

**Y**OU COULDN'T MAKE IT UP. THE world faces a double planetary crisis of climate change and biodiversity loss, yet the British government recently launched new legislation to crackdown on (some would say annihilate) peaceful protests about these urgent environmental issues.

Two new laws (the Police, Crime, Sentencing and Courts Act 2022 and the Public Order Act 2023) give the authorities nearly total discretion as to which protests and marches should be subject to restrictions. It enables the police to shut down any protest immediately and criminalise everyone involved.

What's shocking is that the laws were introduced as a direct response to the ballooning levels of environmental activism (the government specifically named the protests of Just Stop Oil, Insulate Britain and Extinction Rebellion as its justification). The new legislation is spuriously vague, and the meaning of key terms so nebulous, that politicians can crack down on demonstrations when they are at odds with the protesters – climate and Gaza, for example – while celebrating and endorsing others. (Rishi Sunak recently joined demonstrating farmers in Wales, after they had obstructed a road with tractors while campaigning against the Welsh Labour government's new farming subsidies scheme.)

Some sectors of the right-wing press are culpable, too: their headlines are quick to criticise 'eco-loons' and 'green fanatics' for blocking roads or demonstrating outside parliament buildings, yet voice approval when 'agri-loons' or 'farming fanatics' (my words, not theirs) do exactly the same.

Any environmental campaigner who does protest risks six months imprisonment for attaching themselves to other people (by locking arms, for example), objects or buildings, and 12 months for interfering with key infrastructure (such as airports or railways). They also risk an unlimited fine, or both. Anyone found guilty can be banned from participating in future protests or associating with other campaigners and may even be blocked from campaigning online.

And repeat offenders face Serious Disruption Prevention Disorders (SDPOs), rather like

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An Extinction Rebellion protest earlier this year

“Any environmental campaigner who does protest risks imprisonment”

# MARK CARWARDINE

OPINION

ASBOs, forcing them to report regularly to the authorities and to wear electronic ankle tags under curfew, while they are on bail awaiting trial (which can take up to two years).

There are even staggering restrictions on courtroom evidence, denying juries the opportunity to hear the reasons for a defendant's action. What possible justification is there for undermining the right to a fair trial (peacefully protesting for the benefit of us all should be part of a convincing defence)?

The new measures are of such proportions that the UN High Commissioner for Human Rights, Volker Türk, called on the British government to reverse the legislation. He called it “deeply troubling” and warned that it imposed restrictions on freedom of expression and peaceful assembly that are “neither necessary nor proportionate”.

“The law is incompatible with the UK's international human rights obligations” he added, pointing out that governments should be protecting peaceful protests on such

important issues, not hindering and blocking them.

Disruption is often at the heart of the UK's environmental movement. It gets politicians' attention in a way that carefully written letters, polite requests, quiet campaigns and lengthy petitions seldom do. In recent years, protesters have pulled off some spectacular (albeit spectacularly

unpopular) stunts, from gluing themselves to the M25 to throwing tomato soup over van Gogh paintings. I don't agree with all their tactics but, like many people, I share their profound anxiety about the climate

and biodiversity emergencies, and a deep frustration at the government's failure to tackle them. Far from being vilified, they should be celebrated.

But whether we agree with their actions, or not, they have a fundamental right to protest – without fear or unlawful interference. That's the whole point of a free society. **W**

**“People have a fundamental right to protest - without fear or unlawful interference”**



MATTHEW CHATTLE/GETTY