greed. However, the success of the

prosecutions was partly to do with the specific circumstances of the SHAC 7's trial and the long history of direct action against HLS and related companies. The role of NETCU in overseeing the case was integral to the prosecution. NETCU's press disinformation was instrumental in influencing the public against the defendants. Perhaps a greater understanding of NETCU and a resistance to their disinformation is the next step in resisting the crackdown.

* * *

ANIMAL RIGHT ACTIVISTS CONVICTED OF 'CONSPIRACY TO BLACKMAIL'

December 2008

On December 23rd, 4 out of 5 activists on trial at Winchester Crown Court were found guilty of 'Conspiracy to Blackmail' at Winchester Crown Court after a 3 and a half month long show trial. The world's media, prompted by police press officers, were quick to condemn activists by pointing to harassment against the employees of Huntingdon Life Sciences (HLS) and their customers, shareholders and investors. Actions against HLS, not linked to those convicted, such as hoax bombs, letters alleging paedophilia, and threats were pointed to as evidence of the defendants' extremism. Police spokesmen and the National Extremist Coordination Unit (NETCU), the branch of the police set up to deal with the AR movement and other expressions of the public's dissent, hailed the convictions as a victory. What was not examined in the media was the worrying development of the repressive use of the law which led to the conviction of the four defendants.

Corporate Watch has followed the progress of the trial at Winchester since the beginning. The reason we were concerned about the trial is that we see it as part of a larger attack on the animal rights movement motivated by the state's desire to protect private corporations against dissent. Since the animal rights movement began to effectively challenge the profits of those involved in vivisection and the pharmaceutical industry the state has repeatedly responded with new repressive measures. In May this year Sean Kirtley, an activist involved with Stop Sequani Animal Torture (SSAT), was sentenced to four and a half years in prison for updating a website with news about a legal, nonviolent campaign to close down Sequani laboratories in Ledbury. Kirtley was convicted of 'Conspiracy to interfere with the contractual relations of an animal research facility under section 145 of the Serious Organised Crime and Police Act' (SOCPA 145). His only crime was to protest lawfully against the lab and to update a website.

NETCU, however, was not satisfied with seeing animal rights activists banged up for four and a half years and chose to charge campaigners associated with Stop Huntingdon Animal Cruelty (SHAC) with 'conspiracy to blackmail', an offence carrying up to 14 years in prison. In May 2007, police arrested 32 people in raids dubbed 'Operation Achilles'. Since then, 15 people have been charged with 'conspiracy' and are being tried in two separate trials, of which this was the first.

The charges relate to over four years of concerted campaigning against HLS, the largest contract testing laboratory in Europe. The defendants included people who had been involved in SHAC from the outset. However, two of the defendants, Gerrah Selby and Dan Wadham, had been in their early teens at the beginning of the period concerned and had only been involved for a short time. Wadham was only 17 when his part of the alleged conspiracy allegedly occurred.

SHAC, an international campaign group calling for the closure of HLS, has been painted by the police and the press as a 'criminal organisation' duping members of the public concerned with animal abuse into donating their money to further 'a campaign of blackmail'. SHAC's activities, however, have been overwhelmingly lawful: the campaign publishes information about animal abuse inside HLS labs, reports campaigning activities and issues action alerts calling on supporters to write polite letters to companies working with HLS and ask them to desist. If those companies continue to do business with HLS, protests would usually follow. All material on the SHAC website is checked by a barrister and police are given prior notice of their demonstrations.

Customers, suppliers and shareholders in HLS have also been the subject of some direct action. Slogans have been daubed at company premises and employees homes; cars have been painstripped; hoax bombs have been sent and employees have been accused of being paedophiles. However, these actions are not directly linked to the SHAC campaign and have only tenuous links to the defendants, whose faces were spashed across many tabloid front pages after their convictions at Winchester.

During the summer, three defendants, committed campaigners against HLS, plead guilty to charges of 'conspiracy to blackmail'. During the trial, evidence recovered from the campaign PCs and activists' personal computers was presented. Police had found many documents believed to have been permanently deleted or shredded by their authors. This included a spreadsheet detailing names and addresses of people working for companies linked to HLS, details of direct actions carried out against them and a document containing a private chat between activists apparently talking about direct action. This evidence may suggest that some activists had decided to take direct action against companies linked to HLS, but the evidence linking the defendants found guilty on 23rd December to these documents was circumstantial and, in some cases, non-existent. Even if some activists linked to SHAC did decide to take direct action, this does not make everybody associated with the campaign guilty by association. The prosecution case was that the entire SHAC campaign was aimed at closing down HLS, which is true, and that SHAC campaigners attempted to persuade companies not to work with HLS, which is also true. The prosecution argument, however, went on to imply that, when companies did not agree to cease trading with HLS, they were the subject of direct action. Often direct action did occur but this was not under the banner of SHAC. Moreover, SHAC did not publish any information about companies that was not already in the public domain. But because some activists, sometimes under the banner of the Animal Liberation Front (ALF), did take direct action, the prosecution argued that the SHAC campaign was facilitating direct action and giving it its tacit approval. The police went one step further and said SHAC and the ALF were one and the same thing!

