

“What do we want to do? Protest!”

“When do we want to do it? Now!”



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- In June 2022 the new Police, Crime, Sentencing and Courts act was passed through parliament. The reasons behind the updated amendments include greater police protection, following many assaults on Metropolitan Police Officers during protests in support of the Black Lives Matter movement, and in a bid to reduce the effects of new strategies and tactics used by protestors such as 'locking on' and traffic blockades. Recent protests with the M25 being targeted have caused huge disruption and provoked mass public outcry.
- On the face of it, the new amendments do not seem unreasonable, protection of the police, public and all to go about daily life unaffected whilst simultaneously allowing freedom of expression and right to protest, as granted under the European Convention of Human Rights.
- However, on initial research, this becomes problematic immediately due to the provocative discourse available for all to read via the government website policy paper; 'Police, Crime, Sentencing and Courts Act 2022, A Factsheet'. Perusing the factsheet, one finds the language and attitude to be biased, with a prejudice apparent in such terms as 'causing a drain on

funds' and in comparative terminology, 'hardworking majority' which infers the protestors are not hardworking or a majority, both these examples found in section one of the paper. In section 4.13 the actions of Extinction Rebellion in closing major roads around London are described as causing 'unacceptable disruption'. This sheet is publicly accessible, is it not the duty and function here to provide clear, unbiased information without prejudice? Who decides a protest to be a drain on funds? Who terms it 'unacceptable disruption? From the outset, this language establishes seemingly institutional bias in opposition to the manner and approach of protest per se, and therefore raises concerns as to the impartiality of policy in maintaining law and order.

- Although much of the Police, Crime, Sentencing and Courts Act is controversial, of particular concern are the stop and search powers given to the police. Prior to amendment of section 1 of the Police and Criminal Evidence Act 1994, if a police officer had reason to believe you may be carrying weapons, technology or equipment to participate in a disruptive protest or march, they had the right to stop and search, this has been termed 'suspicion-led' right to stop and search, since the amendment, new powers mean that an officer is free to exert his right to stop and search in a suspicion less scenario;
- '(4) This section confers on any constable in uniform power— (a) to stop any pedestrian and search him or anything carried by him for offensive weapons or dangerous instruments; (b) to stop any vehicle and search the vehicle, its driver and any passenger for offensive weapons or dangerous instruments. F8(4A) (5) A constable may, in the exercise of [F9the powers conferred by subsection (4) above], stop any person or vehicle and make any search he thinks fit whether or not he has any grounds for suspecting that the person or vehicle is carrying weapons or articles of that kind.' To repeat and clarify, from the government factsheet concerning the public order bill; 'The Bill provides for both a suspicion-led power, amending section 1 of the Police and Criminal Evidence Act 1984, and a suspicion-less power. Suspicion-led stop and search is where a police officer suspects that a person is carrying an object that they intend to use in connection with a protest-related offence. When the suspicion-less stop and search power has been authorised. it will allow a constable to conduct a stop and search without the need for suspicion.'
- The European Convention on Human Rights defends our fundamental rights. These rights include a right to freedom of thought, freedom to protest, freedom from discrimination and protection of property.
- In conjunction with the discriminatory language and bias present in the wording of the Acts and government factsheets, the new Stop and Search powers seem an ill-defined area of legislation that really needs addressing in order to conform and uphold The Human Rights Act.
- This brief would therefore suggest a re-appraisal of two problematic areas;
- 1. An in-depth revision of the terminology used in government bills and factsheets with a move towards an impartial and unprejudiced delivery.
- WHY? to an objective observer, the phraseology used in the acts and factsheets are heavily biased and thus could unfairly sway opinion. International standards for fairness and equality are upheld for all. They must surely exist to uphold those same standards for a member of the public's right to protest.
- 2. A remodelling of the 'suspicion-less' Stop and Search powers.

Policy Brief

- WHY? a law which allows police powers to stop and search for no reason simply feels like something from a bad novel. It is hard to believe that an act of this nature could be passed in the U.K. It is undeniably an outdated and uncivilised attempt to maintain order.
 - Revision and improvement in both areas would bring the Police, Crime, Sentencing and Courts act and the government in line with international standards for human rights. The U.K has a moral obligation and public duty as one of the leaders of the western world to set an exemplary standard for civil rights.
 - Most importantly, the U.K also has a position of responsibility as a changemaker towards an energy efficient and greener future. The tactics of the protestors who have caused these policy changes are becoming increasingly desperate, the response of the authorities denies serious dialogue, and both demeans and criminalizes the protestors, somewhere amongst this melee, we all miss out on the gravity of the situation.
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- Public order Bill Factsheet. GOV.UK.
 - Liberty.
 - European Commission, Quality of public administration. A toolbox for practitioners.
 - Criminal Justice and Public Order Act 1994.
 - Police, Crime, Sentencing and Courts Act 2022.
 - Police, Crime, Sentencing and Courts Act 2022, a factsheet. GOV.UK.
 - Amnesty International 'Protest is a human Right.'