

SPY'S DIARY



Matthew Parish

SPY'S DIARY:
ESSAYS FROM A MAXIMUM SECURITY SWISS PRISON

Matthew Parish

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DEDICATION

This book is dedicated to my long-term domestic partner Elena; and my two daughters Mia and Leya. Elena was a tower of strength during my incarceration, whose dedication, loyalty, commitment and resolve represented a level of integrity and decency of a kind I have never experienced in any other person. She is a heroine of our times. My daughters Mia and Leya endured my short but uncertain absence from their lives with admirable fortitude, notwithstanding the sad fact that Leya's fifth birthday, on 16 June 2018, took place without my presence because I was incarcerated upon that date.

Elena, Mia and Leya all waited with undiminished love. I shall return it.

*He stepped down, trying not to look long at her, as if she were
the sun,
yet he saw her, like the sun, even without looking.*

Leo Tolstoy
Anna Karenina

Он ушел, стараясь не смотреть на нее долго, как на
солнце,
но он видел ее, как солнце, даже не глядя.

Лев Толстой
Анна Каренина

ACKNOWLEDGMENTS

Although this work is principally a record of my personal experiences in a prison, I could not have suffered my imprisonment and incarceration in such good temper were it not for the following friends, colleagues, family members and loved ones who, in each of their different ways, had regard for me and went above and beyond the call of duty in securing my welfare and release.

Thanks, for all sorts of different reasons, go to an Alexandre Biedermann, David Bitton, Miranda Brown, François Canonica, Tony Cole, “Dariusz”, Guy de Haan, Ed Flaherty, Grégoire Geissbühler, Marc Henzelin, Andy Hoffman, “Ivica” (a/k/a “Tony”), “Isabelle”, Matthew Kanna, Elizaveta Kuprina, Damjan Krnjevic-Miskovic, “Max”, Hugo Miller, Jenissike Dos Santos Sacramento Neto, Dan O’Brien, Evans Okafor, Howard Parish, Margaret Parish, David Potterbaum, Noémie Raetzo, Jean Roger, Julian Malins QC, Chanoine Webb, Elena Zaritskaya, Tobias Zellweger; an unnamed consular officer of Her Majesty’s Government; an unnamed Judge in Geneva; all the staff of the Judicial Police who manage security arrangements in the office of the Public Prosecutor, route de Chancy 6B, 1213 Petit Lancy; the staff of the Gendarmerie de Lancy-Onex, route Pont-Butin 55, 1213 Petit Lancy; the staff of the Prison de Champ Dollon, chemin de Champ Dollon 22, 1214, Puplinge, in particular those working in the prison infirmary (itself treated part of the Hôpital Universitaire de Genève) who showed me particular personal

kindness; the prison guards managing the cells beneath the Tribunal des mesures de contrainte (the Geneva bail court), rue des Chaudronniers 9, 1204 Geneva, and the staff who operated prison transport facilities between the Prison de Champ Dollon and other places to which staff were to be transported. As a general matter, and with so few exceptions that I could count them on the fingers of one hand, all of the officials with whom I had encounters acted with professionalism, restraint and even compassion in acknowledgedly difficult and even harrowing circumstances.

Notwithstanding these acknowledgments, all responsibilities for errors and omissions in this work remains mine alone.

I would like to include amongst the list of acknowledgments Stéphane Grodecki, the Geneva Prosecutor whose decision to imprison me caused me to have so many new experiences and to acquire new perspectives upon my life. The ethics and wisdom, or otherwise, of the actions of Mr Grodecki will be alluded to in the course of this work, and the reader can thereupon draw his or her own conclusions. I tentatively suggest a few conclusions of my own about him in the epilogue to this work. They are not all negative, incidentally.

Matthew Parish
July 2018

EDITORIAL NOTE

A few observations are appropriate about how this work came to be written. I was incarcerated on 29 May 2018 and released on 21 June 2018 (23 days). In prison, all I had access to in order to write were a series of biros and pads of A4 paper. The first two days of my incarceration - 29 and 30 May 2018 - were so disorientating, and I was filled so full of panic and the other emotions one would expect in the course of learning that one is to be detained in a maximum security prison, that I took no notes on those days of what was happening to me. I wrote the sections of this short book describing those days on 30 June 2018, while my memory was still fresh and, after having been released from prison, I had learned what had been going on at the time that I did not know about when I was incarcerated. Hence I pieced all the different parts of the jigsaw together, and I cross-referenced my sources to the maximum extent possible.

From day 3 onwards (31 May 2018), I started taking detailed contemporaneous written notes with a biro on A4 paper of the events I was experiencing. I was rather strict about how I did this. As soon as what I considered to be a noteworthy event took place, I would start writing my diary notes. Where for example diary notes relate to events taking place in the shower, infirmary or the exercise yard, I would write me notes as soon as I returned to my cell. Where I had reflections about the prison regime while sitting in my cell, I would write them down immediately. I did everything possible

to ensure that the passage of time would not diminish my memory of a truly extraordinary series of events.

Until approximately the last week of my incarceration, I would mail pages of my diary notes to Elena with the letters I was sending to her on at least a daily basis. Because I was (or soon became) aware that the Prosecutor in charge of my case, Stéphane Grodecki, was reading my correspondence to her (I had to leave envelopes with letters to her open, so he could read them - he confirmed to me at a hearing on 8 June 2018, before other parties and lawyers walked in, that he was reading all of my correspondence to Elena personally), I was careful not to describe in my notes any descriptions of the Prosecutor's office hearings I was attending, or even my feelings about those hearings or my own assessments of my case or those of my lawyers. Therefore I added descriptions of those hearings after my release.

Chapters Three to Six of this work are mostly verbatim transcripts of the notes I made in prison. But I did not want to take contemporaneous notes while I was in a prison environment in which anything I wrote could potentially be read by the Geneva authorities, including accounts of legal advice I had received or what I genuinely felt about that legal advice. Although I followed that legal advice to the letter, I found it hard to stomach as will become clear below.

In other words, if you read anything in Chapters Three to Six and you are wondering about the date the material was written, then ask "would I have minded if the Prosecutor to have read those comments while I was in prison?". If the answer is "no", then you are likely reading a transcript of contemporaneous prison notes. If the answer is "yes", then it is more likely that I drafted that text in or around the week beginning 2 July 2018, when my mind was still fresh with clear

recollections of events, and based upon notes I had taken in a notebook in my cell and that I had not forwarded to Elena.

In about the last week of my incarceration, I stopped sending to Elena pages of my prison notes in envelopes that the Prosecutor would read. That was because I was concerned that the Prosecutor might lose these notes, intentionally or otherwise. (In fact no pages did go missing in the letters I sent to Elena.) Nevertheless my concern was fortified by a worry on my part that the Prosecutor and/or the Geneva authorities may have been opening or blocking my correspondence with my Embassy, as will be explained below.

I took about the last week of prison diary notes out of the prison with me when I was released from the prison on 21 June 2018. Nevertheless I remained cautious at all times in writing into my diary notes things that might prejudice my case before the Prosecutor or prejudice his opinion of me, because there was always a risk that my cell could be searched and my papers or writings could be taken away by the guards and given to the Prosecutor.

The preface, Chapters One and Two, and the Epilogue, were all written within two weeks of my release from prison on 21 June 2018. Very light edits and proofreading took place over the remainder of July 2018.

Where sentences are in square brackets, they are not a record of contemporaneous recollections but instead they are an indication of things I came to know subsequently. I add these observations to give the record context, so that the reader might better be able to understand what was going on.

My diary notes were written in English. In a small number of places I have used French words rather than English ones, but with an explanation in English of what the

word means. An example is the word “poubelle”, which is used in Swiss French to mean either a trash can or a dustbin. (The word “corbeille”, used in France to distinguish a trash can from a dustbin, is not used commonly in French-speaking Switzerland.) I have used English quotation marks (double apostrophes), not French ones, throughout. No discourtesy to the French language is intended by this, or by anything I say in this work. Where I have quoted phrases in French that are grammatically inaccurate, that is because the original was grammatically inaccurate. 95% of the time I spent in prison was speaking in French. The only people with whom I did not routinely speak French were Dos Santos, Evans, Tony and Leo. While some guards spoke some English, I almost never conversed with them in English because their standard of English was, with one exception, very basic.

There are some things that were going on that I cannot record, for reasons relating to diplomatic sensitivity and the national security and other interests of Her Majesty's Government and indeed of the Helvetic Confederation. Those things will go with me to my grave.

I also wrote 47 letters to Elena during my 23 days of incarceration. Those letters are private, and after a period of reflection I have decided not to publish them. But some of them contain details of the carceral regime, and I have incorporated some of those details into these diaries.

I am confident that this work records, more accurately than any other record I have seen, the actual experience of imprisonment in the maximum security facilities at Champ Dollon prison in Geneva, the largest prison in Switzerland. I stand by every word in this short work, having scrupulously checked it for accuracy. If I am uncertain about something, I say so. Otherwise I am confident in the truth of what I say, based upon clear recollections and/or documents I have seen.

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PREFACE

I hear you're going into politics. It's very dangerous.

Anonymous former KGB official

On the afternoon of Tuesday 29 May 2018, I was arrested when I made a requested but seemingly routine attendance at the Geneva Prosecutor's Office in Geneva. My crime: to have made a disclosure to the British Security Service (MI5), and also to the United States Department of the Treasury (the Office of Foreign Assets Control), about Russian and Iranian money-laundering and sanctions-busting in Geneva. After a 20-minute perfunctory hearing at which (on the advice of counsel) I exercised my legal right not to answer questions, I was stripped of my watch, money and tie, placed in handcuffs, and then taken to a maximum-security prison on the outskirts of Geneva in which I was subject to a regime of 23-hour lockdown, seven days a week. At the time, I was a strongly-preferred British government candidate to become and Under Secretary General of the United Nations, and the leading name to become the next Director General of the United Nations Office in Geneva: one of the top jobs in the United Nations system.

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Who am I? How did any of these things happen? I must be an unusual person, or none of these events would have come to pass. I was born in July 1975 in Leeds, the son of a family of Methodists. My father was a hugely intelligent biochemist, my mother a professional almoner (a profession of government officials mandated to look after the welfare of society's least well-off. This profession later became known as social workers.) Both of my parents were born in Kingston-upon-Hull in 1940, within a month of one-another. Hull was a city bombed by the Nazis in World War Two, and these experiences clearly had a profound psychological effect upon my mother. With the benefit of hindsight, I was raised as a notoriously brilliant child. My academic record was excellent, but the family was cold. We were not a wealthy family. I applied to the University of Cambridge to read Philosophy as an undergraduate.

Everyone thought I was mad to do this, but I loved reflecting upon life and the logic of the mind. My initial application, to a somewhat conservative college in Cambridge, Trinity College, was rejected. Then the very best academic college in Cambridge at the time, Christ's College, picked me out as if from nowhere and gave me an offer. The formal odds of this - being chosen by another college after the first had rejected you - were 1 in 9, but Christ's College was exceptional: it virtually never picked students after another college had rejected them. So my situation was almost unheard of. I assume that some teacher on my university application form had written that I was brilliant. I met a lady in Cambridge who recognised my brilliance, and persuaded a conservative tutor at Christ's College to make me an offer. She told him, "make him the most impossible offer, an absurdly difficult offer". Just to stop her from badgering him, he did so. This story is worth recounting, because in some ways it is the story of my life.

At the time, for admission to university in the United Kingdom one sat a series of examinations called “A-levels”. A-levels were typically graded between A (the best result) and F (a fail). You typically sat three A-levels (this was in 1993). At the same time as one sat A-levels, there were some other examinations you could sit if you thought A-levels were too easy. They were called S-levels. Perhaps 1-2 per cent of candidates for A-levels sat these. S-levels were notoriously difficult; a high proportion of candidates failed them. The grading system was 1-2-U, 1 being the best and U being a fail. It was more or less impossible to get a 1. And then, above S-levels, were some exams called “Sixth Term Examination Papers” (STEP exams) that you could also sit simultaneously with your A-levels. These were notoriously hilarious for their obscene difficulty. I recall that only two people in my year even attempted STEP examinations. I was one of them. The school had no experience of STEP examinations. The grading system for STEP examinations was 1-2-3-U.

The admissions tutor at Christ’s decided to set me an offer that nobody could meet. I had to achieve AAB in three A-levels, and a 1 in a STEP examination. Everyone knew that this was an impossible offer. It was equivalent to a rejection.

So I sat four A-levels, 2 S-levels, and 2 STEP exams. I remember the STEP General Studies examination. It was some incomprehensible long medieval text that you had to précis to 100 words. As to the STEP Religious Studies examination, there were I believe around 100 essay questions, of which you had to choose two to answer in three hours. The ones I chose were “The heavens are telling the Glory of God” (Haydn). Are they?” And “When a man sees his brother in need, and turns his heart against him, how can it be said that the Divine love dwells within him?” This is a quote from 1 John 3 Chapter 7.

What nobody told me when you sit a STEP paper is that there is in fact a grade called “S”, which is virtually never granted, and stands above a 1. In the end, my examination results were AAAA (four A-levels); 1-2 (S-levels); and S-S (STEPS). So I entered Christ’s College, Cambridge with quite the highest entrance examination results the university, I think, had ever seen. Then I obtained a First-Class Honours degree result in my first year, as a result of which I was given a room that might or might not have been John Milton’s (nobody really knows whether in fact it was) but it was in a fifteenth-century building. Then I obtained a First-Class Honours degree result in my second year. Then I obtained a First-Class Honours degree result in my third year. I was told that I was the first person in twenty years to obtain triple first-class honours in Philosophy.

Then I went to law school in London, and become a lawyer. I loathed this experience. So I resigned and studied at the University of Chicago Law School, reading law and economics in the course of a Masters Degree. This changed my entire perspective upon life. I came top of the class, and then I wrote my doctoral thesis in UN peacekeeping, supervised by one of America’s most famous living Judges and his equally brilliant son, in the course of 18 months while working as a UN peacekeeper in the Balkans (after a brief interlude at the World Bank). Then I fell in love with a Bosnian Serb lady, moved to Switzerland, and had two children with her, and went back into the private practice of law for some ten years. I hated it, notwithstanding the fact that I moved around various law firms and even set up and managed my own firm. Geneva was a town full of crooks and intellectually uninterested people. I looked for something else to do. In the interim, I had become a qualified lawyer in two of the world’s most prestigious jurisdictions: England & Wales, and New York. I have an unblemished disciplinary record in both.

I had been named by a prestigious Swiss magazine as one of the three hundred most influential people in Switzerland, but nothing seemed to get me away from the crooks. I kept focusing upon reform of the United Nations, because I had experience of UN bureaucracy going awry from my Bosnian period and I found the challenge of UN reform in a complex geopolitical foreign policy environment stimulating. But there was no money in it. I had two children. My wife and I separated. I found another woman, a wonderful one to whom this work is in part dedicated. But I had to keep practising law. Because of my UN, governmental and diplomatic connections, I found myself pulled into the world of intelligence: something that Geneva is awash with. I was asked to work upon a lawsuit to determine the veracity of some videos purporting to show the leading candidate to be the next Emir of Kuwait involved in some acts of corruption. It was a stupid piece of work, but this was the sort of work a politically connected lawyer in Geneva was expected to become involved in. Geneva was so expensive, and I had such high overheads in running a business, that I got involved in what ultimately boiled down to a botched coup d'état attempt in Kuwait supported more or less half-heartedly by various intelligence agents from different countries.

The whole thing didn't work. My client, a member of the Kuwaiti Royal Family, eventually had to apologise on Kuwaiti national television at gunpoint, saying the whole thing was a lie. Then the heir apparent, who had billions of US Dollars in Geneva bank accounts, leaned upon the Geneva legal system to open an investigation into forgery of documents or videos showing the alleged acts of corruption on his part. The system found an aggressive young prosecutor, Stéphane Grodecki, to take up this politically toxic case. The first I knew about it was that after I flew back from Washington, DC to Geneva overnight (having given evidence to the US Congress on UN reform), when my apartment was searched while my domestic



partner was there and I was not. Then my office was searched. This rapidly became seemingly the most complex and diplomatically inconvenient criminal investigation in the history of Geneva's criminal justice system. It went on for years, and I could not

afford to remain involved in it.

There are many details I will spare the reader, but this investigation precipitated the gradual downfall of the law firm of which I was a part because although the business remained relatively profitable initially, the legal fees incurred in defending this case were massive and ultimately it rendered my business unviable. Then I had trouble with other clients, who may have seen the opportunity to get something for free from me because I was weak. At the same time, I decided determinatively to move away from the law and I spent a lot of 2016 assisting Vuk Jeremić, the Serbian candidate to be the next Secretary General of the United Nations (he was ultimately beaten by the Portuguese candidate António Guterres), in his campaign. In 2017 another major client left me with unpaid bills, as had the Kuwaiti clients. I was determined to put all my efforts into my passion, which was reform of the multilateral system of diplomacy. I was perhaps a frustrated British Foreign Office official. In the interim, I had acquired a skill of understanding Russia: something that had been lost in western capitals after the end of the Cold War. That was because I had been working for Russian interests during the period since arriving in Geneva, and I had become

accustomed to their ways. But as the new Cold War environment accelerated from 2014 onwards, my position as an English lawyer in Geneva, acting for Russian interests while living in a country, Switzerland, that would not ultimately defend my political and legal independence and integrity as a lawyer if that contradicted Swiss interests, became increasingly uncomfortable.

The immediately precursory details of how I came to be arrested on 29 May 2018, after this series of events, will not be recorded here or anywhere else. Suffice it to say, however, that the same Prosecutor who had tried and failed to convict me and others in the alleged Kuwaiti video forgery case also picked up the case to which this diary relates. Was it revenge upon me for frustrating him, as he had immersed himself in a Kuwaiti political inferno?

The intrigued reader can search the international media in English and in French for answers to these questions. I will not say anything more. But the point is that a man with six degrees from some of the world's best universities, who had run his own law firm and contributed in a senior position to an UN peacekeeping operation, and had published two books and over 250 articles on international law, international relations and UN reform, suddenly found himself in a maximum-security prison. How did I proceed from soaring so high to descending so low?

I think that at least part of the answer is that I loathed the practice of law so much, and was so sick of dealing with the people I dealt with in the daily course of my practice in Geneva; yet I was so financially overburdened from living in the most expensive city in Europe, that I started to take hasty gambles with a view to doing anything to move out of the law and move into my passion which is international relations. I had become entangled with some dangerous people and

some fiendish issues in geopolitics. I pushed a political programme to become an Under Secretary General of the United Nations, standing on a reform agenda that matched the agendas both of the Trump White House and the Foreign and Commonwealth Office, and the Department of International Development, in Whitehall in London.

There was initially some resistance to what I wanted to do (the established UN political classes were hardly enchanted with my near-unique agenda to reform the organisation from the inside so as to eviscerate their wastefulness and corruption), but I found a lot of good people who believed in me and followed me. Nevertheless I couldn't get my prior career out of my hair. There was a vindictive Prosecutor after me and I should have been more careful in assessing the danger he posed to me.

While I now believe I acted carelessly - that must be taken as a given or I would never have ended up in prison - I don't believe I acted immorally. While I am known as a ferocious lawyer, politician and opponent; and as my long-term partner wisely says, people are widely afraid of me, I have always tried to do the right thing and I have tried never to cause suffering to a person who didn't deserve it. Where I have got that wrong, I have tried to undo the damage I have caused as soon as I realise I have caused it. I have wielded all sorts of power, and power is very humbling because it means you have to make decisions that affect other people's lives. It is important that anyone who wields power also experiences what it is like to have power exercised over them. My experiences in prison have given me that. If I wield power again, then I hope I will not forget how it feels to have had power wielded over me.

Most importantly, when you wield power, you must never hold grudges. Nobody is worth a powerful person's

wrath. Everyone is a human being. Machiavelli taught us that while it is better for a prince to be feared than to be loved, it is not good that a prince is not respected or loved at all. That makes the prince a tyrant, which ultimately will both be dysfunctional both to the polity and harmful to the other values the prince ought to hold dear if he or she is to aspire to high office.

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This book is for the most part a lightly-edited but principally verbatim transcript of the diary notes and letters I wrote to my long time partner, while I was incarcerated. I was accused of crimes under Swiss law of breach of confidence, criminal defamation, and extortion, with a potential penalty of ten years' imprisonment. The prison regime I experienced was life-changing. It was barbaric, and in many ways even horrific. Two recollections prevail predominantly. One is the entirely arbitrary, and indeed capricious, nature of the prison regime. The other was the widespread prevalence of serious mental illness amongst prison inmates. This is/was Geneva's only pre-trial detention facility, and virtually every inmate except me was accused of very serious violent crimes and/or offences relating to the trafficking of illicit narcotics. I came to realise that for many of these inmates, they had likely been mentally disturbed for much or all of their lives; and what they needed was treatment in a humane environment rather than punishment in an inhumane one.

It was also clear that I was one of the lucky ones. By reason of my status in the prison as something of a VIP, I was spared many of the harsh or incomprehensible regimes imposed upon other inmates. Nevertheless, I came to realise how prison could break a person, and I found myself having to summon internal sources of energy I had hitherto never known existed within me. I was not as tough as many of the inmates,

almost all of whom were unfailingly courteous to me; and I must say that whatever grievous crimes they might have committed, I came to respect a number of them for their capacity to draw upon reserves of inner fortitude to endure their extended hardship.

One thing I must emphasise, even if it does not always come across in this work, is the emotional rollercoaster of depression, negativity, suicidal thoughts, despair, undirected sexual desire, emotional fragility, tearfulness, anger, mood swings and sheer terror that shoot through the mind of an inmate incarcerated in a maximum security prison without knowing when they are going to be released and not having sufficient contact with their loved ones to have any confidence that their loved ones will not simply leave them. It is unbelievably bad upon one's frame of mind. Every line of this diary should be read in the context of the fact that as I was writing the words you will read, with my biro on A4 paper, I was almost constantly undergoing a torrent of these destructive emotions on my own and in my head. Every prisoner contemplates how to hang themselves with the television cord almost every day. I was no different. My experience was almost unbearable. But I bore it. And not only I bore it. Elena, my long-term partner, bore it. My friends bore it. My daughters bore it.

This is a mere essay. The reason I am writing it is because I hope that the details I record - virtually all of which were noted contemporaneously, using a biro on paper (there was no access to computer facilities) then typed up later - give an indication into prison life, the opportunities and challenges it presents, and most importantly how unsatisfactory it is. Prison needs to be reformed, at the very least. If this short work contributes to this goal, it will have achieved my aim.

I also hope that this work is both slightly boring - because prison is very boring - and also funny - because being in prison is very funny and replete with experiences entirely outside the ordinary course of human activity. I want this essay to capture what I went through. Then I want it to make the reader ask, is criminal justice really the best way of solving any problem at all? I also want to stimulate the questions, "what makes a fair procedure in criminal justice? How much of what I experienced was fair? Were the other people I met treated fairly?". And I do not just mean other prisoners. I mean the people who work with prisoners as well. At times, it occurred to me that working in a prison can be even worse than being an inmate in a prison.

It may seem a strange thing to say, but you find some unlikely heroes in prisons. I hope these pages may give an indication of that. If society just can't do without prisons (and it seems that it cannot), then at least let's cast light on the good deeds of individuals that you can experience in prisons, and also think about how we may work to reform prisons at the same time to make them more humane, more effective at reducing crime, and to bring out the best in people. While there is a lot of bad in prisons, my experiences have been that there can also be a lot of good qualities that prisons bring out in people.

On the other hand, as one member of the infirmary staff said to me, "Matthew, this place is hell." She was right.

CHAPTER ONE

ARRIVAL

Arriving for the first time in a maximum security prison is a strange experience. I had a good sense that I was going to be arrested when I attended what appeared to be a routine meeting at the Prosecutor's Office in Geneva on 29 June 2018 at 2pm. Geneva being a city of spies, two people had intimated that that this was a real risk. I had barely had any sleep the night before. My lawyer did not let onto the fact expressly, but when I met him that afternoon before the hearing his face said that he too knew I would be arrested.

When I entered the Principal Prosecutor's Office at 2.00pm, I immediately noticed that the office had people there that one would not expect. These hearings - which serve as something of a combination of police interview and first-instance bail court - are in private. Therefore I wondered what a man sitting at the back, who wore something akin to a sheriff's badge, was doing there. The secretary's face was grim as I entered. More or less the first question I was asked by the Prosecutor was "are you mad?". One of the second questions was "when did you last take stupefying narcotics?". My lawyer had advised me not to answer questions, which is apparently routine at a first hearing. I followed his advice. Then two Russian men entered, who I knew, and gave testimony as to the damage my actions had caused them. It was not very convincing. Then the Prosecutor told me "You are arrested". We were at about the 20-minute stage when he said this. My

lawyer's face did not move. He knew in advance. The Prosecutor's face expected me to be shocked. He was surprised that I was not. The Prosecutor demanded that I give him my tie, my watch and the things in my pockets including my passport. I did so. Then some security guards came, handcuffed my hands in front of my body, and took me to some cells in the basement.

My long-term companion Elena, and my two daughters, aged 7 and 4, were waiting outside for me. I entered an office building and I didn't come out. It was like something out of the Soviet Union. At least Elena, who had been born in the Soviet Union, understood that these things can happen. Prosecutors are dangerous people, in the Soviet Union as in Geneva.

I had written a letter to the British Security Service, an intelligence arm of my own government, about some clients that I shall not name - not now and almost certainly never. I later learned I was accused of criminal defamation (a quixotically Swiss criminal offence); criminal breach of confidence (likewise); and extortion - although the case for that was extremely flimsy in my view. It always occurred to me as pretty strange that you could be guilty of criminal defamation by communicating with your own government's law enforcement and intelligence authorities. I never saw the file setting out the criminal complaint against me. Nobody has ever given me a copy. I think these charges were chosen on an entirely bogus basis. The most natural crime to accuse me of might have been espionage for a foreign state. But that would require the approval of the Federal Council, Switzerland's federal cabinet; and it would have to be coordinated by the federal prosecutor. The Geneva authorities knew that these hurdles would be fatal to any criminal procedure against me. It would never even get off the ground. So instead a bogus charge sheet had been invented so the file could land on the

desk of the local cantonal prosecutor who harboured a grudge against me.

Throughout this procedure, I was always particularly surprised that nobody asked me whether (a) in respect of the crime of defamation, I wanted to plead the defence of truth (this is a good defence to libel, but of course it would have entailed the Prosecutor examining the allegations I had made); (b) in respect of the crime of breach of confidence, I wanted to plead the defence of justification (revealing a current or former client's secrets is generally permissible in a range of circumstances, such as where they reveal commission of an ongoing crime or issues of national security); or (c) whether there was any jurisdictional or choice of law issues involved. Was the fact that a British citizen was writing to his own government in the United Kingdom relevant to whether the Geneva criminal court has jurisdiction? Which law applies to this issue: Swiss law or English law? I asked those questions of everybody I could. But no Swiss person would answer them. The Prosecutor's mission in Swiss law is supposed to be captured by the phrase "charge ou décharge": investigate impartially, with a view to either charging or clearing a person. A person executing an impartial mandate would be duty-bound to ask these questions, particularly in the inquisitorial system of litigation used in Switzerland. But nobody ever did.

I have little experience of how other Geneva prosecutors work. The only other substantial experience I had of a Geneva Prosecutor, other than Stéphane Grodecki, was when I received a "mandat de comparution" (Swiss French for a subpoena) on suspicion of pretending to be a Swiss lawyer when I was not. It was in the context of a complaint filed by a Geneva lawyer called Daniel Richard; the Geneva Bar Commission then forwarded it to the Prosecutor's Office, and Jornot issued me with a CHF1,500 fine for pretending to be a Swiss lawyer which I was incensed about because I had never

described myself as a Swiss lawyer so I could not have been pretending to be one. I contested the “ordonnance pénale” (summary conviction document) issued by Jornot. I was then summoned by Olivier Jornot, the General Prosecutor. I went with my then lawyer Charles Poncet, who never charged me any fees for the matter. Poncet, Jornot and I met in Jornot’s office. Poncet and Jornot are close friends and are associated with the same political party. No secretary (“Greffière”) was there and no minute was taken. Poncet spoke to Jornot using the “tu” form of address, and tried to force Jornot to speak to me in English (Jornot’s English is not very good).

Poncet said that Jornot could not convict me for this because it would affect my English bar admission, but we (i.e. he / I) could just pay the fine anyway. Jornot said “how can we have a payment without a judgment?”. Poncet laughed and pulled out his wallet, waving cash around. The whole incident was intensely embarrassing for me. So that had been the essence of my prior experience of Geneva prosecutors other than Grodecki. Grodecki had been Poncet’s associate / assistant lawyer before becoming a prosecutor. Poncet has a reputation for being dirty. An Italian newspaper reported that while he was under investigation for money-laundering in Milan, his secretary fell from a fifth floor window in his office building to her death. At one point there was a school in a small French town near Geneva named “Elysée Charles Poncet”. Charles Poncet and I subsequently fell out, for reasons recorded in English court documents. I do not feel it appropriate to say anything more than this here, but I fear that Poncet harbours a grudge against me. The mere fact that Grodecki’s former boss Poncet, who has a criminal reputation, has a dispute with me (his law firm, CLS von Erlach Poncet, is currently suing me), makes me nervous about Grodecki acting as a prosecutor in a case in which he incarcerated me.

On 29 May 2018, the Prosecutor Stéphane Grodecki informed me that I would be held in three months' provisional detention, before I was taken to the cells. He asked me whether I wanted my Embassy to be informed. He seemed surprised when I said that I did. I realised why later. He didn't want that. But he was obliged to ask me. Very few foreigners arrested in Switzerland ask for consular assistance, and even fewer receive it when they ask for it. Mine was to be one of those rare different cases.

I want to emphasise that when I was arrested, I was not charged with any crime. No indictment had been issued against me. Indeed it still hasn't, and I still have not been charged with any crime. I had not seen a single document accusing me of a crime. I had been classified by the Prosecutor as a "prévenu". This is a Swiss French legal word referring to a suspect in a criminal investigation. The Prosecutor had read documents sent to him by persons who had filed a criminal complaint against me. He had decided to classify me as a "prévenu". He had summoned me to his office. And then he had me arrested, without charging me and without any indication of when I might face trial. He had done this in a private hearing, closed to the public, that nobody could go to except my lawyer and the people who the Prosecutor had decided to call to that hearing as witnesses (without first telling me) to give evidence against me. I had not seen any of the papers in advance or at all (even afterwards). Therefore it was impossible as a practical matter to rebut the evidence these witnesses were presenting, because firstly I had no advance notice that they would be giving evidence against me; secondly I had no idea what they would say (or even what he would ask them) until I was sat in the room; and therefore thirdly I had no opportunity to present any evidence in rebuttal to what they had said. In fact what they said was highly questionable. They said that they had incurred "hundreds of thousands" in legal fees in responding to the

accusations I had made against them. They did not say what currency they had spent hundreds of thousands of. And they did not present any invoices (at least none that were shown to me).

That was the basis upon which I was arrested and sentenced to three months' provisional detention - that is, detention of a suspect before charge or trial - a period of detention that can later be extended by the Prosecutor if he hasn't yet finished his investigation. The Prosecutor can continue to extend this deadline without charging the suspect or fixing a trial date.

Events leading up to the date of arrest

I would like to make a few comments about the circumstances leading to my arrest on 29 May. For most of the month of May, I had been travelling outside Switzerland for both business and on vacation. I had been in Barcelona and Belgrade. During that period, Elena and I had been the subject of a series of unpleasant threats and attention. I will name just two, but there were more and they were all documented. I cannot be certain why any of these incidents occurred or, if they could be ascribed to the same source. But let me state the facts in summary, and the reader may draw their own conclusions.