Much of the evidence in the three-month trial was in relation to lawful demonstrations against companies linked to HLS. This was particularly important in the instances of defendants who could not be linked to the uncovered computer evidence. In several cases, the only evidence was what they had said at demonstrations. Comments made by defendants during protests in earshot of the police were portrayed as linking them to the 'conspiracy'. Comments, such as "we know where you live", were taken as proof that defendants were party to the conspiracy. In any other context, such spur-of-the-moment comments would have, at most, lead to minor charges in the Magistrate's Court. Equally important was the fact that some of those convicted were linked personally to the defendants who pleaded guilty. Heather Nicholson and Gerrah Selby had both shared houses with them. This was obviously a factor in finding them guilty by association.

So what does this mean for free speech and anti-corporate dissent in the UK? By the same logic, an anti-war campaign that publishes information on the whereabouts of a military base or arms factory and calls for its closure could be put in the frame for the same crime if that base was then the subject of an arson attack. All it would take would be for the police to imply that the people running the public campaign are linked to those involved in direct action. Consequently, campaigners might feel compelled to publicly distance themselves from acts of direct action lest they find that, unbeknown to them, those responsible for the covert actions are involved in public action too and the whole movement is charged with 'conspiracy'. In fact, the use of such charges is a classic police tactic aimed at spreading paranoia and convicting as many activists as possible for acts carried out by only a few. The aim is also to minimise public support for illegal actions by harrasing and criminalising those who speak up in solidarity. NETCU have already intimated, for example in the recent Mark Townsend article on 'eco-

terrorists', that environmental or anti-gm protesters might be their next target. The convicted activists are now long periods in jail, they will be sentenced on January 19th. Heather Nicholson, who was remanded after her arrest in May 2007, has already spent over 19 months in jail, longer than some convicted of serious assaults or sex crimes would spend in prison. In May this year, Sean Kirtley, who was imprisoned for his role in another animal rights campaign, was sentenced to four and a half years in prison on the same day that men who beat a man until he was blind received two years. Since 'Operation Achilles', the police have been patting themselves on the back for putting the animal rights movement into 'disarray'. A NETCU source told the Observer in November 2008 that the animal rights movement's 'ringleaders' had 'either been prosecuted or were awaiting prosecution.' One may suspect that comments like these are more to do with maintaining NETCU's funding than reality.

In fact the attack on animal rights campaigners does not seem to have limited their capacity to take action. Regular demonstrations are still taking place against companies linked to HLS, with one planned for 29th December. The ALF, which does not seem to be in need of 'leaders', has recently freed 70 turkeys from a UK farm. If anything, the global animal rights movement seems to be growing steadily.

The decision to try these campaigners for 'conspiracy to blackmail' was evidently a political one. Huge amounts of police resources have been poured into this prosecution, and others like it, at the behest of the Labour government. This is due to the effectiveness of the animal rights movement in confronting and challenging the power of corporations involved in animal abuse. The demonisation of animal rights campaigners in the media, facilitated by NETCU press releases, only makes it easier for the state to repress them without public outcry. The conviction of the defendants at Winchester is yet another nail in the coffin of the public's right to voice their anger and dissent against corporate crime.

* * *

JAILED SHAC ACTIVISTS RECEIVE INDEFINITE ASBOS

January 2009

On Wednesday, 21st January 2009, the National Extremism Tactical Coordination Unit (NETCU) issued a press release celebrating the jailing of seven animal rights campaigners for "over fifty years". In their press release NETCU are at pains to point out that the sentences have "nothing to do with freedom of expression" and that those jailed are 'extremists'.

NETCU, a shady, unaccountable branch of the UK's expanding political police, has thrown the weight of its press department behind a campaign to present the seven defendants, all active in the Stop Huntingdon Animal Cruelty (SHAC) campaign, as extremists. The mainstream media has swallowed NETCU's spin unquestioningly without seeing the affair for what it is – a political trial with serious ramifications for the right of individuals to voice their dissent against corporate power.

