

We are deeply concerned by the government’s repeated attempts to unduly restrict the right to the freedom of peaceful assembly. The Police, Crime, Sentencing and Courts Bill (PCSCB), introduced in March 2021, seeks to unduly limit this right. Provisions in the PCSCB seem to be specifically designed to counter environmental and racial justice protests, which have been repressed by the authorities in recent years. Concerningly, the bill was passed in April 2022 and is now law. We are further alarmed by other laws proposed by the government, and its failure to take into consideration concerns raised by civil society. One example is the proposal to change the 1998 Human Rights Act (HRA), which threatens democratic checks and balances through which civil society aims to hold the government accountable.

KEY CONCERNS



FREEDOM OF PEACEFUL ASSEMBLY

In March 2021, the government introduced the Policing bill which would give the police further powers to unduly restrict the right to protest, for example by imposing noise-related restrictions and place-specific limits on protests. The bill has now become law. Police have wasted no time in intervening against protesters, for example, a frequent anti-Brexit protester outside parliament.

For several years the authorities have unduly restricted the right to protest, including environmental rights and racial justice protests, by using excessive force, detaining protesters and preventing protests. For example, three anti-fracking protesters were sentenced to up to 16 months in prison for a protest staged in 2017 (later had sentences overturned on appeal).

Environmental rights group like Extinction Rebellion has faced repeated repression. Since April 2019, there have been an estimated 2,000 prosecutions for protests organised by Extinction Rebellion, with almost 1,000 trials still under way.

Those advocating for racial justice have been targeted with legal harassment. In January 2022, four protesters were cleared of criminal charges after admitting that they helped topple the statue of slave trader Edward Colston at a June 2020 BLM protest. The Attorney General for England and Wales announced that she would consider referring the acquittal to a court of appeal after several Conservative MPs criticised the ruling.



FREEDOM OF EXPRESSION

While the Official Secrets Act provides legal protection in the UK against espionage, in practice the Act has been used to harass journalists. There are concerns that proposed reforms blur the line between whistleblowing, journalism and spying.

Journalists face judicial harassment through the Defamation Act. For example, Journalist Carole Cadwalladr has been the target of a strategic lawsuit against public participation, for investigating funding from Russia for the Leave.EU campaign.

There have been cases of attacks against journalists, including a killing. In response, the government published a National Action Plan in 2021. However, there are concerns that the plan will not systematically monitor threats, attacks and broader media freedom violations.

While the right to request access to information is enshrined in three different laws, in practice FOI requests are being restricted. For example, journalists have been ‘blacklisted’ and their FOI requests are processed by a secretive unit within the Cabinet Office.



FREEDOM OF ASSOCIATION

CSOs have raised concerns over the Elections Bill, which introduces several bureaucratic restrictions on electoral campaigning. The bill permits the Minister for the Cabinet Office to change unilaterally which organisations and campaign activities are permitted a year before any election in the UK.

The government has proposed to overhaul the Human Rights Act, which incorporates the European Convention on Human Rights into UK law. However, there are concerns that the reforms proposed will diminish access to justice, particularly for excluded groups, who have used the HRA to hold government actions to account in the courts.

Civil society has faced harassment from the government for working on racial justice. For example, 20 Conservative members of parliament (MPs) submitted a complaint against the Runