

Stansted 15: British Activists Who Stopped Deportation Charter Flight Convicted of Terrorism Charge

Tuesday 11 December 2018, by [ENGLAND Charlotte](#), [PERKIN Beth](#) (Date first published: 10 December 2018).

A group of 15 activists who prevented a deportation charter flight from leaving Stansted airport by locking themselves together around the aeroplane have been found guilty of a terrorist offence.

The so-called Stansted 15 spent nine weeks on trial charged with an offence that has never been used before in response to a non-violent direct action and carries a maximum sentence of life in prison.

They were convicted by a jury at Chelmsford Crown Court on Monday 10 December and will be sentenced on 4 February 2019.

Ben Smoke, who was arrested after being cut away from the front wheel of the aeroplane, said the guilty verdict would have “huge ramifications on the ability of people to engage in what is a very long tradition of direct action in this country”.

The 27-year-old told Novara Media:

“I’m obviously terrified for myself, terrified for what the future holds, but more than that I’m terrified about how we carry on fighting a government that just won’t listen, how we carry on fighting a government that has been proven to be so disgusting and despicable every way you turn.

“You look at the UN report that came out recently that said that austerity is a choice, they have made a choice to kill 120,000 people, if we’re in a situation where we can’t fight that how do we go on? How do we carry on? How do we change our society?”

The activists, from campaign group [End Deportations](#), were originally charged with criminal damage and aggravated trespass after the action on 28 March 2017, offences too small to warrant trial by jury and carrying a maximum of just three months in prison. The prosecution later sought special permission to add an additional charge of “endangering safety at an aerodrome”, a terrorism offence created in response to the [1988 Lockerbie bombing](#), in which 270 people died.

They stood accused of putting the safety of the airport and passengers at risk and causing serious disruption to international air travel for taking part in the non-violent direct action, in a move [Amnesty International described](#) as “using a sledgehammer to crack a nut”. The human rights organisation, which observed the trial for its duration, was concerned that the severe and

unprecedented charge may have been brought in order to discourage other activists from taking non-violent direct action in defence of human rights.

Labour's Shadow Attorney General Shami Chakrabarti condemned the verdict on Monday, pointing out that it coincided with the 70th anniversary of the Universal Declaration of Human Rights.

"What a sad International Human Rights day, when non-violent protestors are prosecuted for defending the Refugee Convention, and are treated like terrorists," she said. "Labour in Government will review the statute book to better guarantee the right to peaceful dissent."

Smoke said he believed the verdict could violate "the contract of our democracy" by obstructing channels that should be available for everyone to demand change.

He referenced the harsh sentences given to the suffragettes when they used direct action to challenge laws preventing women from voting in the early 20th century and said he feared the outcome of the Stansted 15 trial would have the same deterrent effect. "These people are people who were denigrated at the time and now are being heralded as heroes," he said. "I'm not for a second trying to put us in that category but what they then experienced... imprisonment and being force fed, really, really meant that it became a harder thing to do to take a direct action to try and change the society you live in and to try and make society better... that's what I'm terrified of seeing coming out of this action."

Wearing pink bobble hats, hi-vis vests and jumpers emblazoned with the words "mass deportations kill, no one is illegal", the coalition of activists from End Deportations, [Plane Stupid](#) and [Lesbians and Gays Support the Migrants](#), chained themselves to a plane set to deport 60 people to West Africa on 28 March 2017 and stopped it from taking off.

In protesting against the injustices of the UK border and immigration system, the group focused their efforts specifically on the issue of mass deportation charter flights on account of the flights being the hardest form of deportation to individually resist. End Deportations campaigners [argue that the flights](#) were introduced by the government for that very reason.

Activist Helen Brewer explained that the group spent months considering the best and safest way to blockade the flight. "After coaches arrive from detention centres they go into a private car park," she said, "then you have the crew coming down from their hangar to ready the plane. So [we knew we had to act] before the coaches drive from the car park to the plane to board people... So that's what we did."

Strategically, Brewer said, it made sense to target the aeroplane itself because people may be taken from all over the country to be deported on a charter flight, "but there's only one plane".

Deportations used to take place on regular commercial flights. But when passengers and pilots started to object on moral and political grounds, the Home Office changed tack and begun chartering deportee-only planes.

Shrouded in secrecy, these planes leave from undisclosed locations in the middle of the night. By doing this, they are more insulated from public opinion and the kind of reputational pressures that caused [Virgin Airlines to](#) announce it would no longer assist the Home Office with forced deportations.

[Notorious for their violence](#), the only people on the flights are deportees and security guards. With no independent monitoring or documentation of what takes place on the way to the airport, during the flight or after landing, deaths in transit are not unknown.

At the heart of the group's decision to take action was the desire to protect vulnerable people from the myriad violences of the UK border regime.

In her closing statement, Mel Evans, one of the defendants who represented herself throughout the trial, said about the action:

"This was never about politics. It was always about people. We wanted people to be safe... And now some of them are safe, and they're able to be with their families and be with the people they love. And that's all we were trying to do."

One manifestation of this violence is in the way the flights themselves are enacted. Chains and restraints are commonly used to subdue passengers, sometimes even fatally. In 2010, 46-year-old [Jimmy Mubenga died of suffocation](#) after being pinned down in his seat by G4S security guards, despite already being handcuffed from behind with his seatbelt on.

Beyond the immediate danger of being on the plane, there is also the issue of the potential further violence awaiting passengers when they arrive in the country they are being deported to. Addressing the jury, Evans read the testimony of one of the passengers on the flight:

"[There] was a lesbian woman who was terrified of what would happen if she saw her ex-husband: '[He] said he knows I am being deported next week. He is waiting for me. He is planning to kill me. I don't want to go on that plane. I can't go. I am begging.'"