On 23rd December last year, 4 out of 5 activists on trial at Winchester Crown Court were found guilty of 'Conspiracy to Blackmail' after a three and a half month long trial. Natasha and Greg Avery and Dan Amos had plead guilty during Summer 2008. During the trial much had been made about how each defendant fitted in to what the prosecution described as the 'hierarchy' of the SHAC campaign. At the three day long sentencing in January, Judge Butterfield sentenced the defendants according to how he saw them in this 'hierarchy', not according to the evidence against them. Accordingly Greg and Natasha Avery were given the heaviest sentences possible, but were given credit for their guilty pleas and were sentenced to serve nine years each. Heather Nicholson, who plead not-guilty, received the longest actual sentence, eleven years. Gavin Medd Hall was sentenced to eight years, Daniel Wadham got five years, and Daniel Amos and Gerrah Selby were each sentenced to four years.

One thing that was not reported at all by the mainstream media was the imposition of indefinite anti social behaviour orders (ASBOs) on four of the defendants preventing them from protesting against animal experimentation. These ASBOs make otherwise lawful protest activity into a crime, punishable by up to five years in prison. The use of indefinite ASBOs against protesters is, as far as Corporate Watch knows, a completely new development. The terms of the orders could prevent these four people, all dedicated campaigners against vivisection, from ever voicing their political views again. The orders could even be interpreted as preventing the defendants from speaking or writing against vivisection.

By giving the maximum possible sentences, the Judge was effectively saying that this case represented the most serious form of 'blackmail'. However, the allegations against those convicted would not fit in at all with a layman's definition of blackmail.

As Corporate Watch wrote last month, the charges related to over four years of concerted campaigning against Huntingdon Life Sciences (HLS). The essence of the blackmail charge is that SHAC called for companies to cease trading with HLS and wrote polite letters to that effect. SHAC also encouraged their supporters to write to and protest against companies working with HLS. In some cases, direct action occurred, but this was never called for by SHAC. Letters were sent to company employees falsely accusing them of paedophilia; threats were received in the post and cars were paintstripped. The evidence presented suggested that some of the defendants may have had knowledge of, or been involved in, some of these activities. However, many defendants were convicted because of what they said on demonstrations against HLS and their suppliers or because of the length of their involvement with SHAC.

Let us look at the case of Heather Nicholson, the defendant who received the most severe sentence, 11 years. Heather is a committed, long-term campaigner for animal rights and had

been involved with SHAC since the beginning. She had lived and worked at the SHAC office and been involved with communicating, politely, with companies doing business with HLS. Only the most tenuous of circumstantial evidence linked Heather to any of the activities parroted in the press as attributed to her. Heather was convicted because of her long involvement with SHAC and given the most severe sentence because of Judge Butterfield's perception of her importance to the campaign.

In the case of the defendants who were newer to SHAC, their convictions stemmed largely from words spoken on demonstrations. These convictions are extremely worrying as threatening words should normally be dealt with, at most, by charges under the Public Order Act. Again, the catch-all charge of 'conspiracy to blackmail' meant that the defendants could be dealt with more severely because of their association with others.

Judge Butterfield was not content with the harsh sentence doled out to the SHAC 7. In his sentencing he invited the Department of Public Prosecutions to consider "indefinite detention" in blackmail cases. Surely Judge Butterfield had seen the potential for the state to use this charge in the future as a bludgeon to silence political dissent.

Despite the repression of the SHAC 7, resistance against HLS, Europe's biggest animal testing laboratory, continues. Protests against financiers of HLS, and in solidarity with the SHAC 7, have taken place across the UK, Europe and the US while a protest against the Bank of England, who have provided HLS with banking facilities since their regular bankers dropped them, is planned for 27th February.

* * *

NETCU: SERIOUSLY ORGANISED?

May 2009

The Crown Prosecution Service (CPS) and the National Extremism Tactical Coordination Unit (NETCU) have suffered a major blow in a hard-fought attempt to throw the book at four campaigners facing charges under the Serious Organised Crime and Police Act (SOCPA). The prosecution, involving numerous experts, several police forces and, according to one source, up to a million pounds in legal costs, was part of NETCU's ongoing attack on the animal rights movement and criminalisation of activists linked to the Stop Huntingdon Animal Cruelty Campaign (SHAC). During the prosecution, it has become apparent that the police, terrified that the anti-vivisection movement might claim a success, have intervened to prop up a rabbit breeder on the verge of closing down.

