

# CHALLENGING CORPORATE CRIMES

If you are in any doubt about the ability of ordinary people to challenge corporate power, consider these two inspiring examples.

## THE McLIBEL CASE



*McLibel Two - Helen Steel and David Morris*

In 1990, junk food giant McDonald's filed a libel suit against five campaigners who had distributed anti-McDonald's leaflets in London. Two of those accused, Helen Steel and David Morris, refused to back down and apologise as demanded by McDonald's. They were refused legal aid and had to represent themselves, but the case attracted huge publicity and caused major embarrassment to the corporation. No matter how much money McDonald's threw at the case (McD's legal costs were an estimated £10m), it was a total PR disaster for the company and McDonald's reputation plummeted. Although the eventual judgement in 1997 was nominally in favour of McDonald's, Justice Bell's report found that the corporation endangered the health of its workers and paid low wages, exploited children and was culpably responsible for cruelty to animals.

Steel and Morris uncovered evidence of collusion between the Police and McDonald's during the case, successfully sued Scotland Yard and received an apology and £10,000. An appeal against Bell's judgement upheld more of the claims made in the leaflet, including the fact that McDonald's food is a cause of heart disease. The award against the defendants was duly reduced from £60k to £40k, McDonald's made no attempt to collect this money and gave up trying to block distribution of the leaflets. In 2005, the European Court of Human Rights ruled that Steel and Morris had been denied their right to a fair trial (Article 6) and their right to freedom of expression (Article 10), and awarded nearly £60,000 in compensation. It also criticised UK libel laws, the fact that the trial was biased in McDonald's favour and commented in particular on how denial of legal aid to the defendants had caused a huge imbalance in resources between the parties in the case.

Steel and Morris said afterwards: *"We hope that this will result in greater public scrutiny and criticism of the powerful organisations whose practices have a detrimental effect on society and the environment. The McLibel campaign has already proved that determined and widespread grassroots protests and defiance can undermine those who try to silence their critics, and also render oppressive laws unworkable."*

More information at: [www.mcspotlight.org](http://www.mcspotlight.org)

## SMASH EDO

For the past year, Brighton arms manufacturer EDO MDM (UK subsidiary of US arms giant EDO) has been trying to stop campaigners against this death trade from protesting outside its factory, using an injunction obtained under the Protection from Harassment Act 1997, which was originally designed to protect women from stalkers. In making the injunction, the judge refused to impose limits on the size, timing or noise of the protest as requested by EDO at the suggestion of Sussex Police, but did decree that protesters should be limited to a small area of grass verge bordering on a dangerous drop to a railway line and that they should not be allowed to film. Heavy policing and strong-arm tactics by private security men have been a feature of protests at the site since the injunction, with over 30 arrests made and two protesters held on remand for a week for alleged breach.



During various legal cases arising from the over-eager policing of the injunction, a whole range of dodgy dealings between the police, lawyers and EDO have been uncovered, and the injunction and its associated cases have crumbled. The managing director of EDO MDM suddenly 'retired' in December. Then it became apparent in an open court session that EDO's lawyer, Timothy Lawson Cruttenden, had obtained police statements about defendants from as yet untried criminal cases; this and other evidence pointed to highly irregular top-level contacts between Cruttenden and the police. He was advised by the judge to seek legal representation to defend himself against charges of professional misconduct. EDO was ordered to seek mediation with the defendants, which has led to proceedings being dropped against eight protesters and EDO picking up the legal bill of some £200,000; the injunction has also been limited to a small number of named protesters rather than applying to everyone and anyone. In another case against three of the protesters, the judge removed Public Interest Immunity from police evidence. This meant that police radio logs would have to be read out in open court and the police suddenly decided that it had no evidence to offer in the case, which consequently collapsed. Legal challenges will continue in open court as two remaining defendants charged with breaches of the injunction will continue to protest that they are not guilty of harassment.

EDO spokesperson Andrew Beckett said: *"We always knew that this attack on our rights was politically motivated and involved high level co-operation between the police, the lawyers and the arms dealers... to have it becoming public knowledge is amazing. The collapse of the injunction is a major victory for civil rights and the peace movement... We will be here until EDO isn't."*

Follow the web links to keep up with this unfolding story of corporate/state corruption: [www.smashedo.org.uk](http://www.smashedo.org.uk) and [www.schnews.org.uk](http://www.schnews.org.uk).