While in Barcelona, I had my drink spiked in a regular bar on La Rambla, the main street in the city. I believe that this incident took place upon the initiative of two French men who were too often coincidentally present and overly keen upon talking to me. I assessed on the basis of symptoms that it was more likely than not that the toxin was an NDMA receptor antagonist. The motives of the presumed poisoners were not clear but they were persistent in the patterns they had followed to engage with me, and in their conversation they had intimated that they had connections with French law

enforcement / intelligence communities. Of course I have no idea whether what they were telling me was true. All I can say is that it is a strange set of things to say to somebody in a bar that you do not know, and particularly strange if that person is me.

While in Belgrade, we had been warned by a political contact that we were being followed; and that did appear to be the case. But the most alarming incident in that city was that I received a note under my door (I have an apartment in Belgrade), apparently addressed to Elena, demanding money from her on the basis of an alleged loan. It goes without saying that Elena, who has no connections with Serbia apart from mine, had not borrowed any money from anyone in Serbia in circumstances such that this person would demand repayment in so irregular a way.

After this event, Elena left Belgrade for Geneva immediately. I had anticipated staying for a few more days, but in the event I left on the afternoon of Wednesday 23 May 2018 flying from Belgrade to Geneva via Zurich. My passport was scanned upon re-entry to Switzerland via Zurich, as it had been scanned upon exit from the Schengen Zone at Barcelona, on a direct flight to Belgrade, a few days before.

On the afternoon of Thursday 24 May 2018, I received the summons to the Prosecutor's Office for the afternoon of Tuesday 29 May, by email. The summons contained typos and other mistakes. It had obviously been prepared in a hurry. Service by email of such a subpoena is irregular. The mailed copy of the subpoena was received only on the morning of 29 May.

The first inkling I received that I might be arrested on 29 May was in a telephone call I had on 25 May at 9.30am. That is a conversation it is not appropriate to record in this

work. This concern was reinforced in another discussion I had on the evening of 25 May, and then in discussions I had on 28 May and finally in the morning of 29 May. I subsequently learned that the criminal complaint had been filed on 4 May. Although I had previously been advised that the matter would not be handled by Mr Grodecki, it ended up being so and with remarkable speed. Typically criminal complaints languish for months in the Geneva Prosecutor's Office before they even get assigned to a Prosecutor, never mind acted upon.

From the foregoing I infer first that for whatever reason, Mr Grodecki was particularly keen to pursue me and to have me arrested. Otherwise he would not have acted so fast. I also infer that he did not issue either a Schengen Information System warrant for my apprehension or even a Switzerland-wide warrant. Had he done so, I would surely have been arrested when I landed at Zurich airport or even when I had flown from Geneva.

Given that Mr Grodecki asserted I was a flight risk and at risk of recidivism, from a legal point of view it is highly surprising that he had not done this. If I was truly at risk of recidivism, then presumably I would have been at greatest risk of re-offending when outside the Swiss jurisdiction (beyond the arm of the Geneva legal system with its idiosyncratic criminal offences). Moreover a person considered a flight risk is precisely the sort of candidate for a Schengen Information System entry seeking his detention upon entry or exit at any Schengen port of departure or arrival.

The reasons why Mr Grodecki did not issue a Schengen warrant are probably easy to divine. Firstly, the matter would have had to be approved by the Swiss federal authorities in Bern. They might have delayed or refused in light of the nature of the matter. Secondly, had I been detained at a Schengen border outside Switzerland, the affair would surely

have immediately have erupted into an even bigger international scandal than in fact it became, because another Schengen member state might well have refused to extradite me on such a spurious pretext.

The reason why Mr Grodecki did not make a request to Swiss federal authorities for my arrest upon my entry to Switzerland is probably, again, because he feared Bern would not approve it. But it is illogical not to issue such a warrant if you are determined to arrest somebody because you consider them a flight risk. Had I really been a flight risk, I could have fled between 24 May, when I received the email with the summons; and 29 May, when I attended the hearing. The way you foreclose a flight risk is by arresting someone without notice. (Possibly the strongest evidence I am not a flight risk is that I attended the hearing on 29 May, having been advised by counsel that it could lead to my arrest and when I had ample opportunity to flee.)

Moreover had he taken any such federal or international measure, then it would have been on his file, open to my lawyers under the Swiss rules of criminal procedure, and surely I would have known what he had done.

Therefore the question arises: was it merely a coincidence that Mr Grodecki issued and served by an irregular means (email) a subpoena against me by way of email, within 24 hours of my arrival in Geneva; or was he informed that I had just arrived in Geneva and he was urged to act quickly? No person with interests I believe to be adverse to mine knew of the date I was planning to return, and I booked the ticket less than 24 hours before I flew. My concern is that if the coincidence of timing is to be excluded (and I think it probably can be), then the person who told him (or conveyed to him a strong urge to issue a subpoena against me immediately upon my return to Geneva from an extended

period of travel) had access to flight data records, Swiss immigration records, or Schengen Information System records but may not have been an official Swiss authority. This is only speculation; I do not know how Mr Grodecki was urged to do what he did within 24 hours of my return to Geneva after an extended period. But it is concerning. There are many aspects of this affair that are concerning, and I may never know what connection, if any, they all have with one-another. Those matters are for others to investigate, not me.

Events immediately after arrest

After being handcuffed and placed in a cell in the basement of the Prosecutor's office, I was put in some different handcuffs - this time behind my back - for a five-minute drive to a Police station near the Prosecutor's office. This was uncomfortable. I never really understood why I was taken there. The Police officers therefore were very polite. They offered to call my long-term partner Elena, to explain to her that I had been arrested. Then after about an hour they handcuffed me again - behind my back - and returned me to the cells underneath the Prosecutor's office. After another wait in a cell, I was again put in handcuffs - in front of my body - and placed in a tiny cell in a prison transport van. After a half an hour's drive, I arrived in a prison I now know to be Prison de Champ Dollon in Geneva canton: Switzerland's biggest prison.

I was then locked in a tiny unlit cell with a number on it, which did not even have a bench. It was just big enough to stand up in. It might be worth noting that entirely during this time I was wearing a tailor-made English suit; a pair of handmade English shoes; and a tailor-made white shirt (absent tie and cufflinks that the Prosecutor had taken from me). After a few minutes, I was taken to a desk to sign an inventory of items removed from me upon my arrest. Then I was taken to see a nurse, who was the first friendly face. She

asked me a series of questions designed to ascertain whether I was in a state of shock or I had suicidal thoughts, and to determine whether I was on medication. Then I was taken to have a shower. I was required to strip in front of a prison guard, squat down (presumably to ensure I had no drugs in my anus), show him under my tongue, and then have a shower, naked, in front of him. Then I put my suit back on.

Then I was back in the standing room-only dark numbered cell. After a few more minutes I was taken to cell #153, which I later discovered is on wing 1N (first floor north) of the prison. I was given some cold food in a styrofoam tray, which I half-ate. I recall someone telling me that this was at about 6.30pm. The prison guards told me I had to be ready to be driven to the Tribunal des mesures de contrainte (Geneva bail court), at 7.15am the next morning. Cell #153 was filthy and covered in graffiti. I suspect it was a cell for rough recent



arrivals. Again, the only clothes I had with me were my suit that I had been arrested in. Already in the cell was a Nigerian gentleman, who I later came to know as Dos Santos. We did not talk much that evening. The cell was so dirty that I spent all night coughing. Dos Santos, who

spoke reasonable African English (but with a lot of Pidgin English I could not understand easily), barely slept. He had already occupied the bottom bunk of a bunk bed. He spent the night wailing “I cannot eat, I cannot sleep, I do not know what to do”. Hence I barely slept either.

Because my watch had been taken away, it was almost impossible to ascertain how to establish when 7.15am the next

morning would actually come to pass. The only way of doing it was to turn on the television in the cell. When you turned on the television, or changed channel, it would show the time. Dos Santos, in his spasms, was hogging the remote control. Because I barely slept (moreover I had none of my prescription medications for sleeping with me), I would, amidst lack of sleep, fret every hour or so that I was going to miss the appointment. In the end I did not, and I put on the same underwear and shirt (by this time stinking and filthy), and tried to make myself as smart as possible for a court hearing.

More or less at exactly 7.15am, the guards opened the cell door and took me - and Dos Santos - to the prison van. We were driven to the bail court in the van, again in handcuffs in a tiny hot cell in the van. Then we were taken out of the van; our handcuffs were removed; then another set of handcuffs were placed upon us by the guards of the bail court and Dos Santos and I were placed together in a dark cell that I recall had a toilet but no toilet paper, plus a sink. We waited there a long time. At some point another African gentleman joined us in the cell. He said nothing. He just put his hands in his head and rocked backwards and forwards. We were in that cell for a long time. My hearing began at 11.15am, and I cannot have arrived in the cell later than 8am. So it was a long wait, without food, water or any sort of visual or intellectual stimulation.



About 20 minutes before the hearing, I was taken (in handcuffs again) to a small consultation room with my lawyer Marc Henzelin. There was a sign glued to the consultation

table saying that the consultation could not last more than fifteen minutes. We had no papers on the desk and we did not discuss any paperwork. After the consultation - barely long enough to consult with one of Geneva's best and most expensive lawyers over what was in substance an espionage charge about which I had seen no documents - I was handcuffed again and taken to the door of the courtroom. Then the handcuffs were removed and I was allowed to go and sit in the courtroom without the handcuffs on. I was not restrained in the courtroom, that was very small - about the size of a lawyer's office. I sat on a plastic seat about 10 feet from the Judge, the President of the 13th Chamber, a lady of about my age (42). The other people in the room (it was not open to the public) were my lawyers, Marc Henzelin and his associate Noémie Raetzo; a secretary (the "Greffièr"); and the Prosecutor. There may or may not have been an interpreter there. I cannot remember because I was very tired and stressed; and because the proceedings were almost entirely in English, except for the closing oral submissions, that were in French, and that were not interpreted for me by anyone and that I only half-understood. Although my French is basically fluent, rapid speeches in technical legal French are difficult to understand for anyone for whom French is not their native language and in which they have not been legally trained.

The "courtroom" was barely a courtroom at all, at least as I construe one. The Judge sat on a chair behind a desk, just a few feet from me. At her desk she had a computer. The Greffièr sat at another desk slightly behind her. I sat on a plastic chair with a school child's sort of desk in front of me. To the best of my recollection there was no translator / interpreter provided. My lawyers Marc Henzelin and Noémie Raetzo sat on plastic chairs behind me. The Prosecutor sat on another plastic chair a few feet from me. There were no security guards in the room. I was not in a defendant's "box". The room had only one entrance door. I cannot find any image on the

internet that is anything close to a representation of this courtroom. It was very informal. Not everything that was said went into the minutes. Most importantly, no record was made of the legal submissions made by the Prosecutor and my legal counsel, which were at the end of the hearing. Also, those legal submissions were made in French and no translation was provided into English. I got the gist of much of them, but not all of them. My lawyers said that it was surprising that the Prosecutor even came to the hearing: at most bail hearings, the Prosecutor does not appear. The Prosecutor seemed very defensive, even aggressive, in delivering his legal submissions. He was bright red throughout. My intuition - and it is only that - is that he knew he was taking a huge risk in incarcerating one of Geneva's best-known international lawyers, represented by a person widely regarded as Geneva's best white collar criminal defence lawyer (Marc Henzelin) who is a partner in what is widely regarded as Geneva's best law firm LALIVE. Grodecki is younger than me (perhaps 40 at the time) and Henzelin was almost 60 at the time and enormously politically connected. And of course I was well-known to be politically connected. Was he mad? Did he have an attack of hubris? Or was he pushed?

The hearing proceeded as follows. The Judge did not know much about the case. She asked me a few questions about my personal situation and my motives. She asked me whether all the allegations I had made to MI5 were false. I said that this was more properly a question for the judicial and prosecutorial authorities. (I was later told by my lawyer that this answer was wrong; I would probably have been released if I had just said they were all false: something I later did say, as shall be revealed below.) The Judge spoke English and we conversed in English. As with hearings in the Prosecutor's Office, no tape recording was made. Instead the secretary made a minute, in French, summarising my answers: the summary being dictated by the Judge. After I had answered

the Judge's questions, the Prosecutor made about 5 minutes of legal submissions and then my lawyer made about five minutes of legal submissions (in both cases in French without translation). Although I could not follow his submissions, principally by reason of the speed with which he delivered them, he mentioned my name repeatedly and it the general gist of those submissions was that I was a terrible human being.

Then Marc Henzelin made some submissions in French on my behalf. He spoke more slowly and more calmly than did Mr Grodecki. Therefore although again there was no translation, I did understand them better. In essence, his argument was that there was no risk of my fleeing anywhere, given my overwhelming connections with Geneva; I was willing to observe an order of the Court that I did not mention the former clients again; I was willing to place a bond of CHF50,000, which was a lot of money given my difficult financial status; a period of pre-trial detention of three months made no sense - why not one month, why not six months, why not twelve months - it was just arbitrary. (I later discovered that there may be a legal reason why three-month periods of pre-trial detention are granted and then routinely extended, but I never got to the bottom of why prosecutors typically order three-month periods.) I felt Marc's legal submissions were somewhat laconic, but it may well be an unfair criticism because Swiss courts are not places where people tend to be aggressive or use a lot of words. Swiss legal briefs are surprisingly short compared to those in England, and this may be a good thing; the length of legal briefs in England has got quite out of hand. Then I was asked if I had any further observations myself. It was difficult for me to provide any, because I hadn't fully followed the legal argumentation. I therefore said that no I did not, save to thank the Court for its attention to my case and to consider my circumstances very

carefully before reaching its decision which would be very important for me and for my family.

As this is the only criminal court hearing I have ever participated in in Switzerland, I will make the following additional observations. Throughout the hearing, only one document was actually looked at by anybody which was a copy of an email my lawyer produced to the Judge in which my clients had written to me admitting they owed me money. I don't know where he'd got that email from; I hadn't given it to him. Presumably it was on the Prosecutor's file, although I'd not seen that (and I still haven't). Although I realised that both the Prosecutor and my lawyers had been busy overnight, writing briefs about the matter (I saw a brief my lawyer had prepared flash across someone's desk at some point), I never saw these documents: either in draft or in their final versions. I'm not criticising my lawyers on this point; they'd surely put in a lot of hard work overnight, drafting and also liaising with Elena to try to raise bail money. It may well be that this was one of the most momentous decisions the Geneva bail court had had to make in recent times. I was just surprised not to have seen any of these documents or had a chance to provide input.

When the Judge asked me questions, she read them out from a list. I wondered when she'd written them. The Judge also went to my law firm's website, and started asking me questions about its contents: for example, who worked there. She asked me about my former accountant. I'm not sure why she considered this relevant. She may have been concerned about how many people would lose their jobs if she ordered my continued incarceration. That's just speculation, but it was difficult to react because I didn't know what she was looking at on her computer and I didn't know why she was asking me about it. When Mr Grodecki and my lawyer gave their respective closing submissions, they both gave them sitting

down (on plastic seats). Marc Henzelin delivered his submissions sitting behind me. I was sat between him and the Judge.

At the end of the hearing, the clock on the wall said that the time was 12.15pm. So it had been a one-hour hearing. I didn't like the Judge's face. It looked pained: as though some moral dilemma was clouding her day. I felt she was going to rule against me. She said she needed the lunch hour to consider and deliver the judgment, so she suggested the parties returned at 1.15pm. The Prosecutor said he wanted the hearing to reconvene at 1.45pm, because he had another hearing. This is unlikely to have been true. There are no hearings over lunch and I imagine few hearings are that short. however I cannot be certain.

I was then handcuffed at the door of the court, taken back down to the cells under the court, and put back in the cell with Dos Santos and the African man who rocked his head back and forth. Dos Santos optimistically suggested I would be released that day. I wanted to believe him. When after a delay the cell door opened and I was taken back up to the Court room in handcuffs, at 1.45pm, I realised the Judge had decided against me from her face. As I sat down, my lawyer Marc Henzelin put his hand firmly on my shoulder in a reassuring kind of a way. The Judge said she had decided to sentence me to two months' provisional detention. She said that she disagreed with the Prosecutor that I was a flight risk (I have property, a permanent Swiss residence permit, and two children in school in Geneva, and my entire life is in Geneva); but she thought there was a risk of recidivism because what I had done was "just too much" and I needed to be sent to prison to learn the error of my ways. None of this was minuted. It was an extended conversation - all in English.

I said to her that there was no benefit in teaching me the error of my ways by sending me to prison that would deprive me of the people who loved me, my long-term partner and my children, and I told the Judge that the decision she had made would cause huge damage to my career and my family. She appeared genuinely remorseful or doubtful, but of course one cannot change a Judge's mind once they have written up a judgment, signed and stamped it. The Judge gave me a copy of the judgment. It was four densely-typed, technical, A4 pages (in French) that contained a level of detail that I ascertained that the Judge did not possess from her questioning of me. It would have been impossible to write this judgment from scratch during a 1.5 hour lunch break, particularly having regard to the fact that the Swiss are religious about their lunch hours. I am an extremely fast writer, and I could not have written this document in 1.5 hours even in English. That is because when writing a legal document of any consequence, you need the case file next to you and you also need all the relevant legislative instruments next to you. (It's actually slower if you only have these materials electronically.) You write a legal document such as this by writing, then turning to the file, finding a detail, writing the detail or reference into the legal document, then writing another sentence, and repeating the process. A document of this kind would typically take 3-4 hours to prepare, even for a very quick worker.

And that would just be a first draft. This document was free of typos. It had been written in substantial part before the Court hearing had even begun. That means someone other than the Judge had written it. The only hypothesis upon which the Judge had written this document would have involved the immediate transmission of the Prosecutor's file to the Judge after my arrest at about 3.00pm the prior afternoon; she had then absorbed all the details of the file that evening; she had formed a provisional view on the matter presumably the prior evening (at which point she may or may not have received the

prosecutor's and my lawyers' written briefs); she had prepared a draft judgment that night; then she had edited and checked it for typos the next morning before the hearing had started; nothing I had said had persuaded her to change her mind; and she just stamped the judgment over the lunch hour.

I infer it to be more likely than not that the Prosecutor, who was the only person in the room who knew the file well (I had not seen it and my lawyer should not have seen it, under Swiss procedure which allows a defendant's counsel access to the Prosecutor's file only after the hearing), prepared a judgment in draft for the Judge who was effectively adjudicating an appeal from his decision, to sign. I consider it more likely than not that he did this either overnight or that morning, before the hearing was started, or possibly even before he arrested me. I do not see any other scenario by which so detailed a judgment could have been issued. If that is right, then the additional 30-minute period the Prosecutor sought for lunch or his additional hearing may have been to edit the draft judgment in light of the evidence I had given (which I considered was fairly persuasive as to why I should be granted bail: I am obviously not a flight risk and, whatever the legality of my actions in writing to my own government, I could avoid the risk of recidivism by giving a formal undertaking to the Court not to mention the named client individuals again until further order of the Court). Alternatively the Prosecutor may have thought that the Judge was going to overrule him and needed an extra 30 minutes to lean upon her. These are only speculations and I cannot be certain. But the evidence points in a certain direction. It is indicative of a potential finding of judicial misconduct, but it may well never be proven.

In any event, the hearing ended at approximately 2.15pm. My lawyer Marc Henzelin told me that Elena had been waiting in a coffee shop outside the Court for me and he would tell her that I was to be remanded in custody for two months.

Marc was remarkably reassuring, in his sanguine Swiss way. He made some comments to the effect that I would be fine in prison, I would get some rest, my children would just be told I had gone on an extended camping holiday, and then when I came out of prison I would start a wonderful new life with my long-term partner and my children. I was taken back to the cells and almost immediately transported in a prison van back to Champ Dillon prison. I recall arriving back at about 3.30pm. When I saw that my name was still on the door of my cell; the readmission procedures were not required for me (shower, medical etcetera); and that a cold lunch was ready for me in a styrofoam packet (lunch would always be served in the prison at 11.15am, as I later came to learn), I realised that it was already a foregone conclusion when I had left the prison that morning that I was not going to be released following the bail hearing. Everybody already knew this. Elena had been waiting in the coffee shop in vain.

Dos Santos did not return with me in the same prison transport van. He returned to the cell at about 6.30pm, and he told me that his hearing had not begun until later in the afternoon. He had been given a period of three months' provisional detention. He was in a terrible mental state. That night was a shocking night. Dos Santos was wailing and screaming. Whenever I tried to get any sleep, he would start hammering on the bottom of the top bunk, shouting "stop snoring! I cannot sleep, I cannot eat!" He would spend all night in incoherent wailing. He also spent the night pressing the emergency medical panic button, which I never pressed throughout my three week two day stay at the prison. Pressing this button creates extremely hostile reactions in the prison guards. He would press the button and ask for food in the middle of the night; say that his teeth hurt; ask for toilet paper, etcetera. The prison staff would become ever more aggressive and offensive towards him. I tried to watch television to focus upon something else, but he would shout at me to turn it off.

None of this reflects his personality. He was a kind and gentle man, as I later came to realise. But he was severely traumatised. At this stage, I was not traumatised. (The major traumas I suffered, interestingly, turned out to be after my release from custody, not during custody.) I knew that I should not be there. I realised this was political. I was a victim, not a criminal. That thought kept me going through 29 and 30 May 2018. And I tried to help Dos Santos, who was in a terrible state. I even hugged him at one point, a Nigerian man who was weeping and wailing. I put my arms around an unknown African man in the middle of the night and I hugged him, to try to help him feel better. My sense was that I had not done anything wrong; this was a political scandal; I was confident that people outside this prison would already be working to get me out of there; and now I had to focus my efforts upon helping this tormented soul.

It turns out that I was right that this was a scandal. On 30 May 2018 at 3.30pm, Le Temps, a French-language Swiss newspaper, published on its website a newspaper report that the bail court had sentenced me to two months' imprisonment.



In other words, between the end of the hearing at 2.15pm and 3.30pm, someone in that courtroom had informed a journalist of the outcome of the hearing. I did not do that. I was

in a cell or a transport van. I do not believe that my lawyers did it. The article said that my lawyers had declined to comment. Moreover they had always advised discretion and not speaking to the press. It would make no sense for they themselves to breach their own injunction to me. Nor do I believe the Judge (or still less, the secretary - known in French as the Greffière) did this. The Judge was not named in the article. She obviously had little knowledge of the case. The Judge didn't

seem a disagreeable or malicious person. She looked much more like a person who was going to have sleepless nights as a result of what she had done to me.

The article had a large picture of the Prosecutor, Stéphane Grodecki, above it. The article mentioned details of another criminal affair that only he knew about. The article was full of details of the procedure and the allegations that it is most likely that he was the source of. Stéphane Grodecki was widely rumoured to want his boss's job - the General Prosecutor, a position occupied by Olivier Jorrot. I sensed that Grodecki harboured personal animosity against me, because there was another affair - that I have already referred to briefly in this essay and involved an attempted coup d'état in Kuwait based upon a series of videos allegedly showing an heir to the Kuwaiti Emirate engaged in corrupt practices - in which Grodecki had spent a vast amount of taxpayers' money investigating a criminal complaint and I had essentially frustrated him in his endeavours through engaging in a spirited defence against accusations levelled by him that I have always denied and I still deny. All the circumstantial evidence points towards the Prosecutor, Stéphane Grodecki, (a) writing the decision in my appeal against his decision to detain me; and (b) publicising the issue in the newspapers himself (something which his own code of ethics does not permit him to do). The newspaper article said that it was based upon sources close to the file. There are so few such sources, that Grodecki is the natural candidate for the leak.

Nevertheless, the Prosecutor was not as clever as perhaps he had imagined. Effectively he had made me a political prisoner: incarcerated without charge, on mere suspicion of bogus criminal offences, for making a report to the lawful authorities of my own government and that of the United States about matters of national security. The newspapers and

diplomats went into full overdrive, horrified by what had happened.

He didn't think of that. A good politician can exercise influence even from behind the walls of a cell in a maximum security prison. Grodecki had made every effort to prevent me from communicating with the outside world and causing him media, political or diplomatic damage. But it was too late. I'd already made all the communications that were needed to force the Swiss to let me out. In politics, you can't always prevent an attack by your opponent. But you can be ready for it.

CHAPTER TWO THE EARLY DAYS

The first experiences of prison are of complete disorientation. You arrive in a prison van, which has a series of tiny metal cells in which you are handcuffed. The cells in the van are too small to stand up, in so you must sit down on a tiny bench. On each side of the cell inside the van there is a piece of padding attached to the metal, such that if you decide to beat your head against the wall it will only hit the padding. Nevertheless much of the padding has been ripped off. An airline sick bag has been stuffed between the padding and the metal cell wall in the prison van, so that if you feel the need to vomit through fear you can try to do so into the sick bag if you can manoeuvre your handcuffed hands up to grab and open the sick bag in time. The cell walls inside the transit van are not much wider than a person. They have holes in the top half of them. Through those holes, you can see a little bit of the next prisoner and, depending upon the positioning of the cell in the van, a glimpse of the outside world going past.

I found transport in these prisons vans particularly terrifying, and perhaps for that reason my memories of travelling in them are vivid. Every journey to and from the prison



anywhere, except on the day of your release (when you are unceremoniously dumped outside the prison gates with paper bags full of your belongings, and at this point you realise the prison is in the middle of nowhere) are in these vans. Upon my transport to and from Champ Dollon, people in adjacent cells in the van as I recall, included a wailing black man; another black man offering to sell me drugs (being handcuffed in a boiling hot metal cell in a moving prison van seems, I thought, a particularly inauspicious place to engage in any sort of commercial transaction); an aggressive Arabic man shouting in Arabic; and a woman dressed rather glamorously (“rather”



being a relative term by prison standards) who was really wailing. You hear a lot of wailing in prison, and I heard quite a lot of wailing come out of my own mouth. “Really” wailing refers to wailing so much that you are not sure whether the person is going to try to kill

themselves, even through the cell in the van is so confined that this is virtually impossible because you cannot hurl your head or any other body part at a hard surface with sufficient force to hurt yourself.

Each prison cell in the van has a small light, and something that pretends to be an air conditioning vent. Notwithstanding, in the late May or June heat in Geneva you are boiling like hell in there, particularly if you happen to be wearing an English tailor-made woollen suit as I was when first arrested and as I always wore to hearings at Court or in the Prosecutor’s Office. The prison van arrives in the prison, having passed through various gates. On my first ride, I had a glimpse of the countryside as it passed by outside. The van stops. Then the light and air conditioning vent are turned off.

Then you have to step out of your cell in the prison van and out of the van, and you are in an extended concrete space that is obviously a prison. You are completely disorientated. There are people all over the place wearing prison



uniforms. They are the guards. People shout at you, but as long as you try to obey they do not touch you physically. People order you to take your clothes on and off. Somebody photographs you using a cellphone. At some point you have to squat down and shove your genitals forward. I suppose that if you've jammed contraband into your rectum, then this is supposed to dislodge it. Personally it didn't occur to me that when I was arrested, my top priority would be to secrete contraband in my rectum. However I soon learned that in this regard I had acted idiosyncratically. Most prisoners seem to have realised that this is a top priority when you are arrested, and you should have secreted contraband in your rectum just before your arrest. This prison was awash with contraband of every variety, and based upon my admittedly anecdotal experiences much of it had emerged from inmates' rectums.

People in prison have good observation skills, perhaps through a paucity of stimulus (it is so boring) so that they notice the tiniest things and learn to ascribe those observations meaning. Prisoners seem to have a sixth sense for exactly when they are going to be arrested. And up goes the contraband, straight into the rectum. The number of prisoners I met who admitted to having entered prison with contraband in their rectums was substantial.

The design of the prison turns out to be very simple. There is an entrance, where (a) vans with prisoners arrive; (b) vans with prisoners depart; (c) nurses examine arriving prisoners; (d) guards watch while ordering prisoners to have showers; (e) departing prisoners are escorted towards the gates and dumped in front of them with their belongings; (f) in an adjacent rooms, persons visiting prisoners go through lots of doors and gates; and (g) prisoners' belongings (the ones confiscated when they are arrested, only to be returned upon



their departure from prison) are all kept in some complex arrangement of sealed bags and lockers. Once you get into the regime of the prison - meetings with lawyers; meetings with visitors; meetings with social services,

etcetera - you keep thinking you're being taken to different parts of the prison. But in fact you're always being taken to the same part of the prison, which is actually right next to the main entrance gate. I didn't realise this until I was released. The reception / entrance hall is actually adjacent to the place Elena would come to visit me and/or come to buy things from the "épicerie" (as to which the reader will learn more shortly).

When you meet a visitor, you are taken to a public room that looks quite nice (by prison standards). Elena was permitted by the Prosecutor to visit me once a week. We would sit in a pleasant room at a pleasant plastic table with some pleasant plastic seats. The only things that were not pleasant about this room were (a) there were lots of other plastic tables and seats; (b) sat at those tables and seats were lots of other prisoners, all of whom looked extremely violent (because they were); (c) they were talking to their criminal

visitors or criminal families; and (d) there were a bunch of prison officers in that room, trying to make sure that people weren't doing criminal things (and generally failing - the visitors' room is a contraband exchange centre, as I was subsequently to realise). What I never appreciated until I left the prison is that the much worse, unpleasant rooms where you get to meet your lawyer or your Consul (if he ever visits - I suspect I had the first consular visit in years in that place) are actually next door to this relatively pleasant room. But you are so disorientated that you don't realise this for quite a long time.

I did not realise until I had been released from prison that in order for Elena to get to this room, she had to go through a lot of locked doors and gates. If you don't like passing through lots of locked doors and gates accompanied by people with lots of keys, then Champ Dollon prison is not the place for you. I counted that a typical visit to the infirmary wing, surely only a crow-flies distance of 100 metres, involved being accompanied by a guard who unlocked doors six times; unlocked gates four times; accompanied you in a locked elevator twice (summoning the elevator, opening the door both inside and out, and pressing a floor for the elevator, all required an unlocking procedure); and passing through two metal detectors. I am no expert in prison design. But this did all strike me as rather excessive. Upon my exit (a distance of perhaps 150 metres from my cell to the free world, as it were) I must have passed through in excess of six gates from my cell to outside world, as well as one door and one locked elevator. I very much doubt that any human being could break through even one of these doors or gates. They are all made of solid steel. What's it all for? A prison for the Terminator? This prison would be more difficult to escape from than Alcatraz. I also could not help noticing that the prison is surrounded by lots of walls. But inevitably, the only thing you find behind any particular wall (all of which are impossible to scale - they have razor wire, cameras, observation posts, they are all sheer

surfaces, etcetera) is another wall that is even bigger. Indeed although Champ Dollon surely has a number of murderers, Switzerland does not (to my knowledge) have incarcerated any terrorists, members of international paramilitary units, or inmates of such violent ferocity that such extreme measures are necessary.

The lawyers' consultation rooms look like meeting rooms in underground nuclear bunkers for people to discuss what to do after the first ICBM has just hit Moscow. The lawyer has to sit on one side of the concrete desk on a plastic seat. He has a panic button to press under his side of the desk, in case the client needs an immediate beating. My lawyers told me that these are the only rooms in the prison that are not bugged. My Consul intimated to me that even these rooms might be bugged. I think they were both exaggerating. I don't believe any of the rooms in the prison are bugged. Who would listen to all the garbage that is spoken in prisons? 99.9% of it is trivial nonsense. In that prison, which is 100% foreigners (Swiss citizens are never incarcerated there, a subject to which I will return later), at least 50% of conversations are in foreign languages (i.e. not French). I simply do not believe that the prison, grossly understaffed as it is (and this is reported in numerous newspaper articles), are recording and then listening to all the rot that is spoken in prison. You would need teams of thousands of people to listen to all the things some 700 prisoners (this was the consistent estimate I was given of the number of inmates when I was there, although I do not know whether it is accurate), many of whom are either stupid or mentally ill, are saying in all these polyglot languages. It's not happening.

Aside from that, the prison has three wings and four floors. The wings are North, East and South. Only the South Wing has a fourth floor, which is the infirmary. The infirmary looks like the rest of the prison, except that there are offices

with doctors and nurses in them rather than maximum security cells. Nevertheless there are rooms with no handles on the inside (i.e. cells) on the infirmary wing. Going to the infirmary is not necessarily the blessing it might sound like, because when you are taken there by a prison guard you get placed in one of these rooms without a handle on the inside. Then ever more violent-looking prisoners are brought into this cell, which has minimum sitting space. Then these violent prisoners predictably start getting aggressive with one-another, and then with you, while you are all waiting to see a doctor or nurse.