On 13th October 2008, four people were arrested after their car was stopped in Lincolnshire. CCTV footage later showed that they had been on the property of the Highgate rabbit farm in Normanby-by-Spital, Lincolnshire. The Highgate farm breeds animals for sale to Intervet and to Huntingdon Life Sciences (HLS), Europe's largest animal testing establishment. This is where NETCU comes in.

Replacing the Animal Rights National Index (ARNI), NETCU was essentially set up to protect corporations from increasingly effective animal rights campaigns such as SHAC. NETCU monitors the policing of animal rights activists and other political movements; follows prosecutions through the courts and cultivates informants. Targeting animal rights campaigners with increasingly repressive new legislation in a series of show trials against the SHAC campaign and Stop Sequani Animal Torture (SSAT).

The four people arrested near the rabbit farm had not actually done anything save for enter the farm's property. Yet, they were later charged with 'conspiracy to commit criminal damage' and section 145 of SOCPA, 'conspiracy to interfere with the contractual relations of an animal research organisation'. The CPS alleged that the 'conspiracy' had lasted from April until October 2008. The CPS attempted to bring the long history of protest and direct action against HLS into the case and obtained statements from Brian Cass, the managing director of HLS and customer of Highgate Rabbit Farm, and Astrazeneca, one of HLS' customers.

Police desperate to keep corporations in business

On 7th January 2008, activists had broken into Highgate; 129 rabbits were liberated, locks were glued, cars were trashed and up to £100,000 worth of damage was allegedly caused. The owner of the farm later said in court that, following the action, he had resolved to close down his business. He sold his stock of rabbits to HLS and was in the process of winding up operations. At this point, the farmer said, he was visited by the police "and others" and was persuaded to keep the business open.

The closing down of Highgate would have been a major victory for anti-vivisection campaigners. Highgate is one of only five known remaining breeders of animals for laboratories in the UK. During the 1990s, campaigners successfully closed Oxford University Park Farm, Regal Rabbits, Sky Commercial Rabbit Farm, Shamrock farm, Consort Beagles, Hyllyne Rabbits and Hillgrove Cat Farm. Darley Oaks guinea pig farm was also closed in 2006. NETCU, dedicated to demoralising and criminalising the animal rights movement, could not allow the closure of another breeder and appears to have intervened to keep the business open. This can be seen as part of a wider effort by the state to prop up private companies that are the target of anti-corporate dissent. To this end, HLS, under siege from an international campaign to close it down, has been allowed not to file its accounts; to operate without insurance; and has been

granted banking facilities with the Bank of England. Legislation such as companies' house regulations were changed to accommodate the needs of the pharmaceutical industry and new, repressive laws were penned to silence dissenters.

The police intervention to prop up the Highgate farm had little to do with the farm itself, a relatively small business that the state would normally ignore. The motivation was to prevent the pharmaceutical industry losing confidence in its ability to carry on with animal testing in the UK. One can only guess how the police persuaded the farmer to remain in business and who the 'others' were who helped the police persuade him.

'Close down or we'll close you down'

After the raid on Highgate on 7th January 2008, police photographed graffiti on the wall of one of the rabbit pens saying "Close down or we'll close you down." Because of this, the person charged with the break-in was questioned for 'conspiracy to blackmail', as well as 'conspiracy to cause criminal damage' and 'conspiracy to interfere with contractual relations'. The use of the 'conspiracy to blackmail' charge follows on from the conviction of seven activists, alleged to have been involved in the SHAC campaign, for the same charge in December 2008. They were sentenced to over 50 years in prison between them. Police are eager to widen the interpretation of 'conspiracy to blackmail' to use against campaigners who call for the closure of a business. One man has plead not guilty to all charges and will be tried later this year.

No case to answer

In April 2008, three of the four defendants in the Highgate 'trespass' trial at Lincolnshire Crown Court pleaded guilty on the understanding that charges would be reduced to 'conspiracy to interfere with an animal research organisation'. Two of the three were remanded in custody. Vikki Waterhouse-Taylor stuck to her 'not guilty' plea and, on 27th April, was put on trial for SOCPA 145.

