

Juror in activists' trial hits out at absence of police tapes

Jezz Davis, 39, says police's behaviour was 'outrageous' and left him feeling betrayed by the British judicial system

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A juror in a controversial trial of environmental activists has castigated police for withholding covert recordings that he said could have led to them being declared not guilty.

Jezz Davis, 39, a construction worker, took the rare step of speaking out after hearing revelations that Nottinghamshire police allegedly suppressed surveillance tapes of activists convicted of conspiring to shut down one of Britain's biggest power stations for a week.

He told the Guardian the police's behaviour was "outrageous" and "corrupt" and left him "feeling betrayed by the British judicial system".

His criticism is likely to intensify the disquiet about police conduct in the trial. Keir Starmer, the director of public prosecutions, has ordered an investigation into the safety of the convictions, while the Independent Police Complaints Commission is scrutinising the police's alleged failure to disclose the tapes to court.

Mark Kennedy, the 41-year-old undercover officer who infiltrated the environmental movement for seven years, says he secretly recorded a private meeting of the activists before the planned invasion of the Ratcliffe-on-Soar power station in Nottinghamshire. He is alleged to have played a key role in organising the planned break-in of the power station for four months.

Davis told the Guardian that there was "no question" that the tapes should have been heard in court. "When called for jury service, you assume with good faith that all relevant evidence will be presented. The absence of potentially verdict-changing evidence is utterly outrageous."

"It just exposes the corruption in what is meant to be the system that you trust, that you place your faith in to do things by the book. They are the law. If you can't trust the law, who can you trust?"

He said revelations about Kennedy's activities - which emerged after the trial - "turned everything on its head", as it became clear police knew

through their spy about the planned action long before "but did nothing about it". He said it amounted to "prolonged entrapment".

The jury delivered guilty verdicts on the 20 activists in December after a trial lasting more than three weeks. The activists had relied on a legal strategy - known as "necessity", in which they admitted they were conspiring to shut the power station but said they did so to prevent death and serious injury caused by carbon dioxide emissions and climate change. The prosecution argued that the activists were lying and were intending to pull off a publicity stunt.

The activists, who are seeking to overturn their criminal convictions, say Kennedy's tapes would have supported their case in court as their intentions, recorded at the private meeting before the planned break-in, would rebut the prosecution's position.

Judge Jonathan Teare said the activists acted with the "highest possible motives". He handed out sentences ranging from 18 months' conditional discharge to 80 hours' unpaid work.

Starmer has appointed Clare Montgomery QC, of Matrix Chambers, to review the convictions and is expecting to receive her report by the end of February. Revelations about Kennedy also led to the collapse last month of the case of six other people who had been accused of conspiring to break into the power station at the same time.

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