The period you are in this violence / intimidation room with a bunch of unknown violent people from other parts of the prison (typically five to ten such people) is unknown: until the doctor or nurse wishes to see you. Then, after they have finished seeing you, you go back to the violence / intimidation room where everyone is still there. And then you wait for a guard to take you back to your cell. This inevitably takes a long time if (like me) you are not very pushy, shouting (for example "Un Nord! In Nord!" ("One North!" - a description of the wing to which you wish to be escorted back) whenever the door opens. In the meantime, various violent and psychotic people are brought into this room and are taken away. Some of them start smoking in there. Others start banging the bars covering the window. But my least favourite experience of those infirmary holding rooms was that with a seemingly unfailing constancy, whenever I was in an infirmary holding room an Italian-Argentine man of about 70 years old would come into the room and talk to me about the international organisation he ran. He would pull out old sullied photocopies of an international organisation handbook with pictures of him and various people he said were politicians. And then he would explain to me the operation of his International organisation in nauseating detail. And he would do all of this in rapid-fire Spanish, which I couldn't understand because my Spanish is not good enough. He would never talk to anyone else: only

me. And he would repeatedly ask me to confirm that I understood what he was saying. Then he would continue irrespective of what I said in reply.

One reason the early days in prison are so disorientating is that because this is a maximum security prison full of violent people, everywhere you can go as a prisoner in the prison requires you to be accompanied by a prison guard. And the only places they take you are up and down a series of identical prison wings, each of which is just a series of maximum security prison doors opened with large keys. The first floor is green; the second floor is mauve; the third floor is yellow. But aside from that, it's just corridors and cells. There's no gantry. There are no common areas, aside from an exercise yard that looks like a children's playground in Eastern Ghouta. There is a staircase, but you can only use that if you are accompanied by a prison guard and every floor has more and more locks and doors. Then there are couple of elevators, lined in concrete such that they would not look out of place in a facility for the production of unstable nuclear warheads. Again use of these elevators require various keys. In the middle of each floor - for each floor there are three wings - there are lots of doors, and a sort of relaxation area for prison warders who can read the newspaper, decide which cells to "contrôle" (i.e. submit to a search), or move around magnetic pieces on a white board to show where different prisoners are (the answer is mostly in their cells, since it is a 23 hour-a-day lockdown prison).

I have to say that being a prison guard in Champ Dollon must count as one of the most boring jobs on record. I am sure I would rather be employed as a professional observer of watching paint dry. I did talk to some of the guards about their jobs, although this is not easy because they seem to have been instructed not to smile at prisoners or to create cordial relations with them. Acting under such strictures, they

are not the most naturally amenable conversational companions. Nevertheless they are so bored that sometimes they actually do talk to you, because it is less boring than following instructions not to talk to you. They work 12-hour shifts: either 6.30am-6.30pm or 6.30pm-6.30am. They sometimes have to work nights and sometimes days. There are far fewer of them available at night (I can only estimate, but there seems to be only a skeleton staff from 6.30pm until the next morning). The guards, known in French as “guardiens” - quite a respectful word), all routinely have to work weekends. They are not allowed to bring mobile telephones or computer equipment of any kind to work. They are allowed to bring a newspaper. They carry a pair of black latex gloves; a telescopic baton; a lot of keys; a walkie-talkie; and some of them carry tasers (but not so many, as far as I could ascertain). They all wear identical prison guard uniforms: a dark blue polo shirt and tight-fitting dark blue trousers, plus what I would call “police shoes”: the shorts of shoes that would just get you into a nightclub but are obviously designed for kicking people with. The dark blue polo shirts all carry a fatuous emblem of the prison on them. This is truly Swiss. I must say that the atmosphere of the prison does not feel violent. Although I was aware from time to time of a risk of physical violence, mostly from other prisoners and only once or twice on the part of warders, I personally observed only one violent incident and I was not, as a rule, scared that either other prisoners or prison guards were going to be violent to me. That may be because I believe that I was much more compliant and polite than virtually any other inmate in that prison (at least that I saw). It may be because the prison guards were under instructions to treat me scrupulously, and therefore the other prisoners were warned by the prison guards that should they treat me improperly they could expect dire consequences. But the prison was, insofar as a building full of violent and disturbed criminals can be, safe.

Now I will divert the narrative for a moment. Forgive the following comments, but they are the sorts of things sex-starved (male) prisoners think about and discuss. Champ Dollon is a mixed prison. By this I mean that female inmates are in the same prison as male inmates, albeit all on a single wing (3N); and prison warders are mixed. There are far fewer female inmates than male inmates; I would say maybe only about 15 out of 700. But the proportion of female prison warders in Champ Dollon as a whole is much higher. I would estimate it at about 20%.

It is strange to be escorted around a prison by a female guard, or for a group of female guards to release a large group of violent men from their cells simultaneously to send them down to the exercise yard (as happens daily). Moreover the female guards are all young, and for the most part fairly attractive, slender Swiss women. None can be over 30. These are not muscle-bound contestants for female body-building competitions. They are pretty girls you would be happy to meet and talk to in a bar. And they are supervising a collection of extremely violent, in many cases psychotic, men who have not had any contact with women for varying periods but inevitably have sexual urges. I would say that something like 97% of the inmates I met were physically dangerous. Typical conversation in the exercise yard involves some pretty disgusting comments about inmates' sexual proclivities relating to the female guards. Maybe the logic is that placing female guards amongst male inmates somehow calms their testosterone-fuelled urges. I can't exclude that logic. But it did seem a security risk, at least to me. If I were running this prison, I would be concerned about the possibility of sexual assault upon the female guards. I have no idea how often such incidents actually occur. If they do not occur, then either my lack of faith in human nature is misplaced or the prison is run in accordance with a series of hidden rules (e.g. violence assessments of individual inmates,

accompanied by a principle that violent inmates are never escorted by female guards) I did not know about.

Again I can't help making the observation that I found the female guards uniformly attractive, even though they were wearing prison warder uniforms. Aside from staring at the female prisoners from the cell bars when they are on their daily exercise, and one hour a week with Elena, this is the principal form of engagement inmates get with women, if one can put it like that. The female guards were overwhelmingly nice to me; some even smiled at me. What a nasty and dangerous job for them to do. Something makes me feel that now, outside prison, I might not find all the guards uniformly attractive - this was just an impulse on my part arising from deprivation of sexual stimulus. If any female Champ Dollon prison guard reads this, then please can I ask them not to take offence by any of my comments. My goal is solely to record my experiences, so that the reader might obtain an impression of what it is like to be a prisoner in such a strange place. Nothing I say is intended in any way as a sleight upon the female prison guards of Champ Dollon, all of whom were, I think without exception, unfailingly courteous and on occasion even nice to me.

Only a handful of prison guards said kind things to me while I was incarcerated. It is not their job to say kind things, I suppose, but I remember them all. When I was having a panic attack on 15 June 2018, a prison guard was kind in trying to help me manage the panic attack I was suffering from. When I was being taken from a meeting with my lawyers to the exercise yard one morning, a female prison guard quietly whispered to me that I should be brave and strong and I was going to be okay. On the day I was released from the prison, a prison guard who participated in the process of checking me out of the prison made some kind comments about wishing me the best for the future. I will never forget the faces of those

kind prison guards, and if they are reading these words then I want them to know that I am truly grateful for their kindnesses that, although small, meant a huge amount at the time. The same applies two members of the medical staff, and they know who they are. Only one prison guard was unprofessionally unpleasant to me. Given that hundreds of prison guards must work in that institution (I do not know the statistics but I would not be surprised if the number of prison guards is a similar order of magnitude to the number of prisoners), that is testament to the professionalism of the prison staff at Champ Dollon. Although they work in ghastly conditions, they are professional and, insofar as they can be given the sorts of people they are dealing with, my experience is that on the whole they try to be courteous.

There is a basement floor in the prison, which contains large rooms where (a) prison food is cooked; and (b) prison sheets and the like are washed. There is an exercise yard on the ground floor. The one hour a day when all prisoners get to go to exercise varies from day to day. It may be at 8.45am; 10.00am; 1.30pm; or 2.45pm. (The female prisoners consistently exercise at 4pm.) One observation I will make is that while North and South wings of each floor exercise together, the floors of the East wing exercise on their own and there are only ever a handful of people exercising together. I infer from this that the East wings are for extremely violent inmates; inmates in isolation; or inmates otherwise so disturbed or dysfunctional that they cannot be mixed with other people in large numbers. Given that the vast majority of prisoners I met were extremely violent, it must take some effort to get located in a cell in the East Wing.

Another feature I noticed is that whereas the North Wing on each floor is a series of cells that holds two to three inmates, the South Wing seems to be a series of cells that can hold larger numbers of inmates. Certain sorts of sociable

inmates are all desperate to get transferred to the South Wing, the largest cells in which have six inmates to a cell on two three-level bunkbeds: all in a cell not much bigger than the cells I had (#153 and #256) both of which were for 2/3 people. Maybe there are more opportunities to trade contraband in cells with larger people (something that I came to realise is a substantial part of prison life): I don't know. [I subsequently learned after release that the European Court of Human Rights has ruled, against Switzerland, that any prisoner in Champ Dollon in a cell of six people is having his human rights violated and is entitled to a compensation payment, known in French as an "indemnité", of CHF200 per day. Perhaps that was why prisoners wanted to be in six-person cells.]

Aside from the exercise hour in the yard (the time of which varies each day and is unpredictable), your cell door opens at the following times: 07.00 - hot water (breakfast used to be served at this time but it was cancelled because the prison became overcrowded despite the fact the budget was not increased, so breakfast was cancelled to save money); 07.10 "médicaments" (medicines) (this is the nurse giving you your pills for the day - you are given them each morning because otherwise you might trade them for contraband or have them stolen); 07.15 "chef d'étage" (it is hard to translate this phrase - it means something like "supervisor" but it would be a different person every day) (this is a figure of Byzantine obscurity who asks you if you want anything but does not tell you what he offers - you just have to know is available from him - all he actually offers is forms you can give to him later asking other people for things); 11.15 "repas" (literally "meal" - in practice lunch) - which involves going into the corridor for one minute, being given some food on a plastic tray, collecting a small carton of milk and nescafe, jam, mouldy bread, etcetera - and then returning to your cell to eat it); 3.00pm "douche" ("shower" - this seems to be principally an exercise in exchanging contraband but I always actually took a shower

and left as quickly as possible); 5.00pm “repas” (this time “repas” refers to the evening meal - always smaller and more disgusting than lunch, possibly for reasons of a desire for the day-shift staff to leave the prison at 6.30pm, as I allude to below); 5.30pm any deliveries of mail or items Elena had bought for me from the “épicerie”; 6.30pm “bon soirée”. This last event just involves opening all the cell doors, checking that the inmates are alive, and then double-locking them all. Then perhaps 80% of the staff go home for the evening, leaving the inmates to cause damage to their cells and generating noise to the maximum extent possible such as by smashing and banging the metal covers over the cell window bars into those bars, again and again and again, with the intent to cause the maximum sound.

There is not enough food in the prison because breakfast has been cancelled. Unless you have access to food being delivered by a friend or loved one on the outside, the diet is essentially a starvation diet (as it was for me during the first few days). Without your own food supplies, you must keep some of your evening meal, given to you at 5pm, because you will not get any more food until 11.15am the next day. Because the evening meal is substantially smaller than lunchtime meal, you need constantly to keep uneaten food from different mealtimes in a concrete fridge that is available in your cell, so that you can eat regularly.

You need money to survive in that prison. When you are arrested, any cash you have in your pocket is taken from you and credited to your prison account. You can buy things with this money from a list of groceries at the “épicerie”. (Woe betide you if you are arrested without any cash on you.) But the “épicerie” (French for “grocery shop”) is not actually a shop or even a room, which is why I always refer to it in quotation marks. It is just a piece of paper. You hand in a piece of paper saying what you want to order from the “épicerie” on Sunday

evening with your meal at 5pm (you must have asked the “chef d’étage” for this form by Friday morning at the very latest or you will not receive it and hence you will not be able to complete it), and your order will be delivered in stapled brown paper bags or taped boxes at 5.30pm the next Friday, and the prices will be debited from your account. The main problem with this process is to work out what there is available to buy. That is because the form, to completed in carbon copy duplicate, requires you to enter code numbers for items you may want. In my first cell, #153, there was no list of items in the cell and it was virtually impossible to work out what you could order. I asked for a catalogue from the guards several times, but despite assurances the catalogue would be delivered to me straight away I never received one. There were some channels on the television that ostensibly displayed codes for different items you might want to buy. But the screen on each channel would include the text of a single item, with the code number, and you might wait 30 seconds for the screen to flip to another item description and code. Given there were hundreds if not thousands of things you could buy (I learned this when I moved to cell #256, because #256 had its own catalogue in-cell daubed in felt-tip pen with the numbers “256”, whereas #153 did not have one of these), it was not credible to use the television to work out what you could by or the code numbers for them. You could have been waiting months just watching a blank television screen laboriously flip between different item codes.

Examples of things that could be bought from the “épicerie” are actually pretty broad, and this is one feature of the prison about which I was impressed. They include bottles of Fanta; toothpaste; shower gel; tabasco sauce; stilton cheese; salmon paste; cocoa pops and cornflakes; camembert; smoked meats; a wide range of magazines in a range of languages including *Le Monde Diplomatique*, *the Economist*, and *Newsweek*; cigarettes of various kinds;

condiments; juices; dried fruits, and much more. Once you had the system working, if you had money, you could really eat quite well in prison. There was even non-alcoholic beer. The only things unavailable in the prison were alcohol, marijuana, computers and mobile telephones. Virtually anything else whatsoever could be purchased, licitly or illicitly.

Far easier than an inmate buying anything from the “épicerie”, which requires at least a week (you must ask the chef d’étage for the “feuille épicerie” (grocery form) on Friday morning at 7.15am at the latest; complete it with your orders which are difficult; ensure you have enough money on your account which is also difficult because even if you have a catalogue there are no prices on the catalogue and you have no access to your account balance aside from irregularly delivered slips confirming your balance based upon mathematics I never understood because I virtually never ordered a thing but the balance would keep changing; and then wait until the next Friday for your delivery), a visitor to the prison can buy things for you from the “épicerie”. They get a form full of items they can buy. The form lists the items they can buy, and a price list. They can pay with a debit card or a credit card. They can do this five days a week. If a visitor to the prison does this, then you may get the groceries delivered to your cell on the same day or, at the very worst, the next day.

I couldn’t help noticing that the number of items available to buy from the “épicerie” that were Migros-branded (Migros is a supermarket chain in Switzerland) was substantial. So there was Migros toothpaste, Migros shower gel, etcetera. I infer that the prison may have had an exclusivity contract for distribution to Champ Dollon. Some of the items were incredibly cheap; others were not. I will give an example. The standard Migros shower gel was priced at CHF0.65. This is about 0.5 Euros. I assumed that at this price, it would be small sachet so I ordered four. In fact it turned out

to be a large plastic container of a kind that could last you maybe a month. So I ended up with far too much (not to worry: it was routinely stolen in the shower). But some items were very expensive. I recall that a single copy of the Economist or Le Mode Diplomatique were priced at close to CHF20. On some days Elena would order groceries for me and they would arrive within an hour or so of her ordering them. (We pieced together the timing later, because I kept meticulous notes of when everything happened in prison.)

On other days Elena would make an order and it would take a day or two for it to arrive at my cell. I think the general rule was that if she ordered things that the prison had in its “épicerie” warehouse, a guard would collect those things and deliver them to me straight away. But if she ordered obscure things - for example white chocolate, or marinated sardines - then they would have to await the next Migros delivery. I think very few other inmates had any visitor ordering from the “épicerie” for them, and certainly no other inmates had a visitor attend the prison virtually every other day, as she did, for this purpose. There was one occasion upon which a female guard opened my cell door. She had a trolley with three large boxes, one small box and two large brown paper grocery bags full of food. Her face was a combination of bemusement and jealousy; it said “this is better than I eat at home”. I wish I could have shared some of the food with her. As it was, my cellmate at the time, Jean, had a party. When I finally left the prison, most of those boxes were still full of food.

Visitors can deliver personal items to prisoners. There is a maximum of 5kg a week of personal deliveries, as I found out only after I left. I wanted books, so that would take up the weight of most of my weekly deliveries. Clothes can be delivered. The rules changed half way through the period I was in prison, and certain sorts of food could be delivered whereas before they were prohibited. A host of absurd rules about what

can and cannot be delivered are posted on the prison website: for example, deodorants must be in transparent bottles not opaque ones. Everything is x-rayed that a visitor wants to deliver to a prisoner. The guards look inside the books to make sure there are no hidden messages. No newspapers or magazines are allowed (you can only buy those as a prisoner, from the “épicerie”, save that my mother somehow managed to mail me three copies of the Economist from England that were not blocked even though most of the mail she sent me was blocked and I never received the greater majority of it: like me, she numbered each letter so we would subsequently be able to ascertain what was being blocked). The guard places all deliveries from visitors in a green plastic box, and zip-locks the box closed in front of the visitor. The green plastic box is then fairly promptly (I think within an hour or so) delivered to the prisoner in his cell. Then an absurd exercise begins in trying to remove the the ziplock tags, because nobody has anything sharp enough and the guards have to use their keys to try to break the strong tags and the inmate (I some children’s scissors in the cell that Elena ordered for me from the épicerie) are not allowed to help them.

Elena made frequent “épicerie” orders for me and frequent deliveries. Particularly after moving to cell #256 after my first week (cell #153 was so disgustingly dark, dirty and daubed with graffiti that it was impossible to live well in there), my quantity of deliveries meant that I was living in by far the highest levels of luxury of anyone in the prison. When I finally left, I left my final cellmate Evans Okafor with bottles of soft drinks, sachets of paté, breadsticks, instant coffee and more. Presumably he then traded it all for contraband.

If you have no money, on the other hand, you are in big trouble. When you arrive in the prison, you are given (1) a booklet welcoming you to Prison de Champ Dollon, which is mostly meaningless (a picture of an unhappy person entering

a room with some bars on a door or gate); (2) a copy of the Regulations of the prison, which are very old (I was given a copy in English) (both of these items were taken away from me upon a final search of my personal items when I left the prison - I wanted to take them with me, because they are completely useless as a guide to how the prison actually works and are obviously hopelessly out of date and hence they are evidence of the dysfunctionality of the prison); (3) a tiny soap bar of a kind you might find in a 1* hotel or youth hostel; (4) a cheap but effective toothbrush; (5) a single one-blade plastic razor; and (6) a tiny (20mg?) tube of toothpaste. If you have no money, then you are given replacement items (3), (5) and (6) once every two months. So to stop smelling, or to stop your teeth rotting, you either need to buy your own provisions or you need to borrow (or steal) them from others. I was always very generous with my surpluses; I didn't see why I shouldn't be. If you really don't have money, you can offer yourself as working in a job in the prison which pays some nominal amount of money you can then only apply to purchases at the "épicerie". Wealthy prisoners don't work in the prison. But there aren't many wealthy prisoners in the prison.

And that is your life in a Swiss maximum security prison. The main word to describe it is that it is boring. It is indescribably boring. Your cell has cable television, but it is mostly in languages you don't understand. You are in your cell for 23 hours a day, but that is better than being in the exercise yard for one hour a day because then various violent psychotics who have trouble even speaking may well decide they want to speak to you. That is particularly so if you are the only white-collar criminal suspect in there, and on your first day in the exercise yard you were wearing a tailor-made English suit and English handmade shoes. The other prisoners realise there's something wrong going on here, because they're not dressed like that. And therefore they want to talk to you. And

whatever they want to talk to you about, I promise you, you don't want to talk to them about that subject.

This work needs to address the fact that there are no Swiss prisoners in the maximum security wings of Champ Dollon that I am describing. I met not a single Swiss prisoner in all my time in prison. I met other inmates at least of the following nationalities: Argentine; British; French; Serb; Kosovar; Algerian; Moroccan; Portuguese; Polish; Nigerian; Russian; Ukrainian; Mongolian; German; Croatian; Spanish; Italian. I am sure I met persons of many other nationalities, but those are the only nationalities that other inmates revealed themselves to be to me. I am highly confident that I never met a Swiss citizen in that prison. Champ Dollon is the only prison in Geneva canton for persons on remand (i.e. in pre-trial custody). How can it be that all the persons on remand are non-Swiss?

The answer became apparent to me upon (a) study of the Champ Dollon regulations (that were taken away from me upon exit from the prison); (b) study of various newspaper articles about Champ Dollon prison, that I reviewed after I left, that contained photographs of prison facilities that bore no relationship to the facilities I had observed; and (c) study of the various legal documents of Prosecutors and the Geneva bail court that the prisoners I met showed me asking for advice (I was the lawyer in the prison, and every inmate wanted my advice so I saw a lot of legal papers). The important facts from which I draw the inferences following are the following. Firstly, the Champ Dollon regulations provide that the prison is for prisoners on remand only, with one exception: where a prisoner has already been on remand in Champ Dollon prison, and after a final sentence of a court, having regard to deduction for time already served on remand, the period of incarceration remaining to be served is three months or less. In that case the prisoner remains in Champ Dollon to serve the

final three months or less of his or her sentenced period of incarceration. Secondly, I never learned of or met a prisoner in Champ Dollon who, having been finally sentenced, had a period of more than three months remaining to serve having regard to time served and accordingly was transferred. My sample set was high: I spoke to dozens of prisoners about their legal affairs, almost always without any particular desire to do so on my part but they insisted and it was a way of maintaining a reputation as a friendly, helpful person. Thirdly, there is an adjacent prison to Champ Dollon. It is even connected to Champ Dollon by some corridors (at least as far as I could tell from surveying the layout of the buildings from my cell windows and the exercise yard), but it does not carry the name Champ Dollon. This prison looks vastly cleaner, and the photos one finds on the internet ostensibly of Champ Dollon prison are, I suspect, actually photos of this facility.



The inference I draw from the foregoing is that Swiss and foreign prisoners are separated out from one-another, the Swiss going to a much higher-quality adjacent prison than foreigners, who must endure an abysmally bad aged maximum-security prison. This separation is achieved in the following way. If you are a Swiss citizen suspected by the Geneva Prosecutor's office of a crime, you are virtually never subject to provisional detention (save perhaps if you are a Swiss passport holder of Yugoslavian ethnicity). There are three grounds for provisional detention under the Swiss criminal procedure code - risk of recidivism; risk of flight; and risk of collusion with witnesses / suspects. All these tests are

highly subjective. So where a Swiss citizen is suspected of a criminal offence by the Geneva authorities, these tests are found not to be met and hence the Swiss citizen remains at liberty pending trial and conviction. In practice, all sentences of 18 months or below in Geneva are commuted to suspended sentences where the defendant is not in provisional detention at the time of the sentence. On the occasion where a Swiss citizen is sentenced to more than eighteen months in prison, (s)he serves his/her period of incarceration in the prison adjacent to Champ Dollon which, from the appearance of the photos, appears much less inhumane.

By contrast, where a foreigner is accused of a crime that the Prosecutor (who, as this work discusses throughout, has far too much power under the Swiss system) is of the view merits a custodial sentence, the Prosecutor decides to find the subjective and flexible conditions for provisional detention satisfied and the foreigner is incarcerated in (the real) Champ Dollon (i.e. the prison I was placed in). The rule would seem to be this: if your initial period of provisional detention is three months, then that means it is going to be extended, by three-month periods at a time, until you have served a period of incarceration the Prosecutor considers it appropriate for you to serve. Then the Prosecutor will issue you with a penal ordinance (a sort of summary conviction) declaring your sentence to be three months more than the time already served. There's no point appealing this, because you'll be out in three months and the appeal will take time and money. In this way, as a foreigner you will serve all your time in Champ Dollon in the dreadful and inhumane prison conditions that this work describes. And you won't mix with any Swiss people.

The problem with this system, of course, is that it ensures that foreigners have no fair trial in Geneva. Indeed they don't even have a trial. As a practical matter, there are no (or very few) public trials of foreigners in Geneva. The system

entails that when you are first arrested as a foreigner in Geneva, the Prosecutor has already decided (a) that you are guilty; and (b) what your sentence is going to be, before you ever have a trial and before the Prosecutor has even finished their investigation. You will never have a trial, because the final penal ordinance of the Prosecutor, convicting you, is not worth the time and effort to take to a court: you will be released in three months. This is summary justice of the worst sort, and the criminal procedure rules are manipulated to create such a system that discriminates in favour of Swiss citizens and against foreigners. It is a denial of the right to a fair trial, and indeed a denial of the right to a trial per se. It is discrimination against non-nationals. It perpetuates inhumane conditions for prisoners who cannot vote (because I do believe that conditions in Champ Dollon are inhumane - this work is evidence for that proposition), while maintaining humane conditions for Swiss prisoners.

It goes without saying that this is not an attractive image of Swiss criminal justice. Geneva, the city of peace and human rights, operates a system of incarceration that grossly violates several rights of foreign inmates in Geneva prisons under the European Convention on Human Rights. I do not know whether prisons are like this in other cantons. I doubt it. I suspect that this is a Geneva aberration. But the Geneva authorities need to get on top of this problem, or sooner or later it will come back to bite them. I cannot be the only person who has spotted this. Many of the more sophisticated prisoners in Champ Dollon (and there are few, but there are some) understand what is happening. It will only be a matter of time before it explodes in their faces. They need to get this fixed: not just for the benefit of the prisoners suffering so badly in Champ Dollon, but for the sake of Geneva's and Switzerland's international reputation. Swiss and even French newspapers are replete with articles about the scandalous conditions of incarceration inside Champ Dollon. This is a

media, legal and political crisis in the making. The Geneva authorities need to do something about it, and in my opinion they would be well-advised to do that something quickly.

I am also left wondering the following. Given the outrage that is the Geneva system of carceral justice, why on earth did the Geneva authorities permit a sophisticated and distinguished lawyer of international reputation observe it by incarcerating him within that system? Were they mad? Did they think I would not notice? Are the Genevois really that blinkered? If this really was just one rogue prosecutor (as I suspect), possibly under undue political pressure, then why didn't the authorities move to stop it more quickly than they did? Why did their system of checks and balances fail them so, as to expose their frailties and thereby place their reputation at hazard? For me, that remains a mystery at the core of whether Geneva is sustainable as a legal, diplomatic and financial centre. I beg my friends, the Swiss: it must be addressed.

CHAPTER THREE

THE BEGINNING: A FOUL, STINKING HOVEL

Day 3, 31 May 2018. Circa 8.30am. I have been placed in cell #153 since my arrival in prison on the evening of 29 May 2018, and this cell is just disgusting. Noémie and Alexandre from my law firm LALIVE came into see me this morning. Lawyers' visits start at 7.30am. They told me that Elena had assured them that she would be there for me whenever I get out of the prison, no matter what. I want Elena to know that these are the happiest words a man can hear. My love for Elena is bottomless and without limit in any dimension. Alexandre tore the pages from his notebook to give to me, to use to write to Elena. And so I continue writing, with a resume of my experiences in this most unusual place.

A lot of time is spent sitting small rooms, waiting for things to happen. For some reason, I get taken to the doctor every day who gives me ever greater barrages of benzodiazepines. I'm not quite sure that I am supposed to do with them - perhaps barter them for cigarettes, that I also don't particularly need. The staff are generally rather professional. Some of them are ruder than others, but none of them have show any propensities towards violence or any use of actual force whatsoever that I have observed.

The inmates, on the other hand, are a mixed bunch. I spent about 20 minutes just earlier this morning in a waiting room for doctors, conversing in Spanish with an elderly Italian-

Argentine gentleman who seems to have been in here for some time. He was wearing expensive deck shoes and a relatively expensive (by prison standards) Swiss watch. What an odd gentleman he is, quite out of character with the majority of my companions who wouldn't be out of place on Rue de Monthoux [a street notorious for vice in central Geneva]. The cell is about 20 feet long and maybe eight feet wide, and is shaped as a mildly sloping rhombus. It would probably be fair to describe it as grimy, but it is relatively spacious for my needs. My Nigerian cellmate, Dos Santos, appears very depressed and I am trying to do everything I can to help him. I washed his plate (actually a plastic tray with dips in it) and cutlery for him in the morning, because he didn't realise that when the call for lunch comes your plate must be immediately clean in order that the designated inmates with responsibility for cooking and serving food can promptly fill your place when you take it out into the corridor.

The door suddenly opens. The guard demands that you come outside with your plate for it to be filled with food, and then the inmate(s) serving the food try to spend as long as possible serving you and giving you the most massive possible portions, because serving a larger portion takes longer and therefore people can socialise together more in the additional few seconds.

I am about to commence the First Floor daily one-hour walk (known in French as the "promenade"), which commences today at 10am apparently. Until Elena delivers me some new clothes, I will be undertaking this walk in a tailored suit and handmade shoes. A number of the wardens, by the way, are female, although all the parts of the prison I have seen so far have exclusively male inmates. I think being a prison warden must be a fiendishly boring job; just locking and unlocking doors, and walking around with people, all day. The most passionate (I mean aggressive) wardens seem to be

young men. I wonder whether they wanted to be police officers or some such thing, but were thrust into this job. There seems to be a shop where one can buy luxuries using cash, but it is unclear to me (a) how / when one gets to use this shop; or (b) how one is supposed to get any cash to use it. [Note: I was referring to the “épicerie”, which I subsequently discovered is not a shop at all but a form.]

Something tells me that I am going to be writing Elena a lot of letters. There is not much else to do with the ample spare time on my hands. I was interested to note on CNN (there is a television in the cell) that Sergey Lavrov is currently in Pyongyang; and he is saying that a deal upon North Korea's denuclearisation must be “sent to” the United Nations (whatever he means by that). Is this some Russian attempt to insert itself into the US-North Korea talks, and if so then why? Just to make a mess, as per usual? Since when did Russia want to do anything via the United Nations?

I just finished my one-hour walk. This is an interesting kind of a place. I met a man called Max who said he was on an armed-robbery charge, that he has been convicted of, but he was contesting certain other parts of the allegations. I have obliterated some sentences in my handwritten diary to protect his legal position. It seems potentially unfair to my fellow inmates to report possibly incriminating statements they make to me. Max is obviously an extremely dangerous, violent man. He has psychotic eyes, a massive build, an impressive physique and he is extremely gregarious in the sort of way that you feel that everything he says to you might be followed by his beating you to death. I have to say that I quite like him. He was the first person to come to talk to me during my walk, and he has offered to help me in any way he can. I'm not sure what help he can offer. [Note: naively, I subsequently asked him for help in getting me additional pen and papers. He must have thought I was a complete idiot. What I later realised was that

he was offering to sell me drugs.] Most other prisoners are intimidated by Max, and he is intimidating towards them. But he is polite and deferential to me. [Note: Max always served meals. I think that inmates who serve meals are to be incarcerated for an extended period.]

I am wondering what is going on with the UN right now. I have no idea, stuck in here, but something makes me think that everything is going to work out okay one way or the other. I have a lot of aspirations for and ideas about the future.

I am wondering what Elena thinks of this bizarre business in which a Russian journalist pretends to have been murdered in Kiev, and then comes back from the dead, as it were? I am writing a letter to her about this now. I don't understand why this project took place. Why did the Ukrainian Secret Service do this? Why was it necessary to pretend that this guy Babchenko had died? I don't see any logic to it, even conceivably. Why did it assist state agents in pursuit of Russian assassins to pretend the guy had been murdered? Perhaps they were trying to track the assassins going back to Russia somehow, and they imagined that declaring his death in the media would cause the assassins to flee from Ukraine and thereby come out of hiding? I suppose it is conceivable. I wonder, in that case, whether it worked. Nobody has been declared arrested. Was this a secret services bungle? It's possible that the Ukrainians didn't actually get what they wanted out of this operation.