But this is far from an isolated incident. According to Brewer, "a deportation happened on Tuesday to Nigeria and Ghana. This was one flight we stopped out of thousands." Using this logic, each of these individual acts of violence is connected – part of what Luke de Noronha, spokesperson for the End Deportations campaign, [described as](#) "the architecture of racialised border violence".

'Without their actions I would have missed my daughter's birth'

Out of the 60 people set to be deported on the flight, 11 are still in the UK as a result of the action. Two out of those 11 now have indefinite leave to remain and four have been referred to the National Referral Unit For Human Trafficking. Five are still waiting for their appeals to be heard.

Kevin*, one of the passengers on the flight, was set to be deported to Ghana where he lived up until his late teens. He has since been granted leave to remain.

As a young child, Kevin was left in the care of his abusive father after his mother moved to England, but once he had finished school in the mid 2000s, he was finally able to join her in London.

In the UK he successfully applied for indefinite leave to remain. However, this was revoked after he received a criminal conviction. As a result of the loss of his immigration status, he faced deportation and with it, the prospect of being forced to leave behind his elderly mother, pregnant partner and children.

For Kevin, the impact of the action was life-changing. He said:

"For me a crime is doing something that is evil, shameful or just wrong – and it's clear that it is the actions of the Home Office that tick all of these boxes. The Stansted 15

were trying to stop the real crime being committed.

“Without their actions I would have missed my daughter’s birth, and faced the utter injustice of being deported from this country without having my [now successful] appeal heard.

“My message to them today is to fight on. Your cause is just and history will absolve you of the guilt that the system has marked you with.”

Indeed, current government policy is widely known as ‘deport first, appeal later’. An asylum decision-maker for the Home Office recently [described the process](#) as a “lottery” in which “pushy managers [tried to drive] results through fear and intimidation.”

‘Everyday is a fight in the courtroom’

The nine week trial began on 1 October 2018 at Chelmsford Crown Court in Essex, during which seven of the 15 gave evidence. Despite allowing the defendants to give their political reasons for the action during the trial, [Judge Christopher Morgan ruled](#) that they could not rely on the defence that they acted to stop human rights abuses. However, one of the lawyers for the defence, Mr Wainwright, [described them](#) as having “a real and genuine concern for the sanctity of human life”.

Throughout the trial, the prosecution repeatedly deployed [anti-immigration rhetoric](#) in discussing the case. A “fence” became “a protective membrane” – there to stop unknown foreign bodies from passing through. While, in his closing speech, lawyer for the prosecution Tony Badenoch QC repeatedly referred to the activists as a “swarm” – a denigrative metaphor routinely deployed by [right wing media and politicians](#) in the migration debate.

Listening to the prosecution without being able to defend themselves was a constant source of frustration for the group. Speaking to Novara Media shortly before the trial ended, Brewer said:

“We have to be in court usually from ten until four everyday, in a windowless courtroom, under fluorescent lights, sitting silently in the dock. [We] can’t speak except through [our] barristers and [we] have to listen to someone talk about [us] and...what we did and interrogate that and really smear that and present to the jury something that most of us completely disagree with. It’s hard. And it’s hard when you’re constantly battling; everyday is a fight in the courtroom.”

Following Morgan’s summing up on 4 December, [the Guardian](#) has reported that barristers defending the 15 argued the jury should be discharged because the judge’s final words were so severe they amounted to a direction to convict.

The length of the trial, combined with the threat of life in prison, has had a negative impact on the mental and emotional health of the group.

Activist Laura Clayson said she had been prescribed anti-anxiety medication as a result of the stress of the trial. “Given that it’s been nearly 19 months since we took action, 15 since the charge was escalated to endangerment, and we have only just come out the other side of the trial, I haven’t even begun to be able to start processing or unpacking it,” she said. “Living with such uncertainty and precarity makes life incredibly difficult and it has been hard to function normally, to think ahead or

plan anything. The trial has always been there, looming over us.”

The 15 activists intend to fight the conviction. In a statement released after the verdict was announced the group said:

“We are guilty of nothing more than intervening to prevent harm. The real crime is the government’s cowardly, inhumane and barely legal deportation flights and the unprecedented use of terror law to crack down on peaceful protest. We must challenge this shocking use of draconian legislation, and continue to demand an immediate end to these secretive deportation charter flights and a full independent public inquiry into the government’s ‘hostile environment’.”

“Justice will not be done until we are exonerated and the Home Office is held to account for the danger it puts people in every single day. It endangers people in dawn raids on their homes, at detention centres and on these brutal flights. The system is out of control. It is unfair, unjust and unlawful and it must be stopped.”

The guilty verdict marks a huge blow to the landscape of UK activism at a time when there has been a concerted effort to clamp down on the right to protest. From today’s guilty verdict, which itself was only made possible by the use of an unprecedented terrorism charge, to the jailing of the so-called [Frack Free Four](#) earlier in the year, the future of non-violent direct action in the UK is far from certain.

Kate Allen, Amnesty International UK’s Director said:

“It’s deeply disturbing that peaceful protesters who caused disruption but at no time caused harm to anyone, should now be facing a possible lengthy prison sentence. This whole case will send a shiver down the spine of anyone who cares about the right to protest in our country. Around the world, human rights defenders are coming under increasing attack. The UK should not be bringing such severe charges against those who seek to peacefully stand up for human rights.”

Meanwhile, the End Deportations campaign will continue its fight to abolish deportations and detention centres and end the violence of the UK border regime.

In November, women in Yarl’s Wood detention centre [again](#) went on [hunger strike](#) to protest against their indefinite detention, describing the experience of living in Britain’s only female detention centre as a form of “hell”. It is clear that activists like the Stansted 15 are vital in resisting the UK border regime alongside those who feel the full force of its violence.

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