Prosecutor Felicity Gerry opened her case by informing the jury that many of them would have 'relied' on medicines that had been tested on animals. The CPS argument was confused; they argued that the trespass in the rabbit farm was intended to intimidate and, as such, 'disrupt contractual relations'. Gerry also claimed that the defendants were doing a recce for future actions when they were caught. The CPS, accompanied by a large team of plain clothes police officers, wheeled out soil analysts, computer experts and phone analysts, making much of any connections to the SHAC campaign they could find. Their case, however, collapsed when the farmer gave evidence. To make things more exciting, he was given a police escort to court, the public gallery was cleared, and he gave evidence from behind a screen. His evidence, however, was that no economic damage had been caused by the four defendants' visit. The prosecutor complained that she had not got the answers she wanted and she would like to recall him but the judge refused.

The defence claimed that there was no case to answer and, after a long, grudging, consideration, the judge agreed but went on to suggest that the CPS apply for an Anti-Social Behaviour Order (ASBO) against the defendants: "I am not saying this in any way to exonerate, applaud or excuse the behaviour of somebody who trespasses on another person's land, less so in camouflage in the middle of the night," the judge said. Despite the fact that she was acquitted it is still possible that Vikki Waterhouse-Taylor may be given an ASBO. The following week, the three people who had plead guilty and were on remand were released on bail. They will be sentenced on July 5th.

SOCPA fiasco

This failed prosecution will be a real setback for the UK's 'political coppers', eager to use SOCPA to break the anti-vivisection movement and criminalise those involved in public campaigns for animal rights. Since 2006, SOCPA has made it illegal to 'interfere with the contractual relations of an animal testing establishment'. Operation Tornado, where raids across the West Midlands lead to the trial of seven people for their role in the campaign against Sequani laboratories, was, on the police's terms, a failure. Sean Kirtley, who allegedly updated a website about the Sequani campaign, was sentenced to four and a half years in prison and a one year ASBO. The remaining six defendants were acquitted. It is questionable whether the huge sums spent on the raids and the prosecutions were justified by the conviction of only one person. Following the acquittal of Vikki Waterhouse-Taylor, despite the huge police resources expended on the trial, the police may be losing their taste for SOCPA trials. In a comment on Indymedia UK, Vikki said the reason she plead not guilty and went through with the trial was "mostly because I was/am too stubborn to listen to anyone." That stubbornness paid off. SOCPA is one of the most repressive new laws on the statute book and a serious challenge to our freedom to voice anti-corporate dissent. The 2006 amendments to SOCPA were specifically designed to protect one industry from widespread public dissent and to criminalise public campaigners who had not done anything that most people would consider illegal. Monitoring and challenging the use of SOCPA is essential if we do not want to see the walls close in on us any further.

* * *

WHOSE AGENDA DO REPORTS OF 'ECO-TERRORISM' SERVE?

November 2008

On 9 November, 2008, the Observer published an article by its crime, defence and legal affairs correspondent Mark Townsend under the title "Police warn of growing threat from eco-terrorists". The article, co-written with an elusive Nick Denning, was a stunningly uncritical piece that seemed to be little more than a rehashed press release from the National Extremist Tactical Coordination Unit.

The article focused on the supposed threat of genocidally violent 'eco-terrorism' from environmental direct action groups like Earth First!. A solitary piece of evidence for this supposition was cited and its source was none other than NETCU, which has apparently been monitoring activist blogs and web traffic. The agency claims it has "found statements that four-fifths of the human population has to die for other species in the world to survive." The tone of the article implies that environmentalists or, as the NETCU source describes them, 'a lone maverick', might be willing to carry out attacks to cull the human population in order to save the planet. Scary stuff! Quite, apart from the fact that the above statement does not imply anything of the sort Townsend admitted, in an interview with SchNEWS, that he had not actually seen the statement himself but that NETCU said they'd read it in someone's blog.

When questioned by SchNEWS about the motives behind the piece, Townsend's response was instructive in its defensiveness and its myopia: "Of course I don't have a fucking agenda. I'm a national newspaper journalist – why would I have an agenda?"

Well, let's be kind to Mr Townsend for a second; let's imagine that his article was simply a piece of lazy sensationalist journalism, a juicy scare story gleaned from an exclusive interview given by the his 'contact' at NETCU. There is certainly a very clear agenda on the part of the police. NETCU's agenda is to 'support the business sector' from exposure to public dissent. Their primary focus has been the animal rights movement but they are interested in any effective campaign that challenges the power and profits of corporations. A glance at their news archive shows that they have had their eye on the anti-G8 protests in Gleneagles, the Smash EDO campaign in Brighton and, more recently, the Camp for Climate Action at Kingsnorth.

It's clear from NETCU's website that one of their main aims is to attack public support for groups involved in effective direct action. They are not shy of expressing support for protest groups who share their agenda. For example superintendent Stephen Pearl, head of NETCU, expresses unqualified solidarity for Pro-test, a small pro-vivisection group in Oxford. Apparently, whether you're an extremist or not depends upon whether you share Mr Pearl's agenda.

Part of NETCU's effort is to feed information to the mainstream media. The unit also have a particularly close relationship with civil lawyer and corporate stooge Timothy Lawson-Cruttenden, to whom they pass confidential information about campaigners. Journalists like Nicola Woolcock of the Times (and now, it seems, Mark Townsend) make a career out of copying and pasting inaccurate alarmist reports from NETCU and Lawson Cruttenden and Co. So when Townsend says the "rise of eco-extremism coincides with the fall of the animal rights activist movement" and quotes his NETCU source boasting that "the animal rights movement is in disarray", the implication is clearly that the smear campaign will be redirected to environmental protesters. Ten years ago, animal rights activists enjoyed wide public support and even some positive media coverage. Years of concerted work by the state, however, has normalised the use of terms like 'extremist', 'violent' and 'terrorist' in the media to describe a movement which has never killed anyone.

Environmental campaigners are still the darlings of the media and of public opinion. This can be seen clearly in the acquittal of a group of Greenpeace protesters, charged with criminal damage, because they persuaded a jury that they were acting to prevent greater damage to the environment. The new police smear campaign is an attempt to limit public support for a growing movement. The long-term strategy, it seems, is to pave the way for more repressive legislation. An article in The Independent by Andrew Grice on 17 November about GM crops cited government sources expressing determination to protect the industry's latest attempt to launch new GM trials. Ministers are quoted as "drawing a parallel between anti-GM protesters and opponents of experiments on animals. The law was changed in 2005 to give police new powers to prosecute activists." The clear implication is that the same repressive legislation, some of which currently only relates to animal rights campaigners, could be expanded to encompass environmental campaigns.

All of this attention could be taken as a compliment for the animal rights and environmental movements. Despite a concerted police smear campaign, arrests, prosecutions and hefty prison sentences, animal rights campaigners are still mobilising against Huntingdon Life Sciences, Novartis and Wickham labs, to name just a few. The success of the campaign against GM trials and the growing movement around climate change means the state are beginning to see the environmental movement as the next threat. Maybe this time we'll see through the police spin aimed at undermining our movements.

Stop Press - *After this article was written, the Observer's readers' editor, Stephen Pritchard, unreservedly withdrew Mark Townsend's piece which he said gave 'no evidence whatsoever' to substantiate NETCU's claims. The paper had received many complaints from readers about the article. The piece is no longer visible on The Observer's website.*

* * *

LINKS

Stop Huntingdon Animal Cruelty (SHAC): www.shac.net

NETCU Watch: <http://netcu.wordpress.com>

Indymedia UK's archive on the SHAC campaign
<http://www.indymedia.org.uk/en/actions/2008/shac/>

Indymedia UK's archive on the Stop Sequani campaign
<http://www.indymedia.org.uk/en/actions/2008/sequani/>

To write to the SHAC 7:

Dan Amos (VN7818)
HMP & YOI Guys Marsh, Shaftesbury, Dorset SP7 0AH

Gregg Avery (TA7450)
HMP Coldingley, Shaftesbury Road, Bisley, Woking, Surrey GU24 9EX

Natasha Avery (NR8987)
HMP Send, Ripley Road, Woking, Surrey GU23 7LJ.

Heather Nicholson (VM4859)
HMP Bronzefield, Woodthorpe Road, Ashford, Middx. TW15 3JZ

Gavin Medd-Hall (WV9475)
HMP Coldingley, Shaftesbury Road, Bisley, Woking, Surrey GU24 9EX

Dan Wadham (A5705AA)
HMP Camp Hill, Newport, Isle of Wight PO30 5PB

Two are still remanded awaiting trial and sentencing:

Nicole Vosper (VM9385)
HMP Bronzefield, Woodthorpe Road, Ashford, Middlesex, TW15 3JZ

Sarah Whitehead (VM7684)
HMP Bronzefield, Woodthorpe Road, Ashford, Middx. TW15 3JZ

To write to the Sean Kirtley:

Sean Kirtley (WC6977)
HMP Stafford, 54 Gaol Rd, Stafford ST16 3AW

For a full list of imprisoned animal rights activists see:
www.alfsg.org.uk/current_prisoners.html

Corporate Watch

www.corporatewatch.org
news@corporatewatch.org