It's now about 1.00pm and I am pretty bored. Your day here starts at about 6.30am and you get ready for hot water at 7.00am. I thought there might have been a breakfast served which I missed this morning because I was seeing lawyers, but it turns out that actually there is no breakfast. There used to be, but now the prison has no money. Now there are doctors, which I seem to get every day. Tomorrow the hourly walk is at

9.00am, so I am told. [Note: I never worked out how anyone knew when the walk would be before the cell door opened and you were told it was now.] Lunch is at around 11.15am. Then there's absolutely nothing to do except watch TV until dinner at around 5.00pm. Then that's basically the end of the day until the next morning. I can see I'm going to be writing a lot of letters to Elena.

I have just finished another experience: the prison shower. Everyone showers in their underpants. Why, I wondered? The answer is: to wash your underwear. [Note: this is not the real reason - keep reading; the real reason emerges later. I realise, rereading this, how naive I was in the early days of my imprisonment.] I have a feeling that my letters and notes to Elena are going to be replete with the most curious of trivia - but such is life in prison. It's an extraordinary mix of the most mind-numbingly humdrum and the quixotic and bizarre.

3.30pm. I took some benzodiazepines called "anxiolyt" about an hour or so ago, to try to calm down and get some sleep. The infirmary gave them to me. Soon I started to feel very ill: depressed and suicidal. After drinking some coffee and water, I felt better again, but I am not sure I should be taking regular benzodiazepines at this time.

5.30pm. I hear terrible shouting, screaming and wailing outside the cell. It would appear that an inmate has become violent. As far as it is possible to guess from the noises, he has attacked a prison guard and is being subdued by a lot of other officers. You could hear them running. There was one woman's voice. She is surely an officer, as there are no female inmates on this wing. She seemed to be shouting in distress. I heard the beeping of tasers maybe a dozen times. I am very disturbed by this incident. I have never witnessed violence of this kind so close to hand.

Dos Santos and I have been getting to know one-another better. He is a noble and religious man. I suggested to him that once he leaves prison, he becomes a priest. He replied that he cannot, because his family needs lineage. So I suggested charitable work, and I said I would be prepared to help him in any way later on. I helped him write a letter to his lawyer earlier today. I also met a man on the walk today who had been imprisoned for nine days for failing to pay a CHF1,000 fine. This sounds a bit draconian - he said you pay off your fines at CHF100 per day in here. Of course he might not have been telling me the whole truth. Being in here is a real eye-opener upon life.

6.15pm. Elena's delivery just arrived at my cell. What a pleasure! I cannot tell you how incredibly happy so big a thing makes, in a world in which small things are incredibly important.

Day 4, Friday 1 June 2018, approximately 8.00am. I am trying to buy a watch. [Note: although I was apparently debited for this watch, a Migros budget watch priced at CHF18.70, after I filled in a special form pursuant to instructions on a small poster in the corridor outside the cell, I never actually received it.]

[Note: I do not know why this is the only diary entry I have for 1 June 2018. I suspect that it may be because I was extremely depressed on this day. I recall that on Friday evening / overnight Saturday, I was seriously contemplating suicide, which resulted in my seeing a nurse on both Saturday 2 June and Sunday 3 June. I seem to recall that Dos Santos was also in a terrible condition on this day. My mind has blanked this day out; I have virtually no recollection of it.]

Day 5, Saturday 2 June 2018, approximately 7.15am. No so-called "reclamations" are permitted on the weekend,

which means you can't get pens, paper, envelopes, buy anything, ask to make a telephone call or do anything else. There is no psychiatrist on site, but the nurse has promised to see me this morning before or after my walk (everyone on the block gets one hour to walk around the yard each day, and today it is at 9.00am). The nurse will discuss my suicidal thoughts with me. I will try to spend the weekend talking to Dos Santos. He is very depressed today. But I have found two Russian men on the same wing as me, and they seem friendly. During the daily promenade today, I was handing out legal advice to various inmates. A nurse, Isabelle, spent lunch with me today after I felt so bad last night. She was very reassuring. She was talking about all the difficult inmates here. She said that this place is living hell. She really made me feel better about my situation.

2.00pm: I just had another shower with my shorts on.

4.30pm: I have just received Elena's delivery of books plus a pen and notebook, for which thank you my love. What a strange collection of books you sent me, but the choice was noted. It makes me so happy to receive these things. It makes me know Elena is receiving my letters, and I think they are probably received the day after I provide them for sending. [Note: this turned out to be my imagination: Elena had not received any letters when I wrote this, which I later discovered take 7-10 days to arrive after I deliver them to the guards for posting, the letters having being read by the Prosecutor.]

They are supposed to read my letters before I send them. Imagine reading this? If you are a Geneva prison guard? It must be murder! "Oh non, Parish envoie une autre lettre, exceptionnellement longue, écriture minuscule, tout en anglais, qui fut le lire en cette occasion?" (Translation: oh no, Parish is sending another letter, exceptionally long, tiny handwriting, all in English, who's going to read it on this occasion?) [Note: at

this point I did not realise that the Prosecutor was reading all my correspondence personally. Knowing his personality, I am sure he found the humour in the foregoing incomprehensible.]

Dos Santos is now reading my book “Free City”, that Elena bought for me. Why did she bring a book that I wrote, for me to read? I know what that book says. I wrote it. Maybe she meant something by it. [Note: she did not. Elena was in a bad state, and was not thinking what books to deliver me. She was picking books up that she thought my cheer me, herself in profound distress.] Dos Santos and I are discussing whether Nigeria can divide peacefully. The North is Muslim and the South is Christian. It is a classic ethnic conflict problem. The South is richer. Dos Santos lives in the south. The problem is quite pronounced, because the languages, culture, clothes, traditions, tribes and food are all different. Dos Santos says that the north can have the capital (Abuja), which he considers to have a northern culture. The north does not want the south to secede, and it is in that problem that Nigeria’s ethnic conflict festers. I said I would come and sort it out for them at some point.

I am sitting here drinking hot sweet tea with Dos Santos out of a plastic coke bottle. There is as much tea as you want for lunch, as long as you have a sufficiently large vessel. So I found some bust-up old coke bottle somewhere in the back of the cell, and he and I filled it with tea which cause the bottle to melt and distort and also made it very difficult to hold as boiling hot tea was poured into it. The solution to this problem is to wrap the bottle in a tea towel as you fill it with tea. [Note: I wondered whether the melting and distortion of the coke bottle might become so extreme after several episodes in filling it with hot sweet tea that it would fuse together in the manner of a Klein Bottle. But just before that happened, the prison seemed to decide to switch to serving cold tea instead, presumably because it was now summer

season and the temperatures were high.] There has been no communal dining here for a few years. The implication from the sign on the prison wall is that some ethnically divided inmates used to get a bit excited at dinner times (i.e. they became violent with one-another. I wonder whether they might have been Balkan persons.

Dos Santos has been talking with some of the other Africans in Champ Dollon. He says that they say that if you are African and you don't have a European passport, you won't get a Judge - you'll just see a Prosecutor, get three months' prison, and then get released. Apparently an NGO gets involved after three months called "S'Appeler". (I am not sure about the name; Dos Santos's French is very bad.) [Note: I never established what organisation he was referring to.] Dos Santos saw a Judge, he infers by reason of his Portuguese nationality.

Day 6, Sunday 3 June 2018. 7.30am. Dos Santos cannot sleep and spends most of the day and night groaning. He is getting increasingly irritable and whereas I am given medical attention every day, no doctor is made available to see him. I keep pushing gently for him with the infirmary staff, and the guards are fair with him (actually I have not so far seen them otherwise, even though he can bother them a bit because he is quite slow at learning the rules that are not written down or explained). The guards and staff repeatedly ask me if I am okay sharing a cell with him and whether he is causing me any trouble. So far I have replied yes I am fine and he causes me no trouble. [Note: I was asked this virtually every day I was in prison, but particularly so during my time on the First Floor.]

I have noticed that some cells seem to be for extremely violent people, because as well as a cell door they have a cage-like gate behind the door. I do not have one of those in my cell #153. So let us be thankful for small mercies.

Day 6, Sunday 3 June 2018, 9.45am. I have just returned from a second appointment with the nurse, Isabelle (the second was over lunch yesterday Saturday). I showed her my book. I have promised to mail it to her and her colleagues once I am out of here. [Note: I fulfilled this promise.] She is French. Her family died in large numbers in World War Two. She speaks Russian. A family member of hers was in DGSE and was involved in the Rainbow Warrior affair. She is extremely agreeable. She explained why people shower with shorts on. If you take them off, it is an invitation that you want to have sex in the shower. I'll be leaving my shorts on. She is arranging for me to see a psychiatrist, in light of my negative and suicidal thoughts over Friday evening and Saturday morning. Dos Santos is now talking of suicide, which concerns me. He is worse than I was.

One minor victory: we have worked out how to lift up the unused third bed in the cell, giving us more space for our shoes and to move around at the same time. This is another case of appreciating the value in small things. By the way, while I was talking with Isabelle an inmate in the exercise started howling like a werewolf. We were both chuckled.

2.30pm. I seem now to have become the resident legal advisor to the First Floor inmates, who tell me about their crimes, their sentences, their prosecutors, etcetera. The daily promenade turns into a fairly informal legal advice clinic. Absolutely nobody is rude to me; everyone is very courteous. Plus it is now apparent that we have the least crowded cell on the first floor. What a place this is, in which to be a VIP.

One curiously consistent feature of life in the prison is that shortly after dinner is served (typically at about 5.00pm), all the prisoners start incoherently banging, screaming, shouting through the windows, hitting objects on pipes, beating

the locked doors, et al, sometimes for hours (sometimes until approximately 11.00pm). This all seems pointless. And if, contra, there is some so far mysterious purpose to it, then why does that purpose serve to be fulfilled only by performing these activities in the evening and not at other times of the day?

Dos Santos has been talking to some of the other African inmates. It very much seems we are the fortunate ones. Some cells sleep up to six, of which the odds of one or more being a “banger” (i.e. an objectionable person determined to make senseless noise through smashing parts of the cell into one-another) seems high. Apparently people smoke hashish in the cells, although I have also been told that acquiring hashish is impossible in the prison. How does anyone get hashish inside? I was very comprehensively searched when I entered. There are multiple mysteries here.

Day 7, Monday 4 June 2018, approximately 3.30pm. The mysteries are rather starting to dry up in here. I realise there are few corners of this drab building I have not so far surveilled. Everything is but a reflection in the mirror of some other part of the building. The daily walk is persistently in the same sun-bleached hellish yard. These notes may henceforth become more sparse, as there is ever less novelty upon which to report.

After one week, Dos Santos and I have finally discovered how to order things from the shop. It is incredibly difficult and, as with virtually everything here, nothing is explained through official channels. You’re just supposed to know, perhaps because it is expected that you are a repeat customer (i.e. a person who has been in this prison more than once). Generally, for anything you want to do you need to ask three or four people before you actually work it out. The prison staff themselves are not helpful in this regard. For example, to ask to make a telephone call you must ask for a “feuille

téléphonique” to a person who will open your door at approximately 7.10am Monday to Friday [Note: this is the person I subsequently learned to be called the “chef d’étage”.] But that person will not tell you that this is one of the “services” they offer. If you do not use the exact phrase “feuille téléphonique”, you won’t get the form. If you ask this person how to make a telephone call, they won’t tell you. You must say these specific words and you may have only as little as five to ten seconds to get your words out before the “chef d’étage” slams the cell door again.

To order something from the shop, it seems that you need to ask for a “feuille épicerie” from the 7.10am person; then hand in the form to the man who serves you dinner (evening meal) on a Sunday. You might get your deliveries on the subsequent Friday. But again none of these rules are written down - and some rules seem able to be bent, others not. Also, to order things from the shop you need an item number and code, but again these details are not easily available. To describe the system as Kafkaesque would be an understatement. It is actually absurd, and without reason. Nobody’s lives are rendered easier by having these rules yet hiding them from inmates. It’s a quintessential unaccountable bureaucracy. Ludwig von Mises, the Austrian theorist of bureaucracy, would have a field day with these rules and regulations, and the mentalities of the officials who implement them.

It seems that the prison infirmary has run out of my prescription medication Xanax. They only had eight pills. Again this makes no sense. How can you have only eight Xanax tables in a prison of 700 inmates?

4 June 2018 at approximately 4.30pm. I want to add a detail about getting your hair cut. This is something I need, so I decided tentatively to explore it through a series of

conversations with staff and inmates. As is usual, it took three to four casual enquiries before I pieced together the Byzantine procedure required. Suffice it to say that it is so obscure that I have elected to exclude altogether this process. I shall not be getting a hair cut for as long as I am in here. [Note: I did in fact have a hair cut in prison, but outside the scope of the regulations. See below.] The most important principle is that only a prisoner can cut another prisoner's hair. So you have to find somebody who is willing to cut your hair. This in itself seems an extremely difficult enquiry. I asked a number of other prisoners whether (a) they would cut my hair; or (b) they knew of any other prisoner who cuts hair. In all cases the answers were "no" and "no".

Yet this came from precisely the prisoners who explained the hair-cutting process, and therefore had presumably participated in it either as cutter or cuttee (or possibly both). Therefore their professed ignorance as to the identity of putative hair cutters seems *prima facie* inexplicable. However the balance of additional obstacles to the procedure deterred me from undertaking any further investigations on the first point. The more fundamental issue is that scissors are not of course allowed; only clippers are. So you are obliged to have an army-style hair cut. Moreover you must buy the clippers on special order from the prison shop, and it would seem that this is a procedure involving substantial and indeterminate delay; a special form; funds on a special account; etcetera. Once you have the clipper and the cutter, you need to fill in another form to book an appointment on the Landin to have your hair cut on a Saturday. Unsurprisingly, I quit in the endeavour before I had even got started.

Day 8, Tuesday 5 June 2018, approximately 6.00am. My bizarre routine in this institution has now settled down into something like the following. Wake up at approximately 3.30-4.00am. Write until 7.00am. Hot water and administration:

7.00am to 7.15am. Write between 7.15am and 9.00am (possibly with interlude for lawyers' visit). Infirmary (to see doctors, principally to ensure I will not hang myself) 9.00am-10.30am. Lunch at approximately 11.15am. (N.B, This is the first of only two meals of the day.) Promenade (hourly access to exercise yard) typically at 1.30pm-2.30pm. Deliveries from the outside tend to take place at about 4.00pm but this varies and may also take place at about 5.30pm. Shower typically at 3.00pm, although this varies. Second meal, dinner, at about 5.15pm. "Lock-in" (although in reality you are locked in all day - the "lock in" in the evening essentially means you have no further contact with prison staff until 7.00am the next day) at approximately 6.30pm. Reading, writing, anaerobic cell-based exercise (sit-ups, lowering self from the desk stomach-up, lowering self from the desk stomach-down - typically 100 / 12 / 12): throughout the day. Bed at 9.30pm. Short sleep often after lunch. Drinking tea and coffee (in particular the latter, as I acquired a large bag of coffee using a "feuille rose" (pink form) - another piece of impenetrable and unexplained bureaucracy - a few days after entry into the prison).

I'd stopped drinking coffee; now I have stopped drinking alcohol (quite involuntarily, one understands) I have resumed consumption of caffeine, and in large quantities. Yesterday Elena delivered me my Oakley sunglasses. I am going to wear them to the prison yard today. I will look cool! I think I'm also going to sign up for religious services for this Sunday. And I am going to sign up to meet a chaplain. I will mark my religion as Methodist, and I will be interested to see whether they can actually find me a Methodist Minister who speaks English. Maybe I need a "feuille méthodiste" for that. (This is a poor prison joke.)

Another potentially noteworthy observation is that lunches are better than dinners. I speculate that this is

because the Swiss prison guards are all in a hurry to leave at 6.30pm (this is surely why dinner is served so early) and hence they press the inmate chefs to cook more quickly. The meal last night (and its remains are, as is typical, all I have for breakfast) was quite the worst to date: a heaped plate of couscous with the consistency of iron filings, together with chicken bones (from which the children would have been comprehensively separated, leaving only the bones), the meal was of approximately the standard I would expect in a North Korea Gulag.

Its remains look appetising as they now stare me down upon the prospect of eating them together with my 7.00am forthcoming morning cup of hot water. I think I should also spend a moment on the bread. It's extraordinary. It doesn't go stale. A cynic might joke that this is because when served, it's already stale; but the truth is more subtle. It looks more like a quasi-sentient moon boulder, that might imminently be inclined to move towards me for an admittedly somewhat rudimentary conversation. I wonder how it feels about being buttered and jammed. Certainly I feel good about that; it would surely be the ultimate disciplinary punishment to force one to eat this bread other than so daubed.

No detail is left to chance here. Even the cell fridge, that doubles as a bunk-bed footstool, has a light that flashes when the door is open so you cannot get to sleep should you have left the door ajar. Where on earth does one buy a fridge meeting these specifications?

It's barely 10.00am and I am looking down at my North Korean gulag cuisine remnants. There is no replacement food until 11.15am.

Now it is 10.30am, and a warden has just asked me whether I would move to be on the Second Floor and share a

cell with an older French man, that he thinks would be more appropriate. I have agreed, provided that Dos Santos is taken care of. They say that he will be, so he and I are now bidding one-another our farewells. I have a feeling that they think Dos Santos is a bit less honest or scrupulous than I might have imagined. I have just noticed he has occupied a bar of soap and some washing powder from somewhere, despite professing to have no money and having seemingly arrived at the same time as me. His washing powder is in a makeshift jiffy-bag. How did he obtain this? Just when you think it is getting boring in here, something usual happens. So It's all-change this afternoon.

CHAPTER FOUR

WEEK TWO: A NEW HOPE

Day 8, Tuesday 5 June 2018, approximately 2.30pm. I have just moved to cell #256, Second Floor north wing. I am now sharing a cell with a 65 year-old French man who says he is a fiduciary. Out of respect for him, I will not describe what he is accused of. He is an unusual character for this prison, but not quite as unusual as me perhaps. He is exceptionally pleasant and somewhat gregarious. The cell is vastly cleaner and brighter, and he is well-organised, having bought fresh fruit, Pringles and all sorts of prison luxuries. I am much more comfortable with him, although I have a feeling he may talk a great deal.

Mail dated 31 May 2018 from Elena has just arrived with me this afternoon (5 June), so it would appear that it takes a few days for mail to be processed and read. Who knows whether my encyclopaedic writings will be read in detail - to repeat what I have already said, I feel for the poor guy who is mandated with deciphering my handwriting.

I have a new experience to report within this madhouse. The girls' floor go for their walk at about 4.00-5.00pm on each day. A good half of them wear revealing tracksuits and the like, and star around trying to attract the attention of male inmates from the cell windows then starting conversations with them by means of yelling and screaming. The conversations involve such absurdities as agreeing to

meet at 7.00pm that day for coffee. This being a maximum security prison with a communal coffee shop, this is of course not possible. As one looks out over the French mountains from the prison, watching the encroaching storm as the sun sets, there is an element of calm to the scene notwithstanding the count evening hollering the inmates. As long as one were to dispense with the intrusive security cameras and razor-wire security fences, this strange structure might serve as a perfectly pleasant giant country youth hostel.

The grimacing security guards with handcuffs and latex gloves at the ready might best be hidden from sight, likewise. Something inside me suggests that this may well be the least bad maximum security prison one could be in. But what do I know. I am an admitted novice, and I rather intend to keep it that way.

Day 9, Wednesday 6 June 2018. I have no diary entries for this day. I do not know why not. I remember nothing about this day. It is as though it has been blotted out of my life. I find this very disturbing.

Day 10, Thursday 7 June 2018, approximately 6.45am. Jean cannot sleep. He is depressed, thinking every day that he should get out of prison today. I concede to having the same fantasies: today I will be released. It is interesting to observe that the more hardened criminals harbour no such delusions; they have been through the system before, they know it is arbitrary, and when you do finally get out it is either just a complete surprise or because some judicial time limit has run out and nobody has bothered to extend it.

I was brought the wrong medication this morning at about 7.15am, which I rejected. The medication I had been brought the prior diary was too strong. I had complained.

Drafting complaints by biro in quintuplicate is some way of passing the time, I suppose.

Sharing a cell with Jean is an entirely different experience from sharing one with Dos Santos. Jean and I speak only in French. In a classically French civilised way, we are considerate of one-another's personal space; we drink coffee together in the mornings; and it is hard to pretend that we are living in conditions of physical hardship. The sense of deprivation of liberty is more morally draining.

The good news in this is that for now, at least, my darkest, near-suicidal thoughts, have evaporated. I think these were driven before by my sense of sheer physical misery of the situation. Now my new cell is clean, organised and spacious (relatively speaking), I am undoubtedly finding it easier to adjust mentally to what has happened. I also consider it not particularly useful to feel sorry for oneself. It could be worse. It was much worse so until yesterday. Moreover self-pity is hardly an admirable quality. I have a lot of people who depend upon me: personal and professional. This must be at least as bad for them as for me.

This morning, at 8.00am, I had my first opportunity to have sight of my fellow residents on the Second Floor. Although this cell is vastly preferable to my prior residence, the quality of my "colleagues" is significantly lower. Whereas the inmates on the First Floor were an eclectic mixture of violent criminals and serial drug dealers, the new denizens are an altogether more sinister bunch. There are people who have tattooed liberal their own skulls; those with aggressive dangerous faces; and those who intuit - and I don't quite know what it is about them - have participated in sexual offences. Maybe it's that they just look like dirty, bad people with a lot on their consciences. Unlike on the first floor, I do not feel comfortable approaching or talking to any of them.

Somewhat alarmingly, although in the confines of our cell Jean appears entirely jovial, he appears to have struck up friendly relations with a number of these curious individuals. Criminologists talk often of the criminal mind, and I think I am starting to realise what this may consist of. These people are real criminals who are absolutely no good.

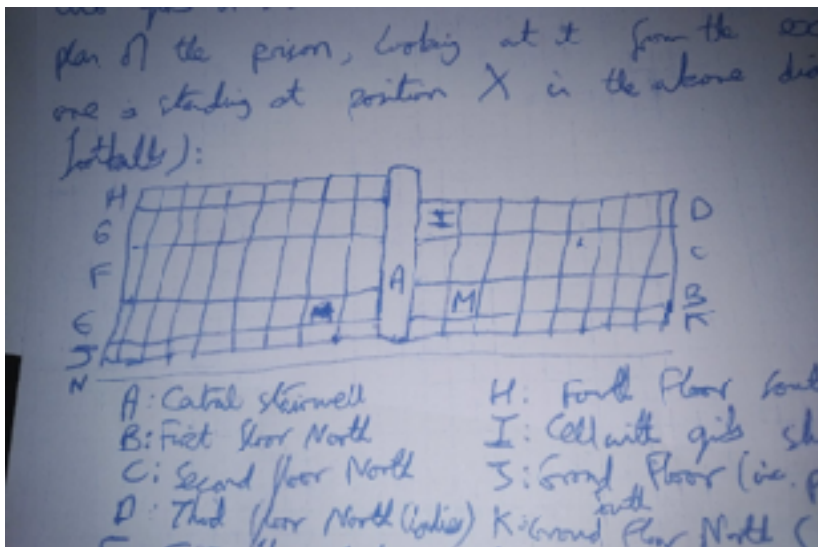
Jean tells me that the cost of running Champ Dollon per prisoner is CHF300 per day. I find this fully believable. Upon the assumption that there are 700 prisoners in here at any one time (a figure provided to me by a prison guard), this would entail the costs of running the prison to be in the region of CHF200,000 per day or CHF750 million per year. If this figure is even remotely correct, then the entire exercise is palpably a colossal waste of money for the Geneva taxpayer. It is hard to estimate how many inmates here are sufficiently dangerous that the public requires protection from them, and such that they need to be protected from one-another, so as to merit maximum security conditions. But my guess is that it cannot be more than 50%.

If the Geneva government asks why it is broke, or the Geneva taxpayer contemplates the same, then the answer may be because the prison has far too many inmates. I have noticed from discussions that a number of inmates are here on a post-conviction basis but they were here for a long time indeed before they were ever convicted. Many inmates are incarcerated, it seems, by failure to pay fines (I have been told by more than one source that they are deemed paid off at CHF100 per day in prison), or because they are awaiting an anticipated custodial sentence that sometimes never seems to come.

The guards' work here must be intensely boring, just locking and unlocking doors, waiting for inmates, walking

around with inmates, inspecting the yard after inmates have used it, and similar. But I must repeat that they are professional. I have barely had a single crossed word with any of them. On the first floor they could be rather impatient; that may be because the first floor has a rather chaotic atmosphere to it, full of large, violent men. Here on the second floor things feel much quieter. The guards are not even impatient. One of the guards told me that they work rotating 12-hour days in rotating shifts. Nevertheless, it must be mind-numbing to deal with the same prisoners (and there is not a vast amount of prisoner rotation, I notice) day-in, day-out. Add to this the facts that the prison is over-crowded, and the prisoners are underfed unless they can buy their own food from the shop (breakfast was formerly served at 7am but at some point was cancelled and replaced just with hot water, necessitating inmates to save part of their dinners to eat something for breakfast the next day), and the guards must have a pretty aggravating job.

Divining trivial mysteries is a principal leisure activity in prison. One that presently occurs to me is how many footballs in the exercise yard get stuck in the razor wire on the top of the fence, and how those footballs are removed. Just from a casual glance out of the window, I can see 11 such stranded footballs. Moreover I have never seen one get stuck in the razor wire; I've never seen anyone remove them (potentially a dangerous endeavour); and they're not the same place from day to day. Is it some supernatural activity in the prison? I think it might be rather obsessive to plot ball locations within the razor why by day, but I'm going to do it just for two days, if for no other reason than to prove to myself that I am not (or that I am) imagining changes through boredom and lack of stimulation. [Note: there followed in my handwritten notes two maps of the razor wire and the location of footballs. I have decided not to reproduce them here, because they are

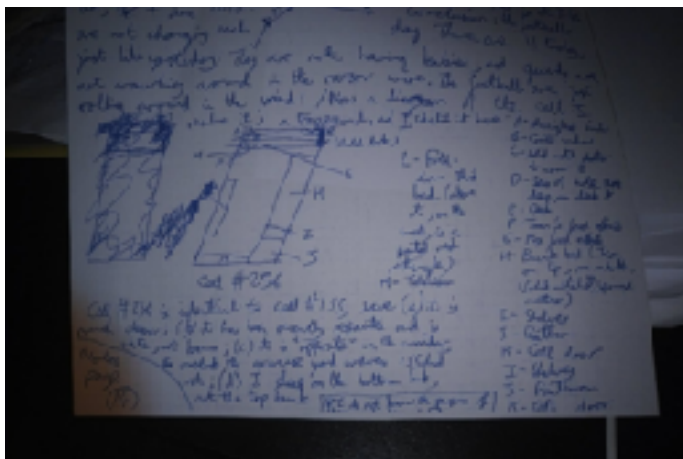


very uninteresting. The footballs were probably not moving anywhere, save being blown around by the wind.]

10.00am. It would seem I have joined the 2nd Floor running club. During our daily promenade, we run figure-eights together. We are currently four members: a Kosovar Serb, a Mongolian, an African, and me. The pace is not particularly demanding: about the speed I ran the New York Marathon. Curiously, by far the fittest of us is the Kosovar, who is also by far the fattest. And he says he's lost 15 kilogrammes in prison. My guess is that he a tough nut. I also met a couple of men who speak Serbian, although I am not persuaded that I want to speak to them in any language. They spend the morning walk shouting at two girls in Serbian on the ladies' floor, and then they insist that those girls are not Serbs (although one of them at least has a Serbian name, Maya). I am now going to draw a plan of the prison, looking at it from the exercise yard:

Legend:	A	Central stairwell
	B	First Floor North (where I started, in cell #153)
	C	Second Floor North (where I was moved to, in cell #256)
	D	Third Floor North (ladies)
	E	First Floor South
	F	Second Floor South
	G	Third Floor South
	H	Fourth Floor South (infirmary / medical)
	I	Cell with girls shouting in Serbian from window
	J	Ground Floor South (including places to meet lawyers and visitors)
	K	Ground Floor North (not clear to me what happens there)
	L	Cell #256
	M	Cell #153 (but on the other side - i.e. no view of exercise yard)
	N	Basement

And here is a diagram of one's cell:



I am trying to find something else interesting about this prison, to describe - even something boring. But I cannot do so. I could mention that there seems to be what one might describe as a visitors' gallery, on the roof of the south wing. I saw some people dressed in "civvies" (British army slang for civilian clothes) there. There are a lot of similarities between army life (of which I have only ever experienced a small amount, under British Special Forces training) and prison life, save (a) you have more freedom in prison; (b) people are (much) more friendly in the army; (c) it's safer in prison; (d) you can drink beer in the army; (e) you get more physical exercise in the army; (f) you don't get to read and write in the army; (g) the levels of boredom are about the same, but the army gives you occasional adrenalin rushes; (h) you might always get out of prison earlier than you might get out of the army, if you have a good lawyer. [Note: I got out early and that is because I had an exceptional set of lawyers.]

Day 11, Friday 8 June 2018. I am taken to a hearing in the Prosecutor's office in the Kuwaiti case. The hearing starts at 8.45am. I am told by the guards that I must be ready to leave at 7.15am, and I am ready, wearing my suit and a fresh shirt Elena has delivered me (but no cufflinks). The hearing is very strange. I have already said that I intend to answer no questions at it, as is my right. But the Prosecutor has insisted that I attend anyway. This entails a prison van to take me there, claustrophobia, handcuffs etcetera. I am allowed to take a notebook and pen with me, so while in the prison van and also in the Prosecutor's office hearing room (the hearing lasts about two hours) I write an article (with a biro) about UN institutional reform. I am not allowed to take the pen into the holding cell underneath the Prosecutor's Office, for some reason. But I am allowed my pen in the prison van, so while I am in the prison transport van, handcuffed, I write my essay. It is not easy to write an essay on international relations theory

while handcuffed in a tiny hot cell in a moving prison van in which you feel every bump in the road. But I do. It's quite therapeutic. And I keep writing the essay while the Prosecutor is asking all these questions of other people in the Kuwaiti hearing.

The Kuwaiti hearing was unusual. There are five "suspects". These are not people who have been charged with anything; they are being investigated (or were being investigated). They include me; another Geneva lawyer; a man I shall call A, a Kuwaiti politician; a former colleague of mine; and a fifth man who the Prosecutor is trying to extradite from England (but apparently without success). Essentially the Prosecutor suspects (or suspected) us all of conspiring to create a chain of legal documents that demonstrated the veracity of a video of A's principal political opponent in Kuwait showing that opponent's corruption. This affair has been reported all over national and international media, and all the events took place years ago. The same Prosecutor, Stéphane Grodecki, engaged himself in a hugely costly and aggressive investigation of all of this. This was the final hearing in the procedure. The Prosecutor had commissioned some experts' reports from Swiss experts about the veracity of the videos (there was some intimation that the videos had been forged or faked, although I never really understood how you fake a video). I had had sight of these reports, that were in French and German, and their conclusions seemed to be vague. I hadn't had an opportunity to read them with great care, because I was in prison and therefore I had no access to those reports in advance of the hearing. While I speak German to a degree, my German is nowhere near good enough to read a forensic video expert report. The point of the hearing, as far as I could understand, was to ask the suspected persons what they had to say about these reports compared with reports I had commissioned years ago confirming that the videos were genuine.

The observation I made to the Prosecutor was simply that, aside from exercising my right to refuse to answer questions, I am not a forensic video expert and therefore I cannot valuably contribute to a debate about the contents of other forensic video experts. Moreover I didn't know if they were even examining the same videos. So I would stay silent.

