Will the Lib Dems save the Human Rights Act?

On 19th January, Conor Gearty delivered the first of The Haldane Society’s Human Rights lecture series for 2011. The lecture offered up much food for thought. The topic up for discussion was ‘the Coalition Government, civil liberties and the law’, a subject addressed by Conor in Socialist Lawyer 57.

Conor’s lecture was a robust defence of the Human Rights Act 1998 against myths propagated by the popular and right-wing press and Conservative proposals, driven by libertarian elements within the Tory party, for a so-called British Bill of Rights. Conor relayed an anecdote of a former child soldier who had been invited along to meet David Cameron at the launch of the Conservative Party’s human rights report.

Having seemingly not been briefed by Tory press aids, the former child soldier unwittingly caused embarrassment to David Cameron and Tory party policy by thanking the Prime Minister and the meeting profusely, saying that he would not be here in the UK were it not for the Human Rights Act 1998.

Focussing on the press, Conor expressed his view that it is best not to underestimate the commercial interests sections of the press have in bringing down the Human Rights Act. The press had not seemingly been aware of Article 8 ECHR and had placed much of their attention on Article 10 ECHR and Freedom of Expression prior to the enactment of the Human Rights Act. Conor suggested that the press have been adversely affected by rich people seeking to protect their privacy. These are stories which the press need to sell more papers and cannot do without.

Conor queried future Liberal Democrat commitment to maintaining the Human Rights Act, citing the lack of Liberal Democrat indignation when it came to the policing of the student protests in autumn 2010 and the dilution of their previously firm position against Control Orders.

Recalling his own experience of the interplay between the press, terrorism scares and the enacting of counter-terrorism legislation in Ireland, Conor predicted that before Christmas 2011 we should watch out for an Olympic terrorism story which would serve to exert further pressure on any Liberal Democrat stance against far-reaching counter-terrorism legislation. Those who saw the front page of the Evening Standard on 31st March 2011 would have noticed that this Olympics scare story arrived somewhat earlier than Conor had predicted.

Tim Potter

Anti-EDL protest in Luton raises wider questions

The English Defence League (EDL) returned to Luton, the location of its founding, on 5th February, to protest against what it claims to be Islamic Extremism. Previous EDL demos have descended into violence, with minority communities being targeted by marauding gangs of football hooligans and assorted fascists intent on causing as much damage as possible.

When counter-demonstrations against the EDL have taken place in the past, the danger to anti-fascists has tended to come not just from the EDL, but also from the police. Despite their claim to be neutral peacekeepers, the police have acted in a consistently heavy-handed and intimidating manner. It was in this context that The Haldane Society and the Legal Defence & Monitoring Group sent legal observers to monitor the policing of the Unite Against Fascism (UAF) counter-demonstration in Luton’s Park Square.

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The EDL – hooligans and fascists.

Right from the outset it was clear that anti-fascists would not be allowed to exercise their freedom to protest unhindered. A heavy police presence, including dogs and horses, surrounded the railway station well before any UAF protesters arrived.

When they did arrive, UAF demonstrators managed to block the arrival of EDL members by train for over an hour. When the police decided to clear the station, they crushed demonstrators against walls and ticket gates, and then, once outside the station, corralled them with horses into Park Square. On two occasions a large number of people left the main demonstration in Park Square. Each time the police response involved kettling – ‘for your own safety’ – and indiscriminate assaults.

The treatment meted out to legal observers was varied. Although legal observers were able to pass through police lines, some officers acted in an aggressive manner, at times attempting to intimidate with the use of ‘evidence gathering’ video cameras, and using physical force to prevent the observation of assaults on protesters.

One redeeming feature of the police’s conduct was that it never fell to the level that protesters have come...
to expect from certain other police forces, particularly the Met. To some extent this can be attributed to the different attitude of senior officers in the Bedfordshire Constabulary. Despite numerous assaults by police officers, and the illegal detention of hundreds of protesters and passers-by for hours on end in Park Square, it did at least appear that many officers accepted that the EDL should not be permitted to terrorise communities unresisted.

On the same day as the EDL marched through Luton, David Cameron made a speech condemning multiculturalism. The EDL asserted that Cameron had come round to their way of thinking. This casual appeasement of racism underlines the need to respond to fascists such as the EDL, both on the streets, but also politically. Whereas the response by the UAF to this rising tide of casual racism and fascism has been to simply refute the claims of fascism, such an approach does a disservice to the anti-fascist cause by failing to put forward an alternative to the political status quo. Disillusionment with the present political consensus and the failure of an anti-fascist movement to speak to those members of the working class who are angry about spiralling unemployment, attacks on their public services, the inability to find council homes, and the fact that their wages buy less and less each month leaves a political vacuum that can be filled by the scapegoating beloved of the extreme right.

In this atmosphere, it is more important than ever to build a genuine working class response to fascism as socialists.

Stephen Knight

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**Sedley’s laws of documents**

1. Documents may be assembled in any order, provided it is not chronological, numerical or alphabetical.
2. Documents shall in no circumstances be paginated continuously.
3. No two copies of any bundle shall have the same pagination.
4. Every document shall carry at least three numbers in different places.
5. Any important documents shall be omitted.
6. At least 10 percent of the documents shall appear more than once in the bundle.
7. As many photocopies as practicable shall be illegible, truncated or cropped.
8. At least 80 percent of the documents shall be irrelevant.
9. Counsel shall refer in court to no more than 10 percent of the documents, but these may include as many irrelevant ones as counsel or solicitor deems appropriate.
10. Transcriptions of manuscript documents shall bear as little relation as reasonably practicable to the original.
11. Documents shall be held together, in the absolute discretion of the solicitor assembling them, by:
   * a staple too short to penetrate the full thickness of the bundle.
   * tape binding so stitched that the bundle cannot be fully opened, or
   * a ring or arch-binder, so damaged that the two arcs do not meet.

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**24: Julian Assange, the founder of WikiLeaks, loses a hearing against his extradition to Sweden.** Immediately after the hearing at Belmarsh Magistrates’ Court, Assange said he would appeal. ‘I call on you to make this bigger than me. Take this case and bring it back home. Make it your case and your own virtue,’ he told reporters.

**24: The Home Office releases figures, which reveal a sharp drop in stops and searches under counter-terrorism law.** In July 2010, the Home Secretary discontinued the use of Section 44 of the Terrorism Act 2000 for individuals. In the year ending September 2010 there were 45,932 stops using the power. In the previous 12 months there had been 200,775.

**24: Public Interest Lawyers launches a legal challenge against Gloucestershire and Somerset councils about their planned library cutback.** The councils were informed that an application for judicial review would be lodged. The Public Libraries and Museums Act 1964 obliges local authorities to provide a comprehensive and efficient library service for everyone wanting to use it.