The other Geneva lawyer also answered in an anodyne way. He said he doesn't speak German and he's doesn't understand what the reports are about: a slightly more clumsy way of making the same points I made. Thereafter the hearing started to become increasingly weird. The lawyers for the Kuwaiti person in England and subject to extradition proceedings started to pull out a list of English property addresses and Kuwaiti telephone numbers, and asked A if these were his addresses and telephone numbers - the insinuation being that they were. This had nothing to do with the ostensible subject of the hearing, namely the forensic video reports commissioned by the Prosecutor. My sense of things was that A and the person against whom allegations of corruption had been levelled had reached some sort of peace, while the man in London was being excluded. A looked over at me at one point, as though to gauge my mental state about the matter. I wonder what he divined. I suppose I have the power to make or break this story, in either direction, because I was at the centre of it.

My former colleague (who had mysteriously changed lawyers) presented an extended written statement about his entire life and career to the Prosecutor - in English - that the Prosecutor didn't seem very impressed with. One thing that was not much discussed was the expert reports on the videos, which is what the hearing was supposed to be about. Then the Prosecutor asked the four of us present (the person subject to extradition, being in England, was not there of course) about

our net assets (our “fortune” in French). I refused to answer. Sheikh Ahmed also refused to answer, saying something like “I am lucky not to want for many things”. Then the Prosecutor declared the entire case closed and said he was referring it to the “Tribunal Correctionnel” (the “Correctional Court”), a court between the Tribunal de Police (for minor infractions) and the “Tribunal Criminel” (which deals with trials of more serious matters). He also handed out forms that all suspects were supposed to complete by 13 July 2018, he said, detailing our personal assets. Why then had he asked the same question orally, only to hand out a form later? This may or may not have been a trivial procedural detail. My lawyer (only a junior trainee was sent to this hearing by LALIVE to sit behind me, and he said virtually nothing) took the form and I have never seen it since. At the time of writing I have not been asked to complete it. It has been explained to me that the matter will take at least a year to come to trial, by which time Mr Grodecki will no longer be a prosecutor.

However at the date of writing this, I have still received no notification that I have been charged with anything, still less a trial date. Moreover it is not clear how this procedure is going to work if, assuming I am charged with a crime relating to this Kuwaiti affair, one of the five defendants remains indefinitely in England because the United Kingdom appears currently to be refusing to extradite him. I imagine, but I do not know, that the grounds upon which that person is resisting extradition is that this is a case of political persecution by the Geneva legal system. The question of the veracity of some videos ostensibly indicative of the corruption of a senior Kuwaiti politician - and I am taking no view as to whether the individual is actually corrupt - is a very strange thing for a Geneva Prosecutor to have been studying for years. If there is an allegation of corruption, then why is it the people who have made the allegation of corruption who are the subject of criminal

investigation, rather than the person against whom the allegation of corruption is made?

The same applies to this (the MI5) case. I made allegations that some other people are acting criminally and unlawfully, and these allegations were made to law enforcement and intelligence authorities - in other words, legitimate authorities to receive such allegations. Why then am I being imprisoned (without trial, prospect of trial, or even charge) rather than the people who it is alleged are acting criminally and unlawfully? Isn't the entire Geneva criminal justice system back to front? It pursues people who reveal the commission of crimes, not people who raise allegations of crimes committed by others. I should add that in advance of the 29 May 2018 hearing at which I was arrested, I wrote an email to the Prosecutor inviting him to seize from my apartment the 200+ files relating to the allegations I made that are in our basement in our apartment in Geneva. I thought he ought to look at them. He ignored this offer. The files remain in our basement.

I think these Prosecutors' hearings should be made open to the public. They are the place where justice is done in Geneva. Justice should be done openly. Otherwise these sorts of criticism cannot be aired whenever problems arise, and the Geneva legal system will not be improved. At the time of writing, I still do not have a copy of the written minute of this hearing that took place on 8 June 2018. Another factor that contributes to the opacity of the Geneva legal system is that in both courts and hearings before the Prosecutor - and you are obliged to attend these hearings; you can be arrested if you do not attend - there is no recording (oral or video) or even transcript of what is said. Instead a minute is prepared, that everyone is expected to sign at the end of the hearing. The minute is not a transcript of what is said. Instead, in Geneva, it is an ex tempore account by the Prosecutor or Judge both of

the questions they have asked of a witness and their answers, all rolled into one. Let me give a simple example of how this works. This is not a verbatim account of what actually happened on 8 June: I cannot remember the exact words of an entire hearing. But it is an example, likely not an accurate account of what was said on 8 June (the Prosecutor was actually pretty soft with me at that hearing), but indicative of the sorts of things that I have experienced can happen. This example is illustrative of experiences with the Prosecutor's Office in Geneva.

The Prosecutor asks "Maître Parish, are you refusing to answer questions about your personal wealth?" I reply "On the advice of my counsel, I am exercising my right not to answer questions at today's hearing and that includes questions about my personal situation." The Prosecutor says "So you are refusing to collaborate?" My lawyer says "My client is entitled not to answer questions; that is prescribed in Article XX of the Criminal Procedure Code." The Prosecutor says "yes, that it is a refusal to collaborate with the Prosecutor's enquiries. So Maître Parish, are you refusing to answer my question?" I say "On the advice of my counsel, I am exercising my right not to answer this question." The Prosecutor then dictates to the "Greffière" (secretary) "You have asked me whether I am prepared to answer questions about my personal wealth. I am refusing to collaborate." It should be obvious with what is wrong with all of this. The Prosecutor, in dictating his own narrative of questions and answers to his own secretary, is placing a gloss upon what is a cross between a police interview and a cross-examination that will be reviewed later by a court, presumably, when everyone has forgotten what was actually said.

The defence advanced of the system is that all the parties are asked to sign the minutes, and to comment upon them if they want before signing them. But people virtually

never do. They want to get out of the room (after all, until you are out of the room the Prosecutor can just immediately order your arrest and there is typically a large button on his desk which, by pressing, he can order security guards to attend the room to detain you). The witnesses don't want to challenge the Prosecutor's narrative, in case in doing so they risk his wrath. They may not remember exactly what was said: it is hard to remember the exact words of a multiple-way discussion even 20 minutes ago, and some of these hearings go on for hours. The lawyers suggest the minutes are fine. (The lawyers do not themselves ever sign them, even though they are present in the hearing.) A translator is asked to sign them, where a translator is used. But in all my hearings with Mr Grodecki I spoke in English and he translated what I said into the words for the minute in French. Hence the translator was signing as an authentic record minutes of a hearing where the translator wasn't actually doing anything (my French is good enough that I could understand most of what Mr Grodecki was saying, while he would translate my English himself into French) and hence the translator probably wasn't listening much. He or she would just be sitting there dumb. And then the translator would sign off that the minutes of a hearing he or she wasn't really participating in, save just to sit there, are accurate when in fact they were not. At best, in Geneva the minutes are a clipped and condensed version of what is said.

Another example of how the Geneva legal system does not record interactions properly is the following. Mr Grodecki has a habit of being highly sarcastic, even to the point of unpleasantness. At one hearing, I asked if we could finish by 3.00pm because I had to collect my children from school. He replied with words to the effect that we'd all rather be doing something other than being in the Prosecutor's office; he'd like to spend the afternoon playing tennis. That was an inappropriate response to a legitimate family-related request from me. What he should have done was decide upon my

request in at least a quasi-judicial manner, rather than make comments I felt, at the time, were discourteous, flippant and downright unpleasant. Collecting my children from school is an important parental duty. He should have considered the issue fairly, and he should not have discarded my concerns with a casual and, in my perception, mean-spirited remark that compared the parental obligation to collect one's children from school to a hypothetical desire to spend the afternoon playing tennis. None of this, however, was recorded in the minutes.

The result of all of this is that in my experience, Mr Grodecki has a habit of acting unprofessionally. In a system that gives prosecutors broad powers to do things behind closed doors (no members of the public or journalists are allowed) that are not recorded using mechanical means and in which the Prosecutor himself has dominant authority in determining the record of the hearing, he can get away with acting unprofessionally. I have limited experience of other Swiss prosecutors, and I don't know whether this sort of thing is widespread. But I believe that a good system disciplines the people who operate within it. A bad system may make people sloppy. I am willing to give Mr Grodecki this much: he might act much more as a prosecutor of integrity, and far less sloppily, if he were immersed in a system that gave him less leeway to misbehave. Bad systems sometimes make bad people.

One may speculate that the reason the Geneva legal system operates with all these dysfunctional features - the worst of which in my view is using bizarre criminal offences such as "criminal defamation" and "criminal breach of confidence" to silence speech to foreign intelligence and law enforcement authorities with whom Switzerland is supposed to cooperate on a friendly basis - is because Geneva is a place where criminals hide their money; this is the basis for the Geneva economy; and therefore those who expose crimes are not as welcome as those who commit them. I believe there is a

substantial element of truth in this. I say this because I do not believe Geneva can continue to work in this way. Geneva is in recession. I want the city to succeed. I love Switzerland and I love Geneva. I think 99% of the influential people I know in Geneva and in Switzerland more broadly agree with me. Actually I think that Stéphane Grodecki probably agrees with me as well. I think it entirely possible that in the context of the various events I describe in this essay, he was manipulated. Sometimes I even think there is a possibility that he has been subject to undue pressure. He was formerly an associate lawyer for a Geneva lawyer of dubious reputation. But these are speculative remarks. They are problems for other persons to wrestle with, who know more than me. I have always tried to stay out of Swiss politics, as a welcome guest in their country. There is an extent to which, as a vocal foreign lawyer, I may have been perceived by some as a convenient victim for Geneva's broader travails following the city's economic decimation at the hands of the US Government after it was revealed that Swiss banks had been helping US clients evade US tax laws. The Swiss can be xenophobic when under pressure. Although the English are generally very welcome in Geneva and the British and the Swiss have cordial diplomatic and financial relations, this may have been a case in which the Swiss, feeling under threat, snapped and decided to go after an English lawyer rather than have the Swiss system buckle under the pressure.

I understand that I am a national of a powerful European country - and one with a still more powerful ally, the United States. Moreover incarcerating people without charge for making reports to their own governments' intelligence agencies makes many powerful foreigners resident in Geneva extremely nervous. That is because Geneva has always been known as a centre for espionage since the Cold War and even back to the time of the League of Nations. So the harsh treatment of me might have made a whole lot of people think,

“there but for the grace of God go I”. Ultimately, Switzerland is a small, wealthy country defending its interests and welcoming to me amongst many other foreigners. Some 25% of the population of Switzerland are foreigners, and an estimated 55% of the population of Geneva are foreigners. It is proper for Switzerland to defend its interests. But Switzerland is part of the international system, much as it might prefer not to be. It must respect the human rights of the people who live here, and my human rights have been violated by being held without trial or even charge amidst a wholly unsatisfactory legal procedure and in disproportionate and inhumane conditions. Moreover Switzerland must understand that other countries, far more powerful than Switzerland, have interests too. And in incarcerating me, the Swiss violated those countries’ interests. That is why this affair - and the Kuwaiti affair - unfolded into a disaster that diplomats and lawyers have been working to clear up.

Mr Grodecki showed some humanity towards me at this hearing on 8 June, and it is fair and just that it be recorded. When I was delivered by security guards in hand cuffs to the door of his hearing room, he looked guilty. He asked me if I was receiving my correct medicaments now, so he was presumably aware of my complaints. He asked me whether the prison conditions were satisfactory. I replied with words to the effect that this is a prison, so I am not exactly happy; but the guards were treating me well. He asked me if the person I was sharing a cell with - he knew he was a French man - was acting agreeably. I said that he was. I said that I had seen Elena at a visit and she had not yet received any mail from me. He replied to me that the prison system is very slow, and it can take seven to ten days for mail to be delivered but he said that whenever any letter arrives on his desk he reads it and approves it for delivery the same day. He was staring down when he said this and again, I sensed that he felt guilty. (The entire conversation was in French, as it always is

with Mr Grodecki as while he reads English, he does not speak it particularly well.)

If the reader of this essay wonders why, in the conclusion to this work, my criticisms of Mr Grodecki are more muted than one might otherwise consider justified in light of the events revealed by this record, then the reason is that at the hearing on 8 June 2018, Mr Grodecki showed humanity and sympathy. I have seen him do this before. At a hearing a long time ago in the Kuwaiti affair, the names of my children appeared in the Prosecutor's record because my children had been present at an unpleasant social incident in which there had been an attempt to entrap me. He informed me that he would erase my children's names from the record, and he also told me "I think you need to choose your friends more carefully, Maître Parish" ("Maître" is an honorific applied in French-speaking Switzerland to lawyers.) While he can be bull-headed, he has shown humanity. Why does a man who shows humanity also act improperly? He erased the names of my children to protect them, but then incarcerated their father in a way that would hurt them. This is a very difficult question to answer. It may well be that he has been under improper pressure. It may be that he was encouraged to be ambitious in dangerous ways by ill-meaning people; then he got trapped; then he started thinking of himself; then he started panicking; then he started getting his judgments wrong. On balance, my intuition is this latter.

I have written the foregoing paragraph because some people, having seen earlier drafts of this manuscript, thought that I was too forgiving of Mr Grodecki in my conclusions. Therefore I want to explain the observations I undertook, and the line of reasoning I used, to reach the conclusion to be moderate upon him and (should this manuscript ever say the light of day), his reputation. I would hope one day actually to show him this manuscript.

At the end of the hearing, I waited until everyone else had left. The only people left in the room were me, Mr Grodecki, and two unidentified men in about their 50's who sat at the back of the room. (They had also been there - the only people there - when I had arrived at the hearing.) I asked the unidentified men, "are you here as security?" One smiled "no, we are just here to help." They didn't look like security guards. They were not of muscular build. They wore jackets and ties with shirts and trousers that indicated to me that they were not habituated to wearing suits. (They wore crumpled, buttoned-down shirts with ties imperfectly tied over them. Hence they were not lawyers and they were not security guards. Nor, certainly, were they psychiatrists assessing my mental condition. Had they been so, they would surely have been sitting much closer to me to observe me. Hearings before the Prosecutor are not open to the public, so they were officials of a kind that the Prosecutor for some reason suffered the presence of; as I was led away by the security guards in handcuffs at the end of the hearing, I saw him exchanging casual words with them but I could not ascertain what those words were as they were at the other end of the room. I wonder whether they might have been military or intelligence officials. (In Switzerland, intelligence activities are part of the informal but pervasive military structure that permeates society by virtue of the fact that all adults males of fighting age are obliged to serve as members of the Swiss militia.) I cannot be certain; I am using intuition and past experiences to draw one possible inference. Both the Kuwaiti affair and the MI5 affair are surely of high interest to Swiss intelligence officials. One Swiss intelligence official was at the heart of the Kuwaiti affair, although it is not correct to name him. You never name intelligence officials, even ones on the other side, or people never talk to you again and hence you can't make an effective diplomat.

Approximately 4.00pm. I was returned to my cell at around lunchtime. There is some commotion outside the cell. A woman is shouting and there is lots of banging. From the way she is shouting (i.e. a torrent of French swear words; I never heard a prison guard use an expletive in the prison, whereas inmates use them a great deal), I can only imagine that the woman is an inmate. I wonder what she is doing in my floor. No doubt I shall never know.

This afternoon, three large boxes and two large bags of groceries arrived, all it would appear purchased by Elena. I also received a receipt that there is approximately CHF420 on my account, after Elena had put CHF200 on the account. This can make sense only if Elena can spend the money on my account, which of course I have no objection to but in theory I might do (and I haven't signed anything consenting to it). This is just one more Byzantine mystery that I imagine will never be resolved. In any event, Jean and I now have the best-stocked cell. We have tabasco, mustard, ketchup, Fanta, Sprite, different sorts of biscuit ... it is hard to overstate just how luxurious it is in this prison to possess these provisions.

Jean is a strange fellow. His self-asserted biographical details become increasingly complex each time with the telling. He keeps saying there is no evidence he is guilty of anything but his mail is being blocked. He keeps changing his account of the amount of time he has been in prison (between two weeks and two months). This is odd, because I am counting every day and I would be surprised if most prisoners were not doing the same. In his case it is particularly odd because he has acquired a French calendar that he has hung from the wall of the cell, tearing off the days as they pass. In any event, Jean is mostly harmless I believe (at least in here) and Elena's purchase of cigarettes has made him extremely happy.

Nevertheless I will mention another piece of trivia, that might provide an insight into prison life or prison mentality. Jean and I have the same deodorant (a standard one from the “épicerie”). Mine is only two days old. Nevertheless mine appears half-empty. It would appear that Jean has swapped them around. It’s all a bit silly, yet Jean is a nice man in other ways, having helped me press my suit by laying it flat under my mattress while I slept on it. This way, I would look smart when I went to the hearing today. I realised I just don’t really think like many of the people in this prison. They have a strange attitude to life. It would never occur to me to switch around the deodorants. But it occurred to him, so it would seem. And no, I didn’t switch them back. If I run out, of deodorant I’ll just get another one. Although Jean says he is a “fiduciare” (a distinctively Swiss French word meaning a person who looks after the financial affairs of another - the word has illicit connotations to some people who consider the Swiss to have a habit of assisting people in tax evasion) and “juriste” (another distinctively Swiss French word denoting a person who practises law but does not have a professional qualification to do so), I am sceptical of these claims. He explained to me how one can register a Delaware LLC with a “succursale” (branch office) in France, for example, and some elaborate tax evasion / avoidance scheme. I didn’t dare interrogate him on the details. One thing he does know about is the quality of men’s clothes. He commented upon the good quality of my suit and my shirt, which wouldn’t have occurred to me.

For the first time in my life (perhaps), I am starting to feel naive. Being in prison may cause one to open one’s eyes to small indices that suggest things are not quite right. For example, Jean seems to know more than I consider normal about some of the other prisoners. One of them killed his wife; another one has some mental problem Jean seemed to know a lot about. I don’t know how he knows these things (if he

does). Let's imagine you'd been imprisoned for killing your wife. Would you go around telling everyone? One thing I am sure of, to repeat, is that there are some pretty unsavoury characters in here. But I don't want to know anything about what they have done.

I am listening to the noises coming from the other cells on a Friday evening. All one can hear is shouting, banging and screaming. What are they so excited about? I would like to fantasise that they are drunk, but of course they are not. Whatever else is going on in here (and by this stage I dread to think), I haven't seen any evidence of alcohol.

One of Elena's delivery boxes contained some scissors. I am surprised. They are children's scissors - they have some pictures of dolls or birds or equivalent children's designs on them. But they are sharp and pointy. Let's just say that I would now want a passenger in aeroplane to have these, so I am a bit surprised to be holding them inside a cell in a maximum security prison. Also there is no need for a pair of scissors in here; there is nothing that needs cutting, except perhaps my now overflowing long hair. Suffice it just to say that I shan't be entrusting my scissors voluntarily to any of my delightful fellow inmates, still less letting them get close to my head to cut my hair with them. [Note: this assertion subsequently proved false - keep reading.] The long hair issue is getting a bit silly. I now reckon that I look more absurd than Carles Puigdemont - but I am firmly settled upon the position that I do not want a hair cut under circumstances prescribed for such an activity in prison.

Day 11, Saturday 9 June 2018, approximately 7.30am. Jean just opened a copy of his library book, "La silence des agneaux" ("the Silence of the Lambs"), and showed me that, incredibly, he had found a small razor blade in the back pages on the book. It was about two inches long and a quarter of an

inch wide. I tested it on a pad of paper and it was indeed sharp: quite sharp enough to slit one's wrists or throat, in my opinion. He showed it to me two or three times. He said what a surprise it was to find it in a library book. I talked to him about it. I persuaded him that it was probably a good that we destroy it. He gave it to me after five minutes of discussions. I took it to the bathroom, snapped it into pieces, wrapped it in toilet paper, and flushed it down the toilet.

Jean has taken an interest in my scissors. He was looking for them last night. Why he would need my scissors in the middle of the night, I do not know. I must decide what to do. My preliminary ideas are: 1. I hide the scissors. 2. Do not make a scandal with the guards. 3. Ask for a medical appointment as a matter of urgency. 4. Refer the matter to the medics. I am not an expert and I should not make a judgment call on this issue. What it is tempting to do - and what I should not do - is ignore my observations.

I have just finished my Saturday morning promenade. I spent half the time running with Tony, a Serbian guy from Paris. He is a pleasant fellow. He explained that it is important to have the right look in prison, and to talk a bit but not too much; to have a clear routine; and not to look in on oneself and one's problems too much, instead focusing upon other things. I hope and I think I am doing that. Certainly I am getting fitter. Note to self: keep it going once released. [Note to reader: since leaving prison I ignored note to self.] I stopped exercising about four years ago when the stress of practising law just got too much. Now, when I get out, the stress is strictly going to be off. And exercise will be back on.

I tried to speak to a guard regard my concerns about Jean, but he refused to speak to me. Aside from shouting "suicide!" (this seems to be about the only word that gets you listened to in this place), I am not sure what to do. I have

decided that I am going to write a confidential note to the infirmary, and ask for an urgent meeting. I will do that now and hand it in at lunchtime. Actually I am not even sure that this is the right thing to do. What I fear about creating a record is that Jean gets worse or gets taken away for examination or something. This could end up as a mess worse than the one we are currently in; the prison infirmary staff are overworked and I am far from sure that pumping Jean with drugs (the only treatment for which they have adequate resources) is the right approach. What if he denies the razor blade story? I think the risk is low, because he gave me the razor blade. He showed it to me, he gave it to me after a conversation, and we agreed I should destroy it. Also I don't really trust all the staff in this prison. Isabelle, the nurse from last weekend, is extremely sympathetic and I imagine would deal with this problem well. But what if I don't get her? What if I ask for an urgent meeting with the infirmary and I get an unsympathetic person? But I am not the expert. I need to raise it with someone.

Jean said to me that he was amazed to find a razor blade inside a prison library book. Well, I was amazed by that as well. Security here is very tight, but this razor blade was small. Although I have never sought to dismantle a Bic plastic razor, my guess is that if you do so then this is what you find inside. The question therefore arises, whether (a) Jean dismantled the razor and put it in the book; or (b) somebody else did. The best evidence to prefer hypothesis (a) is that upon scenario (b), wouldn't he just have destroyed the razor blade and flushed it down the toilet, which was my immediate reaction, rather than leave it there for an extended period? Why would he show it to me, then put it back, then show it to me again when I asked to see it a second time? Also, if another prisoner had done this (and the reason why one would dismantle a plastic razor and secrete the blade in a prison library book cannot be a good one) then why did that prisoner put it in the book? Because the cell was being searched by the

wardens and he was trying to hide it? For some reason relating to drug use? Who knows. We are in the realm of speculation now. All I can conclude is that this incident may have been a cry for help on the part of Jean and I should react somehow.

I believe I know what is best for Jean. He needs to share a cell with a super-talkative person. Unfortunately that is not me. I am more internal. I find his endless blather irritating, particularly when I am trying to write (which is most of the time). I cannot talk to him all the time. But I try to offer him my groceries, so he feels a little privileged (I have seen a desire for him to feel important shot through his conversation); I let him watch the TV in French most of the day (as long as it is France 24; I cannot stand French game shows he likes to watch); I try to talk to him for 30 minutes a day over a cigarette; and I am observing him discreetly. I think I will mention my concerns casually upon the next occasion I have the opportunity to speak to a sympathetic member of the medial staff, unless there is another incident In which case I will consider acceleration. First do no harm.

Five further incidents are worthy of mention. (a) When I was running today, an African man said to me, in a whisper, “sucre?” (French for “sugar”). I don’t know whether this was a euphemism, and I don’t know whether he wanted something or was offering something. Needless to say, I ignored him. (b) Although nothing is allowed in the exercise yard, and there are metal detectors and body searches to enforce that, when I came back from exercise I noticed one or two prisoners had sweets in their hands, and were trading them or something similar.

(c) The prisoners seem to have a strange game that I witnessed (but did not participate in). The premise of the game is that it is possible to go to shake someone’s hand and, by

sleight of hand, twist their hand round to place them in a painful wrist lock that will potentially force them to their knees as you drive the wrist around their back and above their heads with the arm straight. Now the “competitive” aspect of this, if one can put it like that, is that two prisoners go to shake one-another’s hands and each one tries to execute the same manoeuvre simultaneously. I think this is a “game” I will resist the temptation to participate in. Interestingly, one may combine this activity with placing the illicit items referred to in (b) in one’s hand while “shaking hands”. Whether this is a sort of stake for the winner to take, or a way of transmitting contraband out of the eyes of the guards, I do not know.

(d) When I came out of the shower, in the room where you dry off a completely bald and muscular guard was standing motionless, staring at two of the inmates. The blood had run out of his face and in my assessment he was contemplating whether the situation necessitated the use of violence. The two prisoners to whom his attention was directed were trying artificially hard to laugh about something, but the guard was having none of it. I certainly didn’t see anyone cracking jokes. Jean and I immediately left (Jean first, who spotted the danger quicker than me; I followed his lead), deciding to dry off in our cell that the same guard very promptly opened.

(e) About 5-10 minutes later, the same guard came into our cell and asked Jean for 3-4 cubes of sugar for another prisoner. (He expressly said “trois ou quatre”: “three or four”.) We handed them over immediately. Jean says he think the prisoner next door may also have diabetes, as does Jean. Jean and I both agree that there are many things in here we don’t understand, but I have a feeling he understands more than I do. He didn’t think it strange at all that the officer asked him for sugar, until I pointed it out and then he said he agrees that it’s very strange.

Prison food tastes vastly better laced with tabasco sauce and French mustard, brought by one's loving Elena. A slightly more substantive observation: just when you think this place is really boring and nothing new or interesting can happen, it does. I think there are two explanations for this. One is that the prisoners are so bored that they create their own excitement out of the most trivial of things. The second is that I am becoming more perceptive of small events in a mostly sterile, stimulus-free environment. This place starts to imbue in a person a sixth sense for the smallest of events. It never occurred to me that you have to hold yourself in a certain way in a prison. In what way, and do I do it naturally? What a strange array of questions even to ask. Perhaps the message from this is a testament to the human spirit: you can't keep it down. We all find meaning and purpose to our lives, even in an environment designed to suppress it. We all decide that it is important to hold ourselves in a certain way.

Consider how much I am writing. I am determined to make value use of this time, in my own way, making a record of my experiences and writing on subjects of academic interest to me. I am writing more than I have ever written in my life. I am quite proud of this. I have to force myself. It is agony, because I do not know how long I am going to be in here and hence I have an almost constant sense of anguish and despair. But I keep writing.

Day 12, Sunday 10 June 2018, approximately 8.45am. More incomprehensible banging and shouting is taking place outside the cell. This is presumably a violent inmate. I am surprised by just how violent all these people are. Granted, this is an environment substantially bereft of stimulus. Undoubtedly it is very difficult for everyone, including the staff, it is indescribably boring, and at least I have the resources of a level of internal intellectual energy that assists me in passing

the time. I realise how useful my good memory is at these times, as I churn out one essay and letter after another premised upon my own knowledge and learning (of which I now realise I am quite proud), acquired over years but never drawn upon as energetically as now; my skills in reasoning, including lateral and creative reasoning; and my capacity to take the limited stimuli here and craft them into a diary and/or (from the news on the television) scholarly or policy articles. I suspect few others in here have that, and some have been here for months. But responding via violence is alien to me. Granted, I cry, I weep; I am in turns restless then listless. But shouting, screaming, hitting things and people: that does not come to me as a natural course of actions in response to the myriad negative emotions that surely fly through everyone's heads here.

Prison is a curious place, in that it can be 9.00 in the morning and one already feels as though the day is half over. Indeed today is a Sunday. I have been wittingly furiously since I woke up at 6.30am. At any one time I have three writing projects on the go: a letter to Elena; this diary; and an essay on foreign policy or a similar public policy matter. I flip between them as I find inspiration. The last time I wrote this much was when I was writing books. It is immensely stimulating, but thoroughly exhausting. Lacking the distractions of the internet renders one more productive: that is beyond doubt. Likewise email. But the inability to go and give Elena and my girls a hug, or to go say hello to the guys in the pub for a beer, means that punctuating the day and the intensity of the work is harder. Plus the prison experience is thoroughly dispiriting. Were I a novelist, I imagine my writings emerging from here would be dark.

Jean is watching an animal show on the television: one of those inane affairs in which some sort of striped or spotted carnivore with four large paws trots around in the long grass or

goes for a bath, all to the backdrop of some totally absurd monologue by someone with a deep voice saying something ludicrously obvious (e.g. “it’s getting dark and he’s hungry”). Only it’s all in French.

I remain a bit worried about Jean. He keeps repeating details of his case, each time changing them slightly. I think the one thing you must do in prison is try not to think about the details of your case. It’s a special sort of hell, in which you can churn your mind over and over and over the same things repeatedly. And there’s no point. Firstly, what has happened is in the past. Whatever happened, you can’t undo it. Secondly, this is why you pay lawyers; to deal with your legal problems, so that you don’t chew yourself to death over them. Thirdly, your self-imposed mental anguish isn’t going to make any difference to the outcome while you’re inside a prison. It’s best to avoid legal problems. But unfortunately, they happen. It seems to me that they happen disproportionately to life’s least fortunate (who fall down because nobody cares for them) and most fortunate (who have money and power that they fight over). That’s hardly a full theory of the sociology of law, but I can say with some confidence that blessed are they who have the good sense and good fortune to avoid law’s entanglements. And in writing those words, I have reminded myself of precisely the reason why I decided to leave the law. This episode is the final chapter in the painful exercise of exiting a profession that pays well but surrounds one with vultures and troublesome people of the worst kind; and eats at the soul. I will be much prouder of whatever I am going to do next with the skills and experience I have acquired to date.

It is time for another morning coffee. Given the comparative luxury in which I live, with all Elena’s grocery gifts littering the cell, I can have a morning coffee whenever I want. I am probably the only prisoner (absent maybe the Argentine-Italian gentleman, who I have not seen for some time) who can

afford such luxury. Prison teaches you the value in small things. It recalibrate your perspectives completely.

11.25am. Having just finished the morning promenade, I have a range of new observations. (a) Prison guards seldom smile. They smile a lot less than the prisoners. It might be that they are instructed not to smile to become too friendly with the inmates. But that must be miserable: being instructed to be professionally grumpy. Also I note prison guards do not interact much with one-another. Their job is to interact with prisoners. It must be a miserable job. (b) When the make prisoners are out walking, some of the girls sit in their cell windows, waving delectably at them. I can't help thinking that it reminds me a little of Les Pâquis. [Note: this is the red light district of Geneva, where girls sit in windows enticing men in.] (c) One inmate gave me an incredibly complex description of a money-laundering operation involving diamonds gold, men with guns, cash, bank accounts, tax problems, etcetera. I am intentionally suppressing his identity. But my comment to him was: "can't you stop doing this?" These people are humans. They have thoughts, hopes, aspirations and fears, just like everyone else. How do they get into these messes? He replied "No, I can't stop, I will keep doing this as soon as I am out of prison."

(d) Prisoners are very friendly to one-another, even if they barely know one-another. I think it is a sense o common trial by fire. A guy from the first floor called at me from his cell window during my walk, and asked me how I am. I don't know what all these people have done to deserve being in prison. I only know my predicament. But I think most of them are not bad people (although some certainly are). Many are ill. Some of them have been unlucky in life. Most of them need help, not punishment. I may devote part of my time in the future to prison reform, or penal reform more generally. I just don't think this is the right way of treating people who have found themselves in this unfortunate situation.

It is a waste of society's money: the costs of incarceration, plus the costs of removing someone from the workforce. I am sure being in here causes lasting psychological harm after a while, at least to some people. Hence there are the social costs of repairing that psychological harm, which may include risks of recidivism. It seems to me - and I doubt I am the first person to make this observation - that putting a whole bunch of criminals together in a confined space is a very good way of propagating criminality, because all these criminals then decide to cooperate with one-another. Jean goes around the exercise yard all morning, doing business!

That is why I am somewhat determined not to speak too closely to my fellow inmates. I don't want to get sucked into whatever it is that they do with their lives. I don't want a world of gold, diamonds and guns. It's not exciting. Nobody needs levels of money like that. It doesn't make you happy. It's incredibly dangerous. It's totally illegal and I'm sure a lot of it is totally immoral, ruining innocent peoples' lives at some stage or other. I just don't want to talk to them about what they do with their bizarre lives. But I would help them get out of their messy life patterns, if I could. That's why I promised to help Dos Santos (to call his sister once out of prison). I now wonder: was he playing me? I suppose I won't know. I don't know or believe that he was playing me. He seemed genuine. I promised to help him in a small way by calling his sister. I am not going to do that, because I have no idea who his "sister" is. I think what I will do with that guy is mention him to the Nigerian Embassy, and ask them to look on on his as a favour. [Note: Upon leaving prison I did in fact call his sister, not the Embassy. I was confident from the call that it was his sister, who was extremely grateful to hear from me. I am glad I did this. I also promised Dos Santos that I would send her USD300 by Moneygram, but I decided in the end not to do

this. I do not actually know who these people are, or why they need USD300.]

One thing I detest about this prison is that you stop trusting people, because you see so many strange things going on. I need to get back to reality, and to real human relationships. I am going to continue my philosophy of trying to minimise the contracts with other prisoners. I don't know why, but I just feel uneasy about the conversations they want to have with me. And they always seem to send up saying something that appals and intrigues in equal measure. You end up with your head spinning. None of it is normal, and I am determined not to let myself start to find it normal.

I have two complaints, that I am recording here casually. Firstly my Migros budget watch (approximately CHF18.70) has not arrived, despite my ordering it on Friday 1 June using a special reclamation form. [Note: I never received this watch, although my account was debited for it.] Secondly, my request to see a Chaplain has been ignored. I recall that Dos Santos asked to see a doctor with three separate forms and multiple oral requests, and he was ignored. I think the prison is understaffed and hence these miscellaneous requests may be overlooked.

The Council of Visitors, a group of Geneva parliamentarians that oversees prison facilities, is coming to visit the prison on 14 June and according to a letter distributed to all cells, all prisoners have a right to present themselves personally before the Council of Visitors to raise complaints or issues about how the prison is run. I have tried to register for such a meeting with the Council of Visitors, but nobody seems to know how to do this (or they are intentionally professing ignorance, to stop me from registering). I wrote a letter to the Council of Visitors asking for a meeting, but it was refused and returned to me by the prison authorities on the basis that it had

no address. Does the prison really not know the contact address of the Council of Visitors that supervises it? That sounds rather unlikely. So I wrote again with the address of the Geneva town hall, that for some reason is in the inner annals of my memory. Something makes me think I will not get to see this Council of Visitors, but if and when I do then I am going to recommend to them a change in prosecutorial policy to confine far fewer inmates in this overcrowded prison: or a substantial increase in budget to accommodate their needs. [Note: I was never granted an audience with the Council of Visitors, notwithstanding my repeated requests. The other prisoners drew up a list of ten complaints they wanted me to raise with the Council of Visitors on their behalves, but I never had the opportunity to present them.]

I believe the prison staff for the most part genuinely do the best they can with the resources at their disposal. The problem is that the conditions are too severe for a pre-trial detention facility. At least so I think. I don't have the statistics for the types of prisoner or the risks of violence that they pose. I just have a series of impressions. There should be a comprehensive risk assessment of the risk of recidivist violence, preferably undertaken by psychologists (judges and prosecutors are not the best persons for this), with a view to diminishing the prison population by releasing persons who do not pose a risk to the public pending their trial. The usual rule in Switzerland is that a suspect remains at liberty until finally convicted and sentenced to a period of detention; pre-trial incarceration is suppose to be a rare exception. This is a civilised rule, and it is a shame that the Geneva authorities currently seem to be disregarding it.

Jean wrote a letter today asking for special access to the library. When he gave it to the guard, the guard just replied "pour la poubelle" (translation: "for the dustbin"). That was unnecessarily rude. I can see there must be a policy about

borrowing library books. But gaining access to the library only once a week, on Thursday afternoons, is too strict. I missed the library altogether on the two Thursdays I have been in prison so far, I believe based I was engaged in other compulsory appointments. [Note: I never actually saw the “library”. I don’t believe there is in fact a library. Some prisoners talked about a trolley of books that comes round on a Thursday, but nobody had ever actually seen it, still less used it. I am not sure there is anything more than a couple of dusty old books that get handed around between prisoners. This may just be a supply / demand issue: few prisoners want to read. But if prison is about rehabilitation, maybe they should be required or encouraged to read.] Prison should be about improving oneself, which entails access to facilities with which to improve oneself. Those facilities are not easily accessible, if at all, here.

I am starting to form the view that there really is such a thing as a criminal mind. Jean started to tell me a story of how he and his father stole a bottle of Calvados from a restaurant in Normandy. Why? The story had no point to it. You wouldn’t do it (at least not like this) because you wanted a drink. You just buy some cheap alcohol, which you would be able to afford if you could afford to go to a restaurant that served Calvados. You’d only steal a bottle of Calvados from a restaurant at which you are (presumably) otherwise paying the bill because you like stealing things. I don’t know. I’m ruminating. I’m just listening to stories of people doing things that wouldn’t really occur to me. I had a friend at school who would steal things he could afford to pay for.

It’s all so odd. I like reading, writing, kissing Elena, taking my children on train trips and drinking beer in the pub. We’re each one of us hard-wired a little bit differently.

I have just noticed that the water that comes out of the hot water tap in the bathroom is always exactly the same temperature. I would put it at about 55 degrees celsius: hot enough (just) to make a cup of coffee, but not hot enough to hurt anyone badly. Why do I know it is about 55 degrees? That is because Mr Potts, my school chemistry teacher who I remember to this day, once taught me the following about 60 degrees. "Ouch! Too hot to hold - but only just - your hand will reflex but you won't be burned". The water from the hot water tap is just cooler than this. You can keep your hand under it if you are willing to suffer a high level of pain. At 60 degrees, you cannot - the reflex will be automatic. This is another untestable hypothesis generated by the tedium of being in prison.

CHAPTER FIVE

WEEK THREE: TERROR AND TEDIOUS

Day 13, 11 June 2018 (Monday). I had my first non-trivial problem with a prison guard today. When my lawyer arrived, I left my bag of medical pills with the guard for safe-keeping. That is because Jean had stolen one of my prescription Xanax tablets from my medicaments bag previously (something I was warned is common in prison - Xanax, and benzodiazepines in general, are used as currency in prison). I would regularly therefore leave my pills with the guards for safe-keeping when I left the cell. A number of prisoners do this. When I returned, a different guard (a short, dark / brown-skinned, stocky man) refused to give them back, saying I had no business leaving my medicaments with the guards for safe-keeping because the only person who could steal them is Mr Roger (i.e. Jean) and he would never steal anything.

The guard who said this returned them to me in my cell about 30 minutes later, repeating what he had said before about Jean and the risk of theft being zero in Jean's case - in front of Jean.

My lawyers arrived early this morning, at about 8am. They told me that the Embassy is visiting this afternoon, before Elena visits. The lawyers seemed panicked. [Note: it subsequently emerged that the British Embassy had expressed frustration because its consular correspondence was being blocked, and apparently the Swiss routinely do this

notwithstanding the terms of Article 36 Vienna Convention on Consular Relations which requires free and private communications between an inmate and his Consul. It turned out that it had taken six days for my letter requesting consular assistance to arrive at the British Embassy in Berne, the capital of Switzerland, from Geneva. Usually mail in Switzerland, a small and efficient country, arrives in 24 hours maximum.]

I am putting on my suit. I am thinking I am the only person in this prison who ever gets a consular visit - an remarkably quickly. I don't know when the Embassy received my correspondence, but it would seem they are visiting me more or less immediately (by diplomatic standards). [Note: the Consul told me he had finally received my request for a consular visit that very morning, and he had come on the train immediately. It would appear that there had been some tussle between the British Embassy, the Swiss Foreign Ministry, the Geneva Prosecutor's Office and my lawyers.]

Jean pressed my suit for me, by laying it out neatly under my foam mattress and telling me to sleep on the mattress with the suit under it. He has hidden talents. Jean knows how to press men's clothes, and he has an excellent eye for fabric. He spotted that my suit was made from the very best wool, and he observed that the suit was cut exceptionally well.

I met the Consul in one of the Gulagesque rooms that are ordinarily the preserve of lawyers' consultations. I do not wish to name the Consul, but let us say that he was a senior official who came to visit me. It was apparent that he wasn't taking any messing around from the Swiss. I remember some of his more memorable phrases. "The Embassy's policy is to confine consular visits to one. In your instance, if there is a need for a second visit, then the Embassy will consider the

need for a second visit.” “The role of the Foreign and Commonwealth Office is not to get involved in the trials of its citizens abroad. In your case, should this matter continue, then the Foreign and Commonwealth Office may make certain representations about your trial.” “The Foreign and Commonwealth Office offers no opinions about whether the decision of a Prosecuting authority is correct. In this case, I think you should be released on Friday but we may need to provide further consular assistance after Friday.” “You have had a most interesting law firm and an extraordinary candidacy to become an Under Secretary General of the United Nations. The view of the Foreign and Commonwealth Office is known, but as a personal opinion I think this needs a bit of time to cool off - maybe six to nine months”. “Your lawyer Mr Henzelin has been the consummate diplomat.”

These cryptic comments meant, in my estimation: (1) Her Majesty’s Government is disgusted by your treatment. (2) We have been raising hell. (3) You are not getting out of prison on Friday (a hearing before the Prosecutor was scheduled for Friday 15 June.) (4) But we are going to be on the backs of the Swiss to get you out as soon as possible. And if they don’t release you soon, we are going after them. (5) We think you are crazy, but we admire you and basically you continue to have the support of Her Majesty’s Government to become an Under Secretary General of the United Nations. (6) But once you get out of prison, we will need time for everyone to forget this MI5 story before your UN candidacy can go forward. (7) My lawyers have had contact with the Swiss Foreign Ministry in Berne.

I was both heartened and distressed. I was distressed because I was desperate to get out of prison. But I was heartened by the fact that Her Majesty’s Government was behind me on this, and that they were prepared to go into bat heavily on my behalf. The British Consul very rarely does

much for British prisoners abroad. Whether through altruism or self-interest on the part of Her Majesty's Government, the British were not going to let this lie. They were ready to pull out their heavy weaponry if necessary. We concluded the meeting by agreeing that the imperative had to be to bury this story quietly, so as not to cause further damage to Anglo-Swiss diplomatic relations or my UN candidacy. I would go to the Prosecutor's hearing on Friday and say how sorry I was about everything. But if the Swiss did not want to proceed in this way, then Her Majesty's Government would bring out the heavy guns. The sense of having support from one's own government was enormously fortifying.

The Consul and I also spent some time (as we were obliged to spend an hour together, by reason of some Byzantine prison rule) discussing the other British prisoners in prison in Switzerland. The Consul said that there are ten they are aware of, of which five are in Champ Dollon. He explained the various sorts of absurd credit card frauds that often get people into trouble here. People buy valid credit card numbers online. Then they print fake credit cards with these numbers. Then they go around Geneva buying expensive watches with these fake credit cards. Then they are arrested at the airport and end up in Champ Dollon. It all sounded so ridiculous. I expressed amazement that these people got as far as the airport. He said that the Swiss just prefer to pick them up at the airport to avoid wasting police resources. Even if I were inclined to do such a thing, I hope I wouldn't be so stupid. Copying someone else's valid credit card number obviously isn't going to work. One minute they're buying groceries in a shop in Houston, Texas; the next minute they're buying Cartier watches in a boutique in Geneva? Modern exchange of financial and other data to prevent fraud is sufficiently sophisticated that it is virtually inevitable that you are going to be caught out.

The other thing the Consul told me about is that in drug trafficking exercises, it is typical to place (say) ten drug mules on an aeroplane with drugs, and for the traffickers to identify (say) two to the authorities so they get caught and the other eight go through. This is incredibly immoral.

I have written enough about the Consul, for whom I harbour the greatest of respect for his professionalism, integrity, grittiness and determination to support me. This is one of the many instances in which the actions and services of Her Majesty's Government, at the highest levels, have made me proud to be British. I wrote to the Consul again subsequently from prison, on multiple occasions, and I believe the Geneva Prosecutor's Office may have blocked or even opened some of my correspondence addressed to him. But that is a matter for the diplomatic and other services of Her Majesty's Government to resolve with the proper authorities of the Helvetic Confederation, and it is not properly the subject of this diary. The Consul knows who he is. And I say again now to him: thank you.

There seems to be a lot of gossip in this prison. I don't really know how it happens, because I never much see the guards talking to the inmates. But they must be talking to one-another somehow, or have some sorts of relations. The incident in which a guard asked Jean for sugar was revelatory, as was the guard's protection of Mr Roger as someone who doesn't steal. I'm not sure I blame anyone for any of this. Chronic boredom palpably infects absolutely everyone in this building. Guards here also conveyed some kind words to me. One today told me "bon courage" (be brave / stay strong). It's not a malicious environment, per se. The prevailing emotion I imagine I will have upon departure is that it's all sad.

Today was the busiest day I have had to date: hot water - lawyers - exercise - lunch - consul - visit from Elena -

dinner - delivery. I was a wreck with Elena, because of the information the Consul had given me that I would be detained beyond Friday. I could barely think when I first saw her, and I was in a sad condition that I would prefer not to record. It is intimate between me and Elena, and those intimacies do not deserve sharing with others. Suffice it to say that she acted as a rock, as she always does, picking me up and (rightly) assuring me that the Swiss would not dare keep me in prison for two months. [Note: of course Elena knew what was going on outside - a diplomatic and political devastation was underway - whereas I could only imagine given the limited information available in my content-free prison environment.]

Now I am tired. I am also emotionally exhausted, because I need to summon massive quantities of mental energy to survive each day in this prison. You have to be very tough in order to survive, and it takes every available ounce of effort. I also expect that upon departure there will be an exercise in emotional decompression, as one relaxes and returns to the external, real world.

I cannot emphasise how happy I am that I am not sharing a cell with a person who wants to talk to his neighbours out of the window. Again it's all premised upon a way of thinking that doesn't occur to me. How do you know who your neighbours are? I guess these people really want social contact with one-another, no matter how primitive. A good yelling is just what is in order. While I can be very sociable, I don't want to be sociable in these strange ways. I am retreating into myself in the face of so alien an environment. I am not adapting to it, quite intentionally. I don't want to become like this. I remain scrupulously polite to and correct with everyone, even two weeks in. I won't be dehumanised by this situation.

Jean told me a strange story this evening. He was sitting on the toilet this morning when the guard opened the door for the daily promenade. (I was with lawyers.) The guard almost forbade him his daily walk because he wasn't immediately ready. Now this is both petty and inhumane. It is a trivial detail perhaps, but it illustrates what prisons do to everyone involved in them. They are environments in which people disrespect one-another. It should be like this. It is an extraordinary testament to human tenacity that any human qualities remain in such an environment after having been wrung out of people so efficiently. That is the only thing prison does efficiently: degrades common respect.

Approximately 10pm. There is a shocking storm. Jean is palpably concerned about his forthcoming hearing before the Prosecutor on Wednesday (13 June). He has offered to wake me up at 3am so we can watch live coverage in Singapore of the Kim-Trump meeting (local time 9am). Knowing he does not give a damn about that meeting, I infer he is unable to sleep through worry.

Day 14, Tuesday 12 June 2018, 8.45am. I have just noticed that whereas Jean had a plastic cup with perhaps eight hot chocolate sachets in it (you get given one sachet per day with lunch), and I put one of my sachets in there - I drink my hot chocolate every day, whereas seemingly Jean does not - overnight all of the sachets but one (i.e. "mine") have disappeared. I wonder what he's done with them? I have a chuckle to myself. There aren't many rational places in this cell to put hot chocolate sachets (except in the dustbin after you have made hot chocolate which Jean doesn't drink), but maybe I am missing something. Since the nurse Isabelle advised me that everything here is currency, maybe they've been traded for something. The mechanics of trading currencies in a maximum security lockdown facility in which you get searched or put through a metal detector every time

you leave the wing are unclear to me. When I tried to take some papers into the exercise yard, I was told I was not allowed to. (I think prisoners are not allowed to pass notes to one-another.) However I've seen a number of prisoners in the exercise yard with all sorts of pieces of paper and pens, etcetera. It's all weird.

I have no temptation to investigate any of it. It's essentially dumb, and I am determined to stick to the letter of the procedures insofar as deviation from them is just some trivial exercise in passing the time of day. It is of course difficult to stick to the procedures if nobody tells you what they are and you have to work them out for yourself, but nevertheless.

Jean has just returned from his meeting with his lawyer, who has told him, he believes, that he won't be released tomorrow ("ce n'est pas sûr" - "it's not sure"). Jean is pretty upset. I am making him a coffee. It seems he's up on some pretty serious money-laundering charge. Although he's a strange person, I feel sorry for him. There is also some story he is always alluding to about how someone held a gun to someone's neck in France and then a whole load of money arrived in his bank account and he's not guilty of anything and he doesn't know why the money arrived in his bank account and in any event how can he be responsible for someone holding a gun to someone's neck in France, and the only reason he's in prison is because they're looking for the real perpetrator of this crime namely the man with the gun. It's all completely unbelievable. I am so sick of listening to it (and again, the details keep changing) I have to get very strict with him. We are having absolutely no conversations about our cases. I have no opinion upon this unusual fact-pattern he keeps presenting me with, that I wish to express to him. There are no comforting words I can offer him. My speculative inference on the basis of what he has told me (which may well not be reliable) is that the Prosecutor believes that the reason

someone else's money arrived in his bank account after a person held a gun to somebody's throat is because he asked the person to hold a gun to that person's throat with some sort of insistence that a money transfer would happen.

Lack of access to information is an extremely frustrating aspect of imprisonment. You can't read the news you want. Of course everyone is thinking about their case, although I have learned to try to minimise the amount of time I do this, as it's fruitless. You have to learn to let go. Jean is now reading and re-reading his legal papers. There's not value to his doing this. To stay sane, you have to focus upon something else. I've just told Jean I want to know nothing about his matter, and I have insisted he not speak about it with me. I observe the same rule.

The prison is curiously calm today. The first-floor promenade was very early this morning. The second-floor promenade would appear to have been moved from 10am to some time this afternoon, I assume. I observe that these are the only large groups of prisoners who exercise together. The other exercise groups are much smaller. The third floor is perhaps 10 to 15 ladies. They form one exercise group. There are a few groups each of maybe six to eight men. I don't know who they are or in what part of the building they are incarcerated. They might be groups in some sort of isolation, although I wonder what the purpose of isolation might be in this prison beyond the standard level of confinement which is already pretty isolating.

Although I need the exercise, I find the daily promenades very depressing because I can't read or write during that period; and I look around at the people I see next to me and I really feel that I don't want contact with them. I much prefer to sit quietly in my cell, absorbed in my own thoughts and chatting with Jean (albeit to a limited extent with a

gentleman exhibiting the symptoms of logorrhea). I have now persuaded him to talk about politics with me, rather than engage in a monologue tangentially relevant to his unusual business affairs.

The afternoon promenade today was uneventful, save that for the first time I observed some aggressive incidents between inmates. Their dispute seemed rather trivial - for example, who got to go through the door to the exercise yard first. One of them is hugely tall and fat. He is in atrociously bad physical shape, the fat over his pectoral muscles hanging down almost to his stomach. His stomach is huge, as is his backside. He always wears the same clothes: a white shirt that is so tight it exposes his flesh between the buttons; and a pair of bluejeans that hang down revealing his backside (he seems not to wear any underwear under them). He sings to himself all the time, smoking rolled-up cigarettes, and no other prisoners ever talk to him. He has crossed eyes. Jean told me that he had murdered his mother, although I do not see how Jean could know that. The prisoner with whom he had an altercation is about six foot three, wiry, muscular and he looks incredibly dangerous. This prisoner asked me to advise him on his legal issues. I saw that he had slit somebody's throat and threatened to throw their corpse into the river in Geneva. What was interesting about these gentlemen's interaction was that in their dispute as to who was to go through the door to the exercise yard, one would have imagined that the wiry, muscular throat-slitter would obviously have prevailed. But I was wrong. The corpulent mother-murderer prevailed. Upon the first shove from the throat-slitter, this huge man, who could not possibly be more physically out of shape, just shoved the throat-slitter back with a massive push and said "if you want to kill me, or stab me, come here and kill me and let's see." (That is an inaccurate translation into English of the rough words he used in French.) The other prisoners then got in front of the throat-slitter, I sensed to protect him from the mother-murderer.

It was remarkable to see a very large, strong, tough, wiry, violent man casually barged across the corridor by this human wreck of a man. I came to realise that a lot of it was psychology. Whereas the throat-slitting man was wired up with adrenalin and fear about the situation, the mother-murderer was not. He pushed the guy casually. There seemed to be no adrenalin going through his body. He was barely flustered. The mother-murderer disappeared from the Second Floor North shortly after that. Then he reappeared again. Then he disappeared again. I think he was very seriously mentally ill (although the throat-slitter was also seriously mentally ill; he showed me court papers indicating that he had been in the prison psychiatric hospital for some time).

The subject-matter of the dispute was also unusual: who gets to go through the barred gate at the end of the cell ward corridor first, to have the privilege of going through the x-ray machine before going down the stairs to the exercise yard. [In fact I was always one of the first people through that door. Whether through natural self-confidence or because I was treated by the other prisoners as a VIP, I just walked past and through all the violent criminals and went straight to the front of the scrum, standing right in front of the barred gate, and nobody stopped me.) I suppose humans are just destined to find disputes with one-another about something, if you place them in too close proximity. It is now the ladies' promenade (4pm), and some of the gentlemen on my floor seem determined to celebrate this by running what I imagine to be cutlery up and down the window bars of their cells. There is an express prison rule instructing inmates not to make noise out of their cell windows. My preference would be that this rule is enforced as a higher priority than some of the sillier rules in here that appear not to be written down anywhere.

One of the great infuriation of being imprisoned is that you don't know when your daily exercise time will take place. You don't know if or when your lawyers, or any other visitors, will arrive. You don't know when any delivery you might be expecting will arrive. You are left guessing all the time. Prison involves relentless hours of boredom, suddenly punctuated by complete surprise. For someone used to having broad control over their own time, it is profoundly disorientating.

As an example of the small things that occupy one in prison, I never normally watch television but in prison I leave it on virtually all day. Jean and I have developed an etiquette for switching between French and English channels. (It is about 75% French, because he does not speak any English and France 24, in French, is often better in French, is often better for general news than the two English channels, BBC and CNN.) Dos Santos and I didn't generally want the television on at all. He didn't like watching the news, and the only European language he spoke relatively well was English. And the only English language channels are news. When I arrived in prison, and I was distressed and I could not sleep, I wanted the television on a lot and he insisted it was quiet that you could barely hear it. Now Jean tends to watch the television all night, which thankfully does not bother me: not nearly so much as the nightly exercise in banging, smashing and moving around furniture that seems to be involved in other cells.

It is of course impossible to move around any furniture: it's all screwed down to the floor apart from two plastic stools, so I can't imagine what on earth my neighbours are doing that replicates the sound of moving furniture. I've started to get on well with Jean after a few days. I explained that I didn't like to talk quite as much as he does; that my writing is cathartic, so he should leave me when he sees me writing; we've learned we have a passion in common: chess; I talk to him when he is nervous, and after a few odd incidents we've learned to trust

one-another some more. He's basically a nice guy, and it seems very harsh that he is in this prison at the age of 65. It is not for me to judge whatever he may or may not have done. He's personally clean, and he's kind enough, and I could do a lot worse than share a cell with him. We are considerate to one-another, helping each other with small things. He helped fold smart shirts this afternoon, something I have no idea how to do and I rely upon Elena for. One of the good things about being in prison is that it reaches you to create relationships with people you would never normally interact with. Perhaps it teaches the virtue of tolerance and being considerate for others.

Or, at the least, I am learning more about these virtues. I don't suppose everyone in this prison is learning these virtues. I don't suppose everyone in this prison is learning these virtues. There's some more furniture being moved around next door. Now the guards are shouting about something outside, in the corridor. Although I am taking all these detailed notes - and perhaps they are detailed to a fault, but I do want to record my exceptions experiences in here - another thing you learn to do in prison is studiously to ignore a lot of the things that are going on. Some sounds and sights just look like trouble, and you don't wait around to see what's going on. I repeat my observation that I am sure many of the problems that take place in prison are the outcome of an absence of stimulation. If prison is intended to reform, I am not sure how denying people sensory stimulation, to the extent that they start causing any sort of trouble that they can, assist this goal.

If people have to be imprisoned, why aren't there classes of people where they can learn things? Why aren't there gymnastic classes for people to get fit? Why isn't there easier access to doctors, books, newspapers, magazines, videos, computers, languages classes (a good proportion of

the inmates - maybe 10-20% - don't speak French), and all the other things that might help improve prisoners? Some of these violent types might find their violent urges restrained if they were stimulated in other ways.

I think Jean is learning English from me. If I ask him if he wants a hot chocolate (we only speak in French), he now replies (in English) "yes". I think this is his first word of English at the age of 65. While we were listening to the shouters, bangers and furniture-movers a few moments ago, he said to me "Qu'est-ce que je vais dire? [translation: "what am I going to say?"] Shut up you?" ("Shut up you, he said in English). He's getting fluent.

Jean has asked my advice about what he should wear to his hearing tomorrow. He has proposed a jet black shirt, black jeans, and a belt with a large cowboy-style buckle, and wearing a sleeveless black fleece on top of the black shirt. The fleece seems particularly strange; it is about 30 degrees or more in the cell and even hotter in the prison van that will take him to his hearing. He seems to think that the fleece will somehow make him look more respectable. I am very strict with him at this stage. I tell him that black is the colour of criminals and he should not wear any of these things. He should wear a shirt that is any colour but black, and any trousers that are not jeans. He should not wear the fleece. Dressed in his proposed outfit for the Prosecutor's office, at the age of 65 and with a white moustache and penetrating eyes, Jean looks like the kind of person who might come up to you at a strip club after you'd become too intimate with the girls and quietly warn you that if you didn't change your behaviour immediately, the next thing that would happen is that a group of men who are seven feet tall would take you outside to the back yard and beat you to a pulp. I advised him on any shirt except black, and not jeans. He agreed to take my advice. I also gave him the best legal advice I could, knowing

nothing about his case. I said “look polite and respectful. You are an old man. Look confused. Speak slowly. Listen to the question. Look for hidden questions. Ask to look at the relevant documents. Then, when you decide to answer the question, answer only the question asked. Then stop talking.” He was ecstatic with this advice, and we shared a cigarette together.

9.45pm. The door-banger and furniture-movers are in full swing tonight. I wonder whether this might be something to do with the fact that this is the Holy Month of Ramadan and dusk has just fallen. But there would appear to be several, or even many, inmates screaming incomprehensibly across the courtyard in between their efforts in moving furniture. Jean is sleeping like a bay. I am taking advantage of this to overdose on CNN-Trump-Kim coverage. And now an absurd observation, but I will mention it because I have been cogitating for days. Although the wardens carry large bunches of keys, one key is bigger than all the others. And it seems that they usually use this key. Certainly I have established from observation that the same key opens all cell doors on my wing. It would seem a very simple key for a single-barrelled lock. This is not a very high security prison in truth, if I am right. I don't know whether the same key opens all other doors (e.g. between wings, or to the staircase) but it may do. I think this prison was designed at least 30 years ago; some of the regulations are from the 1980's. My cell block is not older than the 1960's though at the earliest, and could date from the 1980's.

On the other hand, on the other side of the exercise yard is some other cell block that does not appear to be more than 10 years old. It appears a lot more modern. I don't know who has the fortune to be in that prison block. [Note: I subsequently learned that this is in fact an adjacent prison, only for Swiss citizens and only for persons who are serving post-sentence periods of incarceration: see Chapter Two

above.] The cells on the south wing of my prison block have as many as six inmates per cell, whereas the cells in the north wing (my wing) have one to three inmates per cell. Not all inmates in my block are in provisional detention. After you have been sentenced, you can remain incarcerated in Champ Dillon as long as your period of further incarceration is a maximum of three months, according to the rules. I have met several inmates who are serving final three-month stretches, so that would seem to be standard practice. [Note: this practice is explained further in Chapter Two above.]

If you are sentenced to a period of incarceration without having first being provisionally detained, then you go to the less brutal prison and I am told you can even choose your start date, which sounds very civilised. You just show up at your convenience and go to prison. My prison does not afford that luxury: you show up in a police van. I don't even really know where it is: seemingly in a field southeast of the city, somewhere near France. The other curiosity is that I have not met a single Swiss person in this prison. I wonder whether foreigners - typically violent - come to this prison, whereas Swiss people come to the "choose your start date" prison. [Note: this was subsequently confirmed to be the case; see Chapter Two above.]

If prison is intended to reform, I am not sure how enforced idleness assists, punctuated only by listening to the movement of furniture and continued window-yelling. I must say that yelling from windows is particularly un-Swiss.

Day 15, Wednesday 13 June 2018. 6.45am. Jean has been chain smoking the cigarettes Elena bought for us all night. The cell stinks of nicotine. I doubt he's had much sleep. He has decided to ignore almost completely my sartorial advice. He is wearing a dark grey shirt, black jeans, and the black sleeveless fleece. I remind him of my advice. This is not

a person you can teach to act innocently. He looks like he is guilty of things. All lawyers know this look. The best you can do with such a person is to teach them not to say too much. The guard opens the door at 7am, and off he goes.

Approximately 9.50am. I had an unexpected appointment with "social services" this morning, being called from my cell just before 9am. Like most appointments here, it appeared compulsory and hence I attended. An agreeable, sympathetic man met me and showed me my records on the prison computer. The system seems very well-organised here, in a typically efficient Swiss fashion. He said he had asked to see me as a routine matter, giving me some forms and explaining some procedures. He explained that they try to see everyone within the first two weeks. The most interesting part of the discussion was that we discussed the psychological problems we agreed many prisoners have here. I asked him whether people here arrive disturbed, or whether it makes them disturbed being in here. He sighed and said he'd asked himself that question many times. He encouraged me to finish and publish my prison diaries once I am free, which I appreciated. I think he believes that people ought to know what goes on in here.

Upon my return to my cell, I observed the first floor in the exercise yard. Dos Santos was walking around with two other men, which I thought was a good thing: his morale might be presumed to be better. Before, when he had just arrived, he would just sit on a bench during the exercise period. Anyway, I am pleased he is looking better.

The social service gentleman indicated on his computer screen that Elena has been approved for visits, but nobody else has. My lawyers mentioned that my mother had applied for approval - they mentioned that at our early morning meeting on 7 June 2018.

Jean is at his hearing. The cell is peaceful without him, and I can watch CNN all morning until he is back. This is a little luxury, again of the kind one very much appreciates when in prison.

We just finished the daily promenade (today 10.15 - 11.15am) and a couple of new things have emerged. Firstly, I have promised Leo (the “running team” member who said he was from Kosovo, but if he is then he is a Kosovar Serb because his Serbo-Croat is native) that when I am free I will give him my “FILA” t-shirt and sweatpants that Elena had delivered to me, once I am freed. He asked, and I agreed. [Note: this is the only promise I made in prison that I did not keep. I didn’t really like Leo; he occurred to me as aggressive and dangerous.] He says he is in here for a couple of years. Secondly, a group of Arab-origin inmates approaches me and asked me to speak to the Commission of Visitors about their complaints. I agreed, if the Commission of Visitors sees me tomorrow when they visit. (As already recorded, I have a feeling that they won’t, despite my having asked orally and in writing to meet them.) [Note: I never did get to see them, as recorded above.]

Their complaints, in essence, are: (1) this prison is disgusting and inadequate for purpose; (2) 23-hour lockdown is inappropriate for non-violent prisoners; (3) even when you ask, you do not get to see a priest; (4) there is no breakfast; (5) there is no access to gymnastic facilities - even though there are gym rooms, you can’t use them; (6) it is extremely difficult to see a doctor; (7) there is not enough food to prevent you from going hungry; (8) if you don’t have any money then you can’t keep yourself clean because you get only one small bar of soap and one tiny tube of toothpaste once every two months; (9) the prison is understaffed; (10) there are

insufficient recreation facilities. I have to say that I agree with all these criticisms.

It is now 11.30am and I have just taken my lunch. I again asked the prison guards to inscribe me to see the Commission of Visitors tomorrow, as per the Commission's letter of 1 June 2018 giving me that right. They said they had no idea how to do that, and said I should write. I said I had written. They said well then that will have gone to the Commission, and they decide who they will see. I said actually all prisoners have the right to see them, according to their letter, so could they please inscribe me - and if they didn't know how, then could they please ask. They agreed to ask. In any event, it is now three times I have asked; I have written; the letter was sent back; then I sent it again. If I don't meet the Commission tomorrow, I will write to them complaining and also setting out the fellow prisoners' complaints and my own observations. [Note: I never actually wrote to complain, even though the Commission never saw me. I was released a week after their visit and then I forgot all about it, as it were.]

My personal sense is that this is a terrible institution staffed, for the most part, by people who are doing their best but who know full well that the facilities here are inadequate and are afraid of criticism. But Geneva must do better, or it must stop locking so many people up.

One observation will make now is that in the criminal justice system as I have experienced it in Geneva, there is insufficient discretion or common sense. Everything has a procedure and it must be followed even if it's obviously not the best thing to do. It's like the use of handcuffs when detained people are transported. There's no discretion. The Police handcuff you behind your back whereas prison transport staff handcuff you in front. There seems no assessment of security risk whatsoever: does this person need to be restrained at all?

Perhaps this is a trivial example, but it may be illustrative of a mentality that results in failures to treat prisoners (the vast majority of whom have not been found guilty of anything, or even charged with anything - they are just under investigation) with the requisite level of care and dignity.

I'm not thinking much about myself here. My complaints about not receiving the right pharmaceutical regimen were resolved rapidly. It might be hyperbole to say it, but in comparison to most prisoners, because I have money and perhaps because I have the best lawyers money can buy, political capital and I am the only white-collar criminal suspect (I hesitate to say defendant but I have not been charged with anything) [Note: at the time of finishing this manuscript in July 2018 I had still not been charged with anything], I live like a lord in here. That is mostly due to the boxes of groceries Elena has had delivered to me. But if I had no money, and no Elena, then I might be broken to the same degree as all these all poor souls.

It is 12.35pm, and some banging has started earlier than is typical. (Banging is usually an evening activity.) This particular species of banging I recognise, having become something of a connoisseur. This sort of banging is created by forcibly closing the metal door over the window grate, again and again. This action generates an apparently satisfying dull metallic thud, as though a large metal hammer were being used to bear out a sheet of metal. Nevertheless I am resisting the temptation to participate in this xylophone of excitement so far.

1.50pm. Someone just asked me for something in the shower, gesticulating towards his mouth. I imagined that he might be asking for something to eat; it was pleading rather than hostile or aggressive. I could not understand and he looked regretful, stepping out of the way. When I came out of

the shower, Leo has hammering on Tony's door pretending to be a woman who wanted to see him, shouting in Serbian. This made me laugh: it is classic silly Serbian humour. The Mongolian guy from the running club shares a cell with Leo. Neither Leo nor he speak French; I talk to both of them in English. It would seem prisoners are grouped together by language and possibly by ethnicity, although I am not sure about this. African prisoners tend to share cells together, and the other name on Tony's prison door (all our names are on small paper slips on the doors) is a Balkan name, as is Tony's name.

About the only time you get to stand in the corridor of your wing without a prison guard in your presence is after you've finished your shower. You emerge from the tower room and the corridor is completely empty. I then go and stand by my door in an upright military-style posture until a guard comes to let me into my cell, although other inmates seem to like to take this opportunity to galavant up and down the corridor, banging on other inmates' doors and the like. One thing Leo said to me in the corridor (in between pretending to be a Serbian girl) was the "the old man" (by which he meant Jean) "is a really good guy". It seems that Jean is very popular in here, for reasons I find completely unfathomable. I don't understand how anybody can become popular in here, except with your own cellmate. You don't spend enough time with anybody to become popular.

Life in this prison is as though lived through a series of glimpses into sociable situations, like showers or promenades or the exercise in collecting one's meal twice a day (which in each case lasts about one minute); otherwise it is 99% solitude (or passing time with just one other person, in my case Jean). I'm wondering what it's going to be like, once out, suddenly to spend all day talking to people. Will I have become quieter? More gregarious? I don't really know what effect being in here will have upon my personality. [Note: the answer is, almost

none, save for the post-traumatic stress disorder I suffered once I was released; and the fact that I acquired a common touch, being more able to talk to anyone about anything.]

Being in here has taught me routine, but I've had that before when working with the military. Routine per se is not unpleasant. The reasons this is so much more unpleasant than working with military people are: (1) military people are generally a decent lot, well-intentioned and for the most part not criminals; (2) you're all focused upon a common task, so even if conditions are hard or you don't have too much to say to one-another you have a sense of being together for the same reason; and (3) officer classes are often intelligent and articulate (and military strategy requires the application of intellect), so there is more intellectual stimulation (at least in the peacekeeping sorts of role that have provided the context in which I have interacted with the military).

2.30pm: Jean has just returned to his cell. The Prosecutor ordered his release at his hearing this morning. He has come back to the cell to collect his belongings. He has been given a penal ordinance (a summary prosecutor's conviction) for extortion and money-laundering, and he is free. [Note: after I left prison and called him, he told me that all his bank accounts had been frozen. I suggested we meet for a meal; he agreed; then he suddenly changed his mind. I doubt I shall ever see him again.] I am delighted for him, of course, but I am scared to death of being in this cell on my own. He is incredibly jolly. I can't stand it and this is a very difficult moment for me. It is silly to feel jealous in such a situation, and that is not how I feel, I believe: it is rather that I am afraid of being alone. He is now watching a few final minutes of France 24, to which he remains glued even though he is about to be released. Some people really love the television. Personally, I cannot stand it save as a voice in the background in the context of doing something else. Being imprisoned is possibly

the first time I have watched the television since I was in my teens. (I am now 42.)

4.50pm: Jean has just left. The cell feels empty. Elena has ordered another massive delivery of food that has just arrived to the cell. There is far more here than I can eat. Elena has ordered more cigarettes for Jean, but Jean has gone. I must keep up morale, Jean has left his food and washing utensils, but mysteriously he has taken a broken mug that Elena bought for him (and that he broke falling out of bed one night). The cell is packed with different things.

6.50pm: A new inmate has just joined me in the cell. He is a young African man, 22 years old. It is his first time in prison. He is from Nigeria. He says he hasn't eaten for two days, so he is eating copious amounts now. He just asked me if he can drink alcohol in here. I told him no. Now I feel like a veteran of this place. I am telling him how things work here. His name is Evans. He seems pretty calm and wise. He is already trying to keep the cell tidy. Whereas Jean took his cigarette lighters with him, Evans has just found a lighter in the pocket of some of his clothes. He says that the Police took him home so he could get some clothes for prison, after he was arrested. I did not have that privilege when I was arrested. I arrived at the prison with nothing except my suit. Evans says he was arrested in the street at 3pm yesterday. It took him a long time to get to the prison.

Curiously, Evans says he is from Delta, the same part of Nigeria as Dos Santos. Evans is rather a polite young man. He has started to tell me his story. He went over from Libya to Italy on one of these boats stuffed with people, that sinks. He said that as soon as you get on one of these boats, you do not know whether you are going to make it off the boat alive and you immediately realise that you are risking your life. Essentially that is why he is so calm upon his first arrival in

prison. He's a lot calmer than I am - but then in being allowed to collect some of his clothes, he had something of an easier ride than I did. He's been arrested for ... I shan't say, but suffice it to remark that it is something for which I imagine a lot of young black men may be arrested in this city. I asked him to tell me nothing about it, as I always do with fellow inmates now. I say that I don't want to become a witness in their cases.

I say that I don't want to become a witness in their cases. He says he's been told he'll have to spend a month or two in here. Evans is quite and has a very philosophical temperament. He says I look stressed. He's right. Again, this is an experience for me in realising I don't know what life is about. I've never been on one of those boats that sink, crossing the Mediterranean.

On the morning of Thursday 14 June, my lawyers Marc Henzelin and his associate Noémie came to see me in the prison. They told me exactly what I had to say. Marc more or less delivered the lines of a speech. I am a good actor, but I needed my lines. To my surprise (this would not work in any legal system I was familiar with), he told me that I had to apologise to everyone. He said that I had to adopt the Roman Catholic tradition of the confessional, reaching my lowest moment and apologising to the complaining parties; to the prosecutor; to my former colleagues; to the Swiss legal profession; to the Swiss authorities: you name it, I was to apologise to them. And I was to thank them. I was to thank the Prosecutor for sending me to prison, because it had done me so much good. It had caught me mid-stream in a period of unreality, where due to financial, personal and family pressures I was no longer thinking in factual or legal reality. Prison had brought me to a halt, and I was grateful I had been sent to prison because this would assist the complaining parties in rebutting the totally unjustifiable allegations I had made against them. I would be willing to undergo regular

psychiatric treatment. I would write letters apologising and retracting. I would do everything I could to reverse the damage caused by my actions. And I was fortunate to have Elena and my two children waiting for me outside the prison. I was to leave everyone in the room on the edge of tears.

I was told that the lawyer for the main complainant had agreed that his client would withdraw the criminal complaint if I said all these things. So it was to be.

10.00am, Thursday 14 June (day 16). Evans has been telling me about his journey from southern Nigeria to Italy. Basically it goes as follows. You drive from Nigeria up north, to Niger where you will show your passport at the border. Then from Niger you go north to the Libyan coast. This is a drive entirely through the desert, and it can take anything between one and three weeks. This is very difficult. The road goes on forever. People die during the drive, or they kill one-another because they don't have enough food. You see nobody during the drive. When you arrive on the Libyan coast, it's very dangerous and deadly. Everyone has guns. People, including the Police, can shoot you at any time. You can't walk with women or children or you may be shot. You must be covered at all times (long sleeves, long trousers) or you may be shot. Then you get on a boat. I didn't understand exactly how this works before, but in Evans's words it is "deadly". (It seems he has had a lot of deadly experiences in his life.) There are different ports you can depart from in Libya. Evans mentioned three points: Tripoli, Zuwarah and a third one that I could not subsequently identify.

Basically there are safer or less safe boats and ports. Evans paid US\$200 for his boat. Of course the more you pay, the safer the boat. For US\$200, he got a boat with 500 people and they were at sea for a day. Now here is the bit I didn't understand before. These boats never actually reach Italy. Italy

only allows boats to berth that have Italian flags. Therefore you have to wait until (a) you are “rescued” by an Italian-flagged vessel; (b) you sink; or (c) you starve to death. The system of boats is rather arbitrary. I suggested to Evans that the more money you pay, the better a boat you get (particularly as regards the most important feature of the boat - its being “found” and “rescued” by an Italian-flagged vessel). But he remarked that it is not as simple as that. Some people on the vessel had paid zero, because someone had “helped” them. He suggested that these people would be going to work in Italy (I assume forced work?). Other had paid as much as EUR400 to be on the same boat as him. Basically these people-trafficking types charge you as much as they think you can pay.

Evans waited one day before he was “rescued”, which he thought was pretty good. He says that whereas the Libyans are very rough with you (basically, he intimidated that they don’t care whether you live or die), the Italians are very civilised with you. They process you, give you an identity card, and then they let you go. Evans is incredibly polite and considerate, tell me he took a piece of my bread while I was washing. I am not sure whether he can read and write. I showed him my first book, “Free City”, and he only looked at the cover. He did not open it. But I am impressed by the optimism and buoyancy with which he approaches his life and his situation. His bottom line is that he’s seen a lot worse. He’s an intelligent, good-natured fellow, and I would say remarkably unscarred by his life experiences. I told him that being in here is safe; you will be fed; it’s just incredibly boring. He laughed.

I was right to suspect that Evans had not slept for a long time. He’s sleeping all the time.

Evans has been telling me more about this boat trip. So here’s how it goes. When you’re ready in Tripoli, you go to this

prison with 40 to 50 people in a cell- You wait there until the weather is good for a “voyage”. This may be a few days to a week. There’s not much food available when you’re in this prison, and at that point there’s no way back. When it’s time to sail, you sail at Midnight for some reason (presumably to avoid Libyan militias or Police vessels). Nothing at all is allowed on the boat except people: no personal belongings, no food, no water. So while you’re waiting to be rescued, people are just dying all around you. I said “I would have expected better service for a US\$200 ticket.” We laughed. Evans is the nicest of the three cellmates I have had so far, I think principally because he is intelligent, not too talkative, and he has a good sense of humour. He has worn life’s travails well. He lifts my soul. Compared to what he has been through, I have no grounds to complain about anything.

Some more details from Evans have emerged about this boat journey. Basically it is chaotic and there are no fixed rules. There are routes from Morocco to the western side of Spain (not the southern side). He admitted however that it becomes very dangerous if you don’t have money: your boat is a lot more likely not to get rescued. I guess if you can only pay small money, you have bought yourself a ticket to your own grave. But you can’t stay in Libya, or you will be killed fairly quickly. Do not arrive on the coast of Libya without enough money, or you will have some problems. Unfortunately the people who drive you to Tripoli tell you can get work there. Don’t believe them.

Evans has been telling me some more about the drive across the desert from Niger to the Libyan coast. If anything, this sounds ever more dangerous than the boat trip. If you are lucky, you are in the back of a pick-up truck (which is what he did) with a bunch of people. You are not actually driving on a “road”. You are driving over sand dunes, for days. Your driver may get lost. This is problematic, because then you will run out

of fuel. Then you will eat all your food and drink all your water, while waiting for another vehicle to pass, which it won't. And then you will die.

In Evans's words, "the borders don't matter". For whatever reason, people drive through the desert sands rather than along the prescribed roads. The authorities don't stop you as long as you have a passport (which he did / does). Evans found a TV programme on cable television, that he is showing to me. Basically this desert is just flat sand in every direction for as far as you can see. There are vehicle tracks that you can follow, but they might just stop or diverge. It seems to me that you need a very good GPS to undertake this drive. Ideally you need detailed maps of the Sahel programmed into your GPS, and I have a feeling that there aren't any of those maps. Presumably there's no mobile telephone coverage there either. If something goes wrong, you are going to end up as a skeleton with your bones stuck in the sand. (There are lots of images of bones sticking out of the sand on this television programme, and watching it seems to make Evans sad or melancholy.)

2.45pm. I have just finished the daily promenade. About 45 minutes through the hour, two inmates (I think both of Arab origin) decided to have a fight. It wasn't too serious: a couple of punches and then people separated them and then it descended into shouting and posturing. But what was interesting was the reaction of the guards. The two guards on duty didn't move. There was a delay of one to two minutes while a group of guards assembled behind a metal fence. Then they all emerged simultaneously from doors / gates in the metal fence to round up the offenders. I was trying to count the number of guards. I could not, because there were so many; it was at least 20. They took away the more violent guy first - without touching him, through sheer force of numbers. (He had perhaps 10 to 15 guards around him; he was done.)

Then they took away the other guy. This created a roaring laugh and cheers amongst the other inmates, both those in the yard and those watching from the windows.

There was a celebratory, carnival atmosphere. Everyone was cheering and laughing, I have to confess including me. People fighting is not normally a matter for humour, but small things in this stimulus-free environment snap tension like a knife cutting through butter. We were all roaring with laughter.

A number of things occurred to me as I reflected upon this incident. Firstly, the guards managed to deal with this incident between two men - both of whom in my assessment were violent, and one of whom was extremely violent (the one they took first), without themselves using any violence. Both men were escorted away without a finger being laid upon them. The guards were well-organised. I am sure that in a British or US prison, these prisoners would have received an immediate beating and/or taser. Secondly, I can only assume that the reason the guards had a one to two minute delay in reaction was because they assessed that this was not a situation requiring immediate action. If these men had really been determined to hurt one-another, one of them could have been dead within one to two minutes. I very much hope the guards have a procedure with a quicker reaction time for more urgent crisis.

I was chatting with Tony in the shower room. He told me something important: you must always smile in here, try to laugh, and exercise your mind so you don't lose control. Then the guards came and she started to have some strange argument with them about "the girls" that I didn't understand. So I left. There are a lot of people arguing over nothing in here. When the bins were emptied this afternoon ("poubelle" - I was told that the man who empties the poubelles received six years

for beating up a prosecutor but I have no idea whether this is true and given the prison regulations that this is a remand prison also for people serving the last three months of sentences, it could not be true unless what they meant was that after beating up a prosecutor he had been in this prison on remand for six years pending a trial that was never going to happen), the guard was having an extended shouting match with someone in the adjacent cell. What is there to shout about when it comes to emptying the bins, I do not know. The cell door opens; you empty your bin into a larger bin held by the prosecutor-beater; you are given a new plastic bag to place in your bin; door closes. This is a 10-second operation and no shouting is needed.

Sometimes I think humans just have certain predispositions. Talking and arguing are two of them. There are basic human drives. If you want to talk and argue over North Korea, then you're a President. If you want to talk and argue over poubelle, then you're an inmate. It doesn't much matter which you are. There's probably not a huge level of intellectual difference between the two. The quality of the debate I observed about poubelle seemed about the same as that of the TV news coverage about North Korea.

Evans has chosen to put on a French drama series about being in prison. I have insisted that we change the channel. I would rather watch the opening ceremony of the Russian World Cup (repeat ad nauseam on all channels) than watch a prison drama while I am myself in prison.

The mighty banging has started, but it is louder than usual. It would appear that every time Russia scores against Saudi Arabia in the first World Cup game (three times so far), there needs to be an extremely large amount of banging. In the meantime, Evans has fallen asleep again. That guy is tired. He can't have slept for several days. It's terribly important to

spend time with people whose lives aren't like yours. It gives you a sense of perspective, compassion and sympathy.

Evans has been telling me about his life after he arrived in Europe. In Italy he begged. He made about 10 Euros a day. So he came to Geneva by train. Then he started ... selling something else. He saw no Judge before he was imprisoned, and he has no piece of paper confirming the period for which he is incarcerated. He has just been told "one or two months". That is consistent with what Dos Santos told me, namely that only people with European passports get to see Judges. Africans without European passports get thrown in prison without any papers, and are just released after a while on some arbitrary basis. If that is really the practice, then it is unsatisfactory and some sort of reform is needed.

Evans says that there is no practical work for Africans here, apart from what he was doing. Nobody will help you get a job or do anything to help you. It's all a mess. It would seem the Swiss have no idea what to do with these guys. Evans is obviously far less "in the system" than Dos Santos, but the basic problem is that this is a career route you can't get out of if you stay in Switzerland as an African.

I wonder whether I will forget about all these people, once I am out. I have a slightly guilty feeling that I will. [Note: I wrote to Dos Santos and Evans after I was released. I did not see Jean again.] And maybe it's for the best that I forget about the individuals. But the broader problem could hereafter be neglected only with great affront to the conscience. Prison seems to me a dumping ground for the people society doesn't know how to deal with, or doesn't want to think how to deal with. It's enormously expensive, completely stupid, and is principally an exercise in making criminals into better criminals. The three grounds for pre-trial detention in Swiss law - risks of (a) collusion (b) recidivism (c) flight - could potentially apply to

just about anybody at all who is being investigated for (not charged with) anything. These legal tests are used as though they are just on-off switches, satisfied or not. But doesn't everyone have a risk of everything? And it's all so illogical. There is an Englishman in the prison, here for two weeks after he had a fight while drunk. His grounds for pre-trial detention were risk of flight (but he will receive a deportation order anyway, according to his lawyer); and risk of recidivism (he might start another drunk fight? Conceivable but an unquantifiable risk). I think the pre-trial detention system here is a bit more like summary justice than actually preventing the public from the risk of harm by violent, dangerous individuals by immediately incarcerating them.

Remand (denial of bail) should only be used against people facing really long sentences where there is compelling evidence of their guilt. All Swiss sentences of 18 months or less are commuted to a suspended sentence anyway. Most offences are dealt with in that way. This reinforces the notion of preventative detention as a form of summary punishment prior to conviction. I say nothing about my own case in this regard; it is an observation solely upon the way the Swiss criminal justice system might be regarded as treating others who I observe in here to interact with it. Were this criticism found legitimate and acted upon by the judicial authorities, it might be result in a vast reduction in the number of persons being incarcerated in what, in my opinion, is a largely crime-free society. (Geneva has hardly any murders and it is very rarely that I have witnessed any violent crime or burglaries, particularly compared to other cities where I have lived.) One problem is that due to Switzerland's near-unique confederal government structure, the law is peculiarly frozen in time: it is a civil code system, with relatively little formal judicial discretion, but the sclerotic legislative process renders it very hard to amend the codes in question (in this case the Code of Criminal

Procedure). Hence everyone starts to bend the rules in practice, often out of all recognition.

It is approximately 10.00pm and I cannot sleep. Evans is watching some US movie dubbed into German, and singing along to Whitney Houston's "And I will always love you". This from the guy who smiled as he said "the desert crossing can be deadly, because people have no food and they will kill you". He knows the meaning of staring death in the face, in a way I barely do (perhaps a couple of flights with me as pilot in dodgy weather is as close as I ever got). Yet he faces life with politeness, consideration for others and an optimistic laugh. I am going to remember his meaning of the word "deadly". It means "you can be dead, and you know it at all times". I will never use the word "deadly" as hyperbole again.

As an aside, Evans told me that you must not live in Lagos "or you will be dead". He was absolutely serious, but he said it in an absolutely matter-of-fact way. Basically, if you are born in a country like Nigeria then your own death is something you simply have to accept as a realistic possibility on a daily basis. We in the west; we do not know we are born.

Friday 15 June 2018, day 17. I have just been returned from a surprise medical appointment. I met a psychiatrist after two and a half weeks of asking. The appointment was at 9.10am. He was a nice man, but his English was not good enough for a psychiatric consultation. He gave me some more Xanax, to calm me down for the hearing I have this afternoon, even though I said I had plenty. The appointment lasted 10 minutes, during which he just took some personal details. There was a one-hour wait in a holding cell afterwards, with a bunch of really rough types, because there was a fight on the North Wing. The main disadvantage to me of this episode was the period in the holding cell, which became increasingly filled with people with psychotic eyes as we were pushed ever

closer together and the temperature started to increase, both literally and figuratively. Then the Italian-Argentine man showed up with a discussion of his international organisation and a monologue in Spanish, just to add aural agony to unwanted physical intimacy. Several of the men, realising they were missing their daily exercise hour by virtue of the delay in being locked in this cell, started screaming, banging, hammering on the door, the cell windows and calling the emergency buzzer. Whenever a guard opened the door, these men formed a scrum around the cell door like people queuing for the last bus out of Freetown in May 1997.

The net result is that I missed the daily one-hour period in the exercise yard, that today started at 10.15am. I took this rather philosophically, as it meant I could watch the news on the television rather than be subjected to Evans's diet of documentaries-cum-dramas about police and prisons. But the other prisoners went insane, screaming at the prison guards (I couldn't help thinking this was a flawed approach to interactions with prison guards). One of the protesting even tried to stop the guard from closing the cell once he was inside it - difficult, as the door is made of several inches of solid steel, and they open outwards. So if an inmate and a prison guard of approximately equal strength are fighting to keep a door open or closed, I believe physics predicts the person inside the cell is going to lose this battle of strength. Then there is the usual hollering and banging when the recalcitrant inmate is finally secured in his cell and realises that he is not getting his exercise that day: the matter is closed. I did ask one of the prison guards: "why are they so upset?". He said that their daily hour of exercise is very important to them. For me, the daily hour of exercise was a necessary torture.

11.45am. I am taken from my cell to the prison van to the Prosecutor's Office. All my papers were taken away by the guard on my floor who was escorting me to the prison van (he

was French, not Swiss, at least principally; I could tell from the way he spoke French), so the notes I had prepared for the hearing were not available to me. At this point I panicked, and I told the guard he must give me my papers back as it was my right to have them in the hearing. At this point he radioed for some other guard, who arrived with black latex gloves on and eyes that said “are you insane? If you don’t stop this then I am going to have to beat you”. I then apologised repeatedly to the first guard and I told him the truth: I was having a panic attack because I find being in the prison van claustrophobic. At this point the guard became very sympathetic. He switched into English, and he said “the best advice I can give you now is not to think of it while you are in the van. Think of something else. Think of being on the beach. Think of anything else. Close your eyes, and good luck.” That is actually what I did. This prison guard was kind. I took his advice, both in this trip in a prison van and in my final trip in a prison van back from the hearing I was taken to after it was over.

The prison van took about 30 minutes to get to the Prosecutor’s Office, the van stopping via the Tribunal des mesures de contrainte to collect or drop off somebody. I must have arrived at the Prosecutor’s Office at approximately 12.30pm. I had to wait in a cell with an Algerian man. I spent at least an hour and a half in this holding cell under the Prosecutor’s Office. This was a very bad time. I wore my suit, pressed using Jean’s methods, and my expensive shoes. I also had a tailored shirt, but no tie (remember: ties are a hanging risk) and also no cufflinks. (All my shirts are French cuffed but Elena had not been able to deliver me cufflinks in prison.) There was nothing to do except pace up and down, or talk to the Algerian man who was both visibly stressed and very aggressive, and spoke French from the gutter. I could barely understand what he said. He kept pressing the emergency button demanding a drink, something I knew would be fruitless. The drink was from the tap in the holding cell. This

holding cell, from the inside, appeared to have the quality of a single piece of sealed concrete-cum-steel. The wall turned into the beds (there were two beds with plastic-covered foam mattresses but no sheets, pillows or anything similar) turned into a sink with a tap that released cold water when you pressed it but then de-released itself (so you could not leave it running - a bit like a tap in the toilet of a pub full of drunk people) that turned into a steel lavatory with no lavatory paper, no lavatory cover and no lavatory seat. And there was nothing to do except talk to this disturbed man, which I tried. The only things I learned about him were that his hearing would be at 4pm (entailing three and a half hours for him in this cell); he was a mechanic in Meyrin; and he had a wife and child. The Algerian man lay down on one of the beds while he and I had a rudimentary conversation. I tried lying down on the other bed, but I wasn't tired. I was nervous so sleep was impossible. Also, lying down on a plastic / foam mattress while wearing a good-quality suit is difficult without crumpling the suit.

I was determined to look good at the forthcoming hearing. I do not believe that any person escorted from Champ Dollon prison in a prison van to a hearing at the Prosecutor's Office (or in any Court) has ever looked as good as I did on that day. My shirt was crisp and clean. My suit was pressed using Jean's method of laying it under the cell mattress then sleeping on it. I had had a shower and a shave. I still looked like one of Geneva's best-known and top lawyers. But it was an effort to look like this.

For the hearing I had no access to the Prosecutor's file, which is a breach of the Swiss Criminal Procedure Code. Because my papers had been taken away, I could not even take copies of the Prosecutor's / Judge's prior order with me. Nevertheless I delivered the requested speech, without notes (I had memorised it more or less verbatim), despite interruptions by the Prosecutor to try to throw me, and without

having seen any of the papers I was being asked to respond to. The criminal complaint that had been filed against me was seemingly so embarrassing that I had not been shown a copy of it, but nonetheless I had to say I was sorry for all the alleged wrongs contained in a document I had never been given a copy of. At the end of the hearing, even lawyers for the complainants come over to shake my hand. I left the hearing in a state of emotion and confusion, blubbering that I just wanted to see Elena and that I didn't know where she was. Nevertheless I was handcuffed, taken back down to the holding cells, then back in that prison transport van. Upon this occasion the prison van arrived to take me back immediately, so I did not have to spent any time in the grim grey cell, with no reading or writing materials or other form of stimulation and not even toilet paper, under the Prosecutor's Office.

Then I wrote immediately to the British Consul, explaining that I had perjured myself under duress: I had been told the criminal complaint would be withdrawn and I would be released if I admitted that I had lied to MI5 and expressed regret. I enclosed with my letters a copy of the speech my lawyers had advised me to read.

CHAPTER SIX

THE PROSPECT OF RELEASE

That weekend was truly shocking. I had no idea whether what I said had worked, or would work. Or had I just perjured myself and admitted to crimes for nothing?

Friday 15 June 2018, 5.30pm. An inmate (I shan't say who) told me that all sorts of drugs are for sale in here. What is the currency, I wonder? I don't think I'll bother finding out.

Evans has been telling me more about his travels. He said this prison is not as bad as the house you have to live in for a month in Tripoli, because you get to go to the prison which is a holding pen for the boat. Apparently there is some house you are not allowed to leave (much) for a month. He seems to find this prison funny, certainly more funny than the house you can't leave in Tripoli. By the way we found out that he received two months' provisional detention for various drug-related things. It looked like quite a charge list. It was delivered to his cell, in breach of the procedure: it should have been given to him by the Prosecutor at his hearing with the Prosecutor.

I'm starting to smile and talk a bit more with the guards. They told me they were sorry I wasn't released today. They are sympathetic people. I just received a delivery of fresh food from Elena. This is an incredible thing to receive. There was even some cheese. Cheese is unheard of in prison.

Evans is really funny. He just pointed out that it's so boring in here that the only thing to do is to shout, scream and bang. That's why everyone does it. And he's right. That is why everyone does it. They shout and scream and bang over anything they can think of. Now we're all making "Haa Haa Haa Haa Haa" laughs out of the windows. Strangely, this sort of complete idiocy makes you feel better. I realise that a healthy sense of humour is hugely important for surviving in here, and a more relaxed, humorous view of life would probably serve me nicely. Being in prison is like a study in boredom: what happens to the human mind when there is absolutely nothing for it to focus upon. The entire prison is now watching a football match. Whenever someone scores, the entire prison just erupts in banging, screaming, shouting and stupid behaviour.

Everyone is screaming and making noise from their windows. It's all rather jolly and collegial, in a completely preposterous sort of a way. It feels like I'm back at university again. Everyone is acting like preposterous clowns.

Day 18, Saturday 16 June 2018, approximately 8am. This morning we changed the "petit linge": tea towel, towel and pillow cover. Not very interesting you might imagine; but what I found interesting is that I am quite habituated to the military discipline shared with prison. There no debate. You change your petit linge and you follow the exact procedure for doing so. You place them as flat rectangles on a trolley and another man gives you replacements. Evans tried to explain his petit linge is not dirty and does not need changing. Wrong! It is changed, and exactly these three items are changed and nothing else.

Criminals aren't military people. They're always trying to break the rules. There's no point. You need to embrace the

rules. They create structure, and it's better for you. There are rules to be broken in life, and then there are rules that are not to be broken. Window-banging is a rule everyone breaks (I have to say, apart from me - I am not banging any windows as a candidate to be Under Secretary General of the United Nations at the age of 42!). Petit linge is a rule you do not break unless you are stupid or extremely bizarre. Unfortunately most prisoners in here are stupid or extremely bizarre. Evans is neither. He will get his petit linge right next time.

I am reflecting upon how well Evans and I get on, notwithstanding that we are so different in terms of life and background. He is 22, he cannot read or write (I had to read his legal documents to him yesterday), he has travelled to Europe in a sinking boat, and he is accused of selling drugs or some such thing. I am a lawyer-politician-diplomat. Yet I like him. He is clever, funny, honest and irreverent. He asks me just now, "when is our promenade today?". I replied, "why are you asking me? Do I look like a prison guard? No! I'm not wearing a prison guard's uniform. I am inside the cell, not outside it. I sleep in this bunk bed under you. You've guessed it. I'm a prisoner, just like you!". And we both roar with laughter. The fact is that you never know when your walk will be, because they seem to change it on a basis that I, at least, can't be bothered to work out. I'm not going to keep a chart of walking times every day with a view to discerning a pattern. That would be too neurotic, even for me.

Approximately 1pm. Evans is watching the football, France v Austria. He is so excited that he has started running around the cell, banging and smashing. Furniture movement comes to suite #256.

I spent the promenade today walking with the English guy, who was arrested for fighting in a pub. Now he says he has received one month's preventative detention. When he

remonstrated with the Prosecutor, asking why so long when he is a good guy, he was told that there are lots of good people in prison. He was bemused. On Monday, he will be found guilty by penal ordinance (i.e. a summary conviction), likely released, and he will negotiate a deportation order I would imagine.

Evans is the first person I think I've ever known who can't read or write. He's a bit embarrassed about it. I wrote the words "feuille épicerie" on a piece of card of the kind you find in the middle of a toilet roll, for him to show to the guard on Monday morning. This is the form you need to order things such as skin balm for his dry skin. I saw him nervously looking at what I'd written, and he cut the card down to the size of the letters with scissors. He anticipated actually handing the piece of card to the guard. In the end we solved the problem: when I see Elena on Monday (18 June 2018), I am going to ask her to buy him some skin balm. But it must be strange, navigating the world without the written word. I would like to help him learn to read and write (we have a lot of spare time in here), but I intuit that he may be a little embarrassed or ashamed and therefore I am not going to push it unless he asks me to help him. Everyone is entitled to their dignity, and nobody should be forced to feel shame over such a thing. Presumably Evans never learned these things at school. He said he had a difficult family time, without explaining what he meant by this: presumably difficult enough to risk a multiply life-threatening journey from southeastern Nigeria to Italy.

It is the ladies' exercise time (4.00pm), and I can count 14 female inmates in the exercise yard. Each of the first and second floors has, I would estimate, about 60 inmates exercising. Then there are small groups of other men (5 to 6 in each of maybe three groups) who exercise in the yard I can see on any given day. There seems to be an "east" wing, although I know nothing about that save for the fact that I

occasionally meet prisoners from the East Wing while waiting (in a holding cell, typically full of violent types) to see a doctor.

It is interesting to find a unisex prison, and also to find female guards of male wards. Although most guards on my ward are male, I am often accompanied to places like the infirmary, or a meeting with lawyers et al, by a lone female guard. I consider it likely that each individual inmate has a violence risk assessment associated with them. I imagine that if so, I am in the least violent category (very low to zero risk of violence, assault or attempted escape). Also some of the guards who supervise the all-make exercise hours, with potentially 60 violent men (less one - me), are female. I do wonder about the wisdom of this, given how disturbed a lot of the prisoners here are.

I have become incredibly interesting to both other prisoners and guards. All the prisoners now want to know why I am here and what I do. I tell them all nothing. It seems the gossip factory is at work. One way I realise people gossip is by shouting at one-another through the windows, or to/from the cell windows and the exercise yard. Somebody today yelled from the yard to the ladies' (3rd) floor: "hey! Do you want a lawyer for a boyfriend?". Of course the entire prison heard that; the prison is designed that way. That's hardly gossip, I suppose; it's more like a loudspeaker announcement.

Evans has taken to yelling and shouting at the television, and out of the window. He has also started talking to me in a sort of Pidgin English that I find very hard to understand. He does all of these things with a huge smile on this face, however, interlaced with the expression "this is so boring", so I find it hard to object. Evans is explaining that now it is the World Cup, there are something like three or four football matches every day that he wants to watch. I am in for a rough time (I hate football) I think it is just as bad for him

when I make us watch the news: which I always do immediately after a football match.

Evans has offered to cut my extremely long, silly hairs with a pair of children's scissors that Elena purchased from the "épicerie". I am pretty sure that this is against some rule. it doesn't comply with some "feuille haircut" procedure. Still what are the guards going to do? One evening my hair is long and silly. The next morning it's short like it was cut with a pair of children's scissors. Will they order me to grow it back? Evans and I are laughing again.

Evan is now standing on the table / desk in the cell, next to the window grill, yelling African words out of the window. I don't know what these African words mean, and I don't know who he's speaking to. He only arrived on Wednesday evening. How can he have made such intimate friends already? In fact I have this strange feeling that I'm about the only person in this prison who is not engaged at yelling at other prisoners right now. It would appear to be the Saturday evening social activity.

Now Nigeria is playing Croatia, and Evans is screaming his head off virtually nonstop. This is no longer boring. This is hell. Croatia just scored, and somebody is just yelling in monotone at the top of his voice while banging the cell bars as hard as possible. Stewth!

Day 19, Sunday 17 June 2018, 8.30am. A huge amount of shouting and banging just took place in the corridor. I imagined that it might be the daily exercise hour come early, but it was not. The shouting just subsided again after about five minutes. It would appear to have been several prisoners who were shouting, certainly including a Serbian accent. Maybe it was some kind of raid on a cell. I'm starting to think that some of the prisoners in here are routine drug users. I

don't know why I get this feeling. Maybe it's their moods - too positive? It was the comment I heard the other day, that all drugs are available here, that sparked me. I must be blind. How? After every visit from a member of the public (mine are only with Elena, because no other visitors have been authorised), you are strip-searched, including squatting down so anything secreted in your anus will fall out; and you have to open your mouth with your tongue up. You would have to be pretty determined to get narcotics in here - perhaps eat them then extract them from your faeces, which doesn't exactly sound hygienic. And what for? I absolutely would not want to drink or take drugs in here. I dread to think what mental or emotional reaction they might have upon a person in a confined space.

Evans just asked me to ask Elena to smuggle drugs into the prison. "She brings in bags in her mouth, she gives you a French kiss, you take them into your mouth, you half-swallow them so they get stuck in your throat, then you cough them back up after your mouth was searched." I didn't suggest this to Elena.

I recall a story from the first floor, a Polish gentleman who told me about having the guards in his cell undertaking a "contrôle" (check) all morning. The guards came into the cell, they studied everything, then they studied the television, then they found that a piece was missing from the television, then they wanted to know who had taken the piece from the television, then they were threatening to charge the cell inmates for the piece missing from the television, in the end they didn't do this. What was the guy talking about? You would not take a piece out of the television. It might stop working, and then you would be in trouble because the television is important! I can't help speculating as to whether this was an allusion to some drugs story.

I also don't know why I was locked in the shower on Friday morning (15 June) for 15 minutes for a "contrôle" of my cell while the others were out on their delay exercise hour. I had come back from the medical / psychiatrist's visit too late for the promenade; therefore I was in the cell when a guard came to do this "contrôle". I was rather grateful actually, because I got to take a shower before my hearing. The guard was extremely polite to me. He can't have been controlling every cell (at least, not that morning in one hour).

Maybe cells are just routinely controlled during the exercise hour in rotation, or maybe he had some specific reason to control our cell. Yet more no doubt superfluous mysteries, but my sense is that Evans had started selling drugs out of our cell within just a couple of days of arriving (maybe excreted and in his faeces).

I wonder whether these diaries are going to be interesting to anybody but me, once they are reread. I suppose it's going to be a somewhat otiose observation, because nobody will have got this far in reading them if they are not interesting.

Approximately 4pm, and a new round of observations are to be recorded after the daily promenade. Firstly, an inmate confirmed to me how drugs do get in here: the drug dealers swallow them when they are arrested, and they do remove them from their excrement after a few days. Delightful. Secondly, I was told that the best way of getting released is because there have been some arrests and they need to free your cell for somebody else. The prison is full, well beyond capacity, and people who are arrested are held in police holding cells until a space becomes available in Prison de Champ Dollon. Thirdly, a majority of the prison guards on our wing today when the doors were opened for the promenade were female. Again that surprised me. Maybe this wing is not

as dangerous as I fear. But the guy in the cell next door, with a heavily tattooed neck and a lean, muscly physique, is in isolation. I do hope these female warders are okay. Finally, Evans told me a prison joke. It's simple, like all good jokes. "Hey, that's your 'phone ringing."

8.20pm. In the World Cup match, Switzerland v Brazil, Brazil have just scored (1-0). The prison, which to a man is populated solely by foreigners (I have not met a single Swiss inmate), has erupted in the loudest display of roaring and window-banging so far during my stay.

9.30pm. My transformation is now complete. I am sitting at the bars of the window, on the table. I have worked out how to bang the window and the door, and how to scream. I have realised that this is like Christ's College in Cambridge. It's an extremely restrictive environment in which you want to engage in petty acts of rebellion and it's all suddenly hilarious. You can't take it seriously because it's not serious. It's just a joke. Everyone who treats it like this starts to enjoy themselves and they are smiling. Then the whole place becomes a lot less threatening. It's a survival mechanism. Everyone's in it together, trying to push the rules and laughing. I suddenly feel as though I am 20 years younger. This is a new experience, and it's great. I'm learning to relax in here.

The parallels to Christ's College are as follows: the guards are the porters. The prosecutors are the fellows. The cells are the Typewriter Building. Lunch is Upper Hall. Dinner is Formal Hall. Promenade is the Buttery. It's a relatively benign environment of complete irresponsibility. I'm going to spend the days writing essays and the evenings banging windows. Evans and I have come to realise we both really have a lot in common: banging windows and screaming.

Evans and I are now trying to work out whether you would break a leg if you jumped from our cell window to the exercise yard (if there were no bars on the window and hence this were possible). His view - probably more reliable than mine because he has probably actually done things like this is "maybe, maybe not". But we noticed that if you scale the wall, it's no good because you're just in another prison next door. That's no good at all!

11.30pm. Evans has just cut my hair in the cell with the pair of children's scissors, for Elena's visit tomorrow. It looks pretty good, given the paucity of professional barber's materials. But he is a barber. It's short, but I look a lot younger.

Day 20, Monday 18 June 2018. My lawyers came this morning to tell me that I am being freed imminently - as soon as the paperwork is done. It could be any day. It seems everybody in the prison knows too. It is an exhilarating feeling. There may be a delay - Switzerland is not always the fastest place for paperwork - but I doubt there will be much of a wait now.

Even now, Evans keeps returning to police / prison programmes on the television. I'm not sure how to stop him from doing this, save for putting my foot down whenever he does it. He seems to watch them in any language, even ones (such as German) that he doesn't speak a word of.

3.00pm. I'm missing the daily promenade today, because it overlaps with my visit by Elena. I get to look down upon my own floor-mates, as they play football in the intense heat. It looks too hot to be out there. It means I will be a day free of strange stories and events. I admit that I cannot now wait to get out of here. I think I've had enough of strange stories and events. I want something normal, around normal people. I will never forget these guys, and I will always spear a

thought for the guards. One of them was telling me this morning how difficult the job is because the prison is overcrowded.

Day 21, Tuesday 19 June 2018, approximately 2.30pm. Whereas yesterday morning my lawyer told me I would be free this week, when I saw Elena at 3.30pm yesterday for her visit she was in a fraught condition, because the Prosecutor was demanding a CHF50,000 bail bond on top of the release conditions my lawyers had negotiated with him after the hearing on Friday. I am still in here. Maybe people are collecting the funds; I don't know. I am so nervous that I have to take Xanax throughout the day to calm down. I could not exercise much, due to nerves, and the promenade was curiously uneventful. The other English man on the wing, who said his name is James (although I realised today that is not his real name), said he has been told by the Prosecutor that he will be released today but he is waiting. He is in the same boat as me ... waiting.

As the day goes on, you get less confident about being released and hence more nervous and distressed, and hence you take more Xanax. This is not exactly a healthy cycle. But I could not even write this, had I not taken a Xanax. I am taking 0.25mg every time I become very nervous.

Evans and I have been laughing about why a lot of people in prison give false names. There's no point in it. Firstly, our names are all written on the cell doors. Secondly, cell confessions are not exactly persuasive evidence, but they are not less persuasive because the defendant lied about his name. They are more persuasive.

Today two pieces of my consular correspondence (addressed to the British Embassy in Bern) were returned to the cell with markings that the prison authorities refused to

deliver them because they were not open for review. They had already been franked by the Swiss post office. This was alarming; there is a right for consular correspondence to be freely passed to your Embassy and for it to be kept private. [Note: I later learned that Geneva has an uneasy reputation for not respecting this right.]

The Swiss legal system seems to me too informal, in that it seems to involve a “sniff test” in many cases. Maybe this criticism is not fair. Maybe all law is just one large “sniff test”, dressed up in more or less elaborate language. But I am surprised by some things. Evans’s Prosecutor’s decision committing him to provisional detention says he is a “known user of marijuana”. But it doesn’t explain the basis for what is, let us be honest, a pretty broad-brush sort of assertion and I am not sure why it is relevant to a remand decision even if it is established as true (which there is no evidence of from the face of the document). Swiss law seems both formalistic (on the legal tests) and too vague (on the evaluation of the facts and evidence).

We’re back to the Christ’s College feel of the prison. Everyone is making animal noises out of the window. The girls in the cell above us have identified themselves as Maya and Lulu. Leon informs me that Maya is my wife. Tony tells me that she is “250,000 Euros two and a half years”. I am not sure what the sum of money means, but it’s a fair bet the period of time is the length of her prison sentence.

Evans has pointed out that things in this cell would be a lot less boring if we had a bottle of wine and a couple of girls. I agreed, but I said that in my case the girl would have to be my wonderful wife (i.e. Elena) (certainly not Maya).

Senegal has just scored in the World Cup, against Poland. From the level of banging and furniture-moving

(including that suddenly taking place in this cell), I infer that all Africans support all African teams.

9.15pm: Russia v Egypt football match. Russia just scored again: 2-0. For some reason the prison supports Russia heavily. Everyone is screaming at the tops of their voices. The guards aren't doing anything. Now it's 3-0. Every single door and window is being smashed, banged and beaten. I can just hear raging. It's like being in the middle of a riot. This is about the least disciplined prison imaginable.

Approximately 10.00pm. Evans is complaining. If you are black in Geneva, and you want to eat, you have to sell drugs. Absolutely nobody will give you any other job. And they want you to sell drugs, to rich tourists. All the Africans in Geneva want normal work, but this is all they are allowed to do. And then they get arrested and imprisoned for it. It's schizophrenic on the part of the Genevois. And he's right.

Day 22, Wednesday 20 June 2018. I have reached the intuition that when there was a "contrôle" in my cell the other day, when I was locked in the shower, it was a search for drugs. And it wasn't me that they thought might have drugs in here. Things in this place still surprise me. It's strict in one sense, but a madhouse in another way. Evans is always asleep, but I can't sleep nearly as long as he does and I am always up by 6am at the latest. I get the hot water in the morning because it is so boring in here that I want the punctuation in my day.

I see, while Evans is asleep, that last night and overnight he seems to have been practising writing. His characters are carefully written and immature. It's a bit like my daughters Mia and Leya learning to write. But he's expressing his thoughts. "I am happy for my cog god is good In my fine and God". He has also tried to write the number 2000 (at least,

that's what it looks like). Of course, learning to read and write is an essential precursor to lifting himself up on the ladder of life.

Evans has been telling me more about his life. We was the illegitimate son of a woman in politics, who knows the President of Nigeria. His farther never gave him any money. He had to leave school to become a plumber, to make some money. Then he became a banker. Then someone told him there would be work in Libya. When he got to Libya, there was no work and he had to take the boat to Italy. He thought there would be work in Italy if he got his papers. He got his papers but there was no work. So we had to beg, and was too ashamed to tell his mother. So he came to Geneva. When he started he did not sell drugs and he did not want to. But he was so hungry that he would cry himself to sleep every night. So he had to decide: sell drugs and end up in prison, or starve himself to death.

Evans told me some more: when a man pulled a gun on him in Tripoli from a car, and when a mean pulled a knife on him in Plainpalais. He survived both. He's a brave and tough guy. He said "I know this is very boring for you in here". Its boring for him too, because he's also a clever guy. By the way, the way he survived the knife attack - knives are much more dangerous than guns - was because he was struggling with the guy (who wanted to kill him because he wouldn't give him free drugs), the guy's second knife fell out of the back of his trousers. Evans then picked it up, and said "do you want us to kill each other now?", and the guy ran off. That was a smart move.

I am incredibly nervous about whether I will be released or detained further, particularly given the refusal on the part of the prison to deliver my consular correspondence. Why are they suddenly refusing to deliver consular

correspondence, when they did deliver it before? Has the Prosecutor been opening my consular correspondence, and reading that I informed the Consul that I perjured myself at the hearing on 15 June 2018? [Note: although I never definitively found out the answer to this, my lawyers subsequently told me that General Prosecutor Olivier Jornot and Stéphane Grodecki spent all day in a meeting on Tuesday 19 June 2018, discussing my case. I doubt we will ever know what they were talking about.]

Evans says he thinks that returning the consular correspondence is no accident, and it is the result of some legal tricks. He sees I am nervous. He says “these lawyer people, they will just be talking to each other. This Prosecutor, he hates you!” And he starts laughing. He continues: “They need to do all their talking. You need to empty your mind. Otherwise you will sit here and walk around, and think, when do I go, when do I leave. You need to empty your mind. Just when you stop thinking about it, the door will open, the guy will come, he will say “you go!” And then you will go.” [Note: Evans turned out to be absolutely right.]

9.30pm. Evans is one seriously innovative guy. I am running short of envelopes, because I am writing to everyone complaining that my communications to my Consul are being refused unless I leave them open. He is therefore making me an envelope out of a couple of pieces of paper, using a glue he has made out of the couscous and salad dressing we were given for dinner. It’s an excellent envelope. [Note: when I wrote to Evans in prison once I was outside, I used this envelope.]

I am learning how life really is in here. I simply do not know how to do things like this, because I have never live in a society with acute resource scarcity or where you juts have to make do with what you’ve got.

Day 23, Thursday 21 June 2018, Midsummers Day. The guards are being very polite to me today. One of them even spoke to me in English, which virtually never happens.

11.50am. I have just been told I am being liberated today. (In using this awkward idiom in English - "to be liberated" meaning to be "to be freed" - it becomes obvious that I have become used predominantly to speaking French recently.) For now, this is the end of my diary. I may return later, to describe my feelings upon release. But this is a diary of being in a prison; it is not a diary of what normal life is like outside a prison. Nothing can compare to being in prison. It is unique. Nobody should go through it, or everybody should go through it. I am not sure which.

EPILOGUE

It is worth recording how I came to be released. I learned all these details only after I was released, but suffice it to say that the process by which I was released was as legally preposterous as the process by which I was imprisoned. To understand the Swiss system of criminal justice, this narrative must be recorded.

I was told at 11.50am on 21 June 2018 that I would be released, but the guard did not know when. My belongings were almost all packed already. Because I was a highly visible prisoner, and there were rumours going around both prison guards and inmates that I would be released that week, I suddenly had a large number of friends. Prison guards were suddenly polite to me; inmates asked for my clothing when I left. To get me out quickly and without harassment for donations and favours from other inmates. The guards announced the “promenade” that day for 1.30pm. I decided to go on the promenade: it was my last chance. Nevertheless I was not let through the metal detector at the end of the wing that is a precursor to descending the stairs into the exercise yard. Instead a guard told me to stand to one side until all the other prisoners left into the exercise yard.

Then there was a huge hurry. My cell door was opened and left open. This never happens in the prison. I was told to bring all my items immediately to the guard on the landing so he could search them, which he did with great speed. (I had a

lot of belongings: two boxes and two large brown paper bags.) Another guard helped me carry the boxes and bags. Everything was searched in about 10 minutes. Then I wheeled the trolley with my belongings out, into the concrete elevator, I went straight down with a guard to the first floor, all my belongings confiscated upon entry to the prison were returned to me (save for my passport), I was given an order of the Prosecutor, dated 21 June 2018 (that even stated the time - 10am - to release me), the CHF400 on my account (Elena had been topping up my prison account from the outside, believing I could reasonably use that money when inside whereas in fact I could not) was returned to me in pre-counted cash to the exact Franc, and



then I wheeled my trolley through half a dozen gates and doors until I was suddenly outside where Elena and our family friend Miranda were waiting for me in the sun. It must have been the quickest prison release procedure on record. I stood on a rural street outside the Prison, in freedom, at 2.00pm, with my boxes and bags.

Elena and Miranda seemed panicked and in a hurry. They told me that I had a court hearing at 3.00pm, in the Kuwaiti matter (in respect of which the procedure was supposed to be closed). Miranda had come with her car. She drove at speed to my lawyers' offices. I changed into long trousers in the bathroom. (Usual prison dress in the summer is shorts and a t-shirt, with casual running shoes.) Then the lawyers and I sprinted up the hill to the Court.

The Court hearing, before a very senior judge, never previously involved in the case and who I was surprised to find sitting in the Tribunal de Mesures de Contrainte (this is generally reserved for more junior judges), who made illusions to “our not always trusting the Cousins”, was incomprehensible and I was advised to say nothing. It was about the Kuwaiti political case I had been involved in. The procedure had already been closed, so I couldn’t understand why there would be another hearing in that matter. I was asked almost no questions whatsoever by the Judge. A former colleague of mine was asked some questions. None of it seemed useful or relevant. The hearing lasted for about two hours, and then we were all free to go.

Here is what had happened. After the hearing on Friday 15 June 2018, at which I anticipated being released, the Prosecutor had indicated privately that he would not release me that day and my lawyers had spent an hour or more with him in a private meeting discussing the conditions for my release on bail. It had been a very difficult conversation. The Prosecutor did not want to release me, but my lawyer, who is politically powerful, had insisted. So they negotiated the most extraordinary conditions for my release on bail, I think unprecedented in Swiss legal history. My passport would be seized. I would be forbidden from leaving Swiss territory. I would see a psychiatrist. I would report to the probation service within 24 hours. I would report to the local police station every week. I would agree to subject myself to blood/urine/hair tests for alcohol upon request, the results of which were to be submitted to the Prosecutor every two months. Psychiatrists appointed by the government would evaluate whether I had been in my right mind when I did what I did. I would not repeat any allegations about the complainants save pursuant to the order of the Court or the Prosecutor’s office. I would hand over the client files upon request. I would write apology letters, having agreed them with the complainants’

lawyers. And on that basis, essentially having pleaded the defence of excuse by reason of temporary aberration of the mind, I would be released.

This was a humiliation for Grodecki. Having acted precipitously, and placed an article in a Swiss newspaper, he had created an avalanche of adverse media publicity across the world against Swiss interests. While I was in prison, Bloomberg had published a critical article entitled “Telling Tale about Russian Client Lands Swiss Lawyer in Jail”, with the subtitle “Geneva lawyer told MI5, OFAC that his clients broke sanctions”. The article had gone viral. Consuls, Ambassadors, foreign ministries had all become involved. What on earth had Mr Grodecki been doing? Why did he arrest a well-known foreign lawyer, known to have very high media exposure and political contacts, for a matter relating to foreign governments’ security and intelligence activities, particularly involving Russia and at so geopolitically sensitive a time?

He may have done it because he thought that imprisoning a lawyer might assist in his ambitions to be promoted to his boss’s job as General Prosecutor. (The Geneva General Prosecutor, Oliver Jornot, was from a rival political party that had recently performed poorly in elections and he himself was plague with scandals associated with improper sexual relations with another Prosecutor who fell under his supervision and also for drink-driving.) In publicising himself in this way, possibly with a view to displacing Jornot, Grodecki had brought upon both Geneva and Switzerland a torrent of atrocious publicity and diplomatic pressure. Now a politically influential defence lawyer in Geneva was forcing him to let me out of prison. And he didn’t want to do it.

My lawyer then went abroad on other business for the following week. Noémie of my lawyers had informed me at approximately 8am on Monday 18 June 2018 that I would be

released imminently. She had come to see me happily. But my meeting with Elena during her one hour's visit at 3.30pm on Monday 18 June was horrifying. She had been in tears, because in my main lawyer's absence Grodecki had then decided to add an additional bail condition that he expected we could not meet: a bond of CHF50,000, money we didn't have.

Unbeknownst to me, the subsequent days had involved some high drama. My lawyers were unimpressed with the fact that Grodecki was reneging on the deal he had reached with them. On Wednesday 20 June 2018 at about 8am, my lawyer Alexandre came to see me to tell me that Grodecki would have to release me because there was a Court hearing in the Kuwait matter the next day; the Judge would not delay it; the Judge insisted I was there; Pope Francis was in town on that day; and unfortunately all prison transport had been cancelled that day due to security measures in consequence of Pope Francis's visit. Therefore the only way I could attend the Court was if Grodecki released me so that my friends could drive me to the Court hearing (where nothing happened and my presence was not actually really necessary).

The Judge I went to see at 3.00pm, after my sudden release from Champ Dillon at 2pm, was a very senior one, conducting a hearing in a case that was already closed about a matter he knew little about. He was very polite to me, and said "I hear you have a lot of bail conditions to comply with" or words to that effect. How would he know? The order of the Prosecutor imposing the bail conditions were dated 10am that morning, in a case he was not seized of. Grodecki had to attend this hearing, and his face was bright red.

I subsequently learned that Elena had been obliged to post CHF30,000 bail, that she had needed to borrow from friends and family. Grodecki had required her to supply comments of all our bank statements to show that we had

virtually no money, before agreeing to release me. He fought to the bitter end to try to prevent my release.

At the end of the hearing on 21 June 2018, Grodecki said to me (in English), outside the earshot of my lawyers, “one more délit, Mr Parish, and you will go straight back to jail”. He said this to me in English. “Délit” translates roughly as misdemeanour. This was obviously an inappropriate thing for him to say to me. He should not have made any comment about the case outside the earshot of my lawyers or properly recorded. It was a threat. This is not judicial conduct. What he said reflected no bail condition. Also revocation of bail is always discretionary, and he was suggesting that there would be no discretion involved. I could commit a traffic violation and he would re-imprison me. Thankfully, a few days later the Court made an order with the same terms as Mr Grodecki’s bail conditions but by making that order the Court took the matter into its jurisdiction so that Mr Grodecki could not himself unilaterally re-incarcerate me and he would have to apply to the Court: the Court that had just screwed him and before which he had appeared red and embarrassed.

I think the analysis of these events speaks for itself. Grodecki, through the ruthless pursuit of his personal ambitions, had caused acute embarrassment for the Swiss. I was subsequently told that he had decided to take vacation, and there was a rumour that he would now be “promoted” to the Administrative Tribunal above the Post Office. The Swiss have basically been apologetic to me, and they have treated me well since my release. I certainly made mistakes in this affair, and I accept them. I do not think I can write here what I believe those mistakes to be. But one thing I can say with a clear conscience is that I never intended to place the Swiss in this sort of acute embarrassment, and I regret that I did things that enabled one Prosecutor, who acted recklessly and

possible with person venom against me, did such damage to the Swiss who are my adoptive country.

The Swiss are acutely private people in their political and personal lives. They detest these sorts of scandal. The challenge they have in the twenty-first century is that their country, while wealthy, is becoming less so. Swiss private banking is in retreat. Geneva taxes will have to go up. Switzerland resists foreign influence. It has resisted joining the European Union. Conservative people, used to doing things their own ways, that is ever less easy in the modern world and in particular in the contemporary European context. Any prosecutor with even an iota of political judgment and wisdom would never even have picked this file up without contacting the Swiss intelligence and security services and asking them to contact their British counterparts, who would surely have said “do not do this”. This affair was so politically-charged, given my status and the countries involved, that it was not properly the subject of resolution using the criminal justice system. The matter should have been subject of quiet diplomatic resolution. As a rule, the Swiss are competent diplomats. Something went wrong with the traditional discreet tradition of Swiss diplomacy in this instance, possibly because a wild-card Prosecutor did something foolish and the Swiss criminal procedure code meant that there was nothing much that could be done to stop him.

Swiss criminal procedure accords Prosecutors too much power. This is a widely-recognised fault. The problem is counter-balanced by the fact that the Swiss often act with substantial self-restraint. In this case, the Prosecutor lacked that quality. It may be because he did not have sufficient international experience and he did not understand the torrent of negative international reactions that incarcerating a high-profile foreigner on what were essentially espionage charges would cause in a city well-known to be a warren of espionage.

In any event, the Swiss must look ever more abroad to international opinion. The Swiss ignored the opinions of the US Inland Revenue Service at their peril, when they decided to cock a snook at American concerns that Swiss bankers were helping US citizens avoid taxes. In the modern era, where the USA and the UK are in open political confrontation with the Russian Federation, Switzerland can only retain its much-vaunted neutrality if it is more astute to and flexible in accommodating international public opinion.

After leaving prison, I suffered from post-traumatic stress disorder relating to my experiences in prison that lasted in a serious way for about three weeks. The panic attacks in the middle of the night were particularly disturbing and unpleasant. I believe that Elena also suffered terribly, both while I was in prison and during the period after I was released. We recovered. But I dread to think what we would have been like had I been there much longer. When I left, I came to conclude that I could not have taken much more of it. I have always prided myself on being strong, but this environment was so alien - and the people I was required to mix with so different from me - that it was inevitably disturbing. On the other hand, I learned a huge amount and I hope I acquired the common touch with people: something that, as a self-confessed intellectual, I have probably long lacked. So there were benefits. When I left prison, Elena and I inevitably had financial problems that at the time of writing are still not being resolved but I believe they will be. The costs of my release were at least CHF100,000: CHF30,000 in a bail bond I never expect to see back and over CHF70,000 in legal fees. I am quite sure that without incurring those fees, and having the best lawyers in Geneva, I would never have got out of prison so quickly. Money talks, and my lawyers were brilliant.

When I was languishing in prison, I had plenty of time upon my hands to reflect about my own moral culpability for

this situation. I reached a series of conclusions, and I wish to record them now. Firstly, I definitely should not have been in that maximum security prison. I do not believe a Swiss citizen in my circumstances would have been incarcerated in that prison, for reasons already explained. I do not believe that even were I guilty of the crimes alleged, it deserved even 24 hours in that place. Secondly, I am unimpressed with the Geneva system of criminal justice that proved itself lacking in integrity. Even if, ultimately and by a bogus method, it achieved something approximating to a fair result, it did so only in the course of incarcerating me in a prison, with all the harm that did to me and my family, and at huge personal financial cost to me. Moreover the system revealed itself (at least in this case) as dishonest and adverse to publicity. These are things upon which the Swiss need to improve. I believe it was the widespread media coverage of my arrest, together with effective British diplomatic pressure, that secured my release so quickly.

I believe Mr Grodecki made a serious misjudgment in incarcerating me. I think he was driven in part by hubris. But I've made that mistake as well. I think he took too long to realise his error. As political forces lined up against what he had done, he should have intuited earlier than he did that his mistake needed to be reversed. He should have given more consideration to the effects upon my family and loved ones of the decisions firstly to incarcerate me; then to argue so vehemently against my immediate release; and then to detain me for as long as he did. He could not imagine the psychological and financial damage it does to a person to be incarcerated, because he had never experienced it himself.

Notwithstanding, I maintain that he is not intrinsically a bad person. He showed several moments of compassion, in his own way. I hope that this affair does not irreversibly screw up his career, just as I hope that it does not irreversibly screw

up my career. He is in some ways a brilliant man but, like me, perhaps he needs a bit more humility. In the event, his decision to incarcerate me for reasons of his own vanity, and then his stubbornness in refusing to release me promptly, had so infuriated senior Swiss military and intelligence officials that within days of my release there were rumours in Geneva of a curiously Swiss punishment for Mr Grodecki: he was to be promoted to be a Judge of the Geneva Administrative Tribunal, that sits above the Post Office.

In my view nobody should have the legal authority to sentence a person to imprisonment in the Prison de Champ Dollon unless they have first served a week as an inmate in the Prison de Champ Dollon. I don't see why a wise legislature could not impose such a rule. To inflict such suffering in the name of justice, it seems to me that you must first yourself have had experience of this suffering so you can form your own decision as to whether the infraction merits the punishment. Otherwise we are at risk of creating a system of institutionalised cruelty inflicted by ignorant people.

Finally, I need to improve too. I should have read the runes more carefully. The Swiss can be cryptic, but I was endangering their national interests and hence I was playing with fire. I was warned, and I did not understand the warnings or I did not want to believe them because I did not believe the Swiss system was really so different from that I was used to. I need to listen more carefully, and act more judiciously: particularly where I am told things that I do not understand. It is a mistake to act when people are giving you information and you do not know what the information means. Find out what it means before you make your decision, if you possibly can. Those are the lessons for me. And now I am finding peace with the Swiss; peace with myself; and I am looking upon this experience as a series of events that have made me a more rounded person. In short, I do not regret. And I feel sorry for all

those miserable wretches who languish in that diabolical place.
I think about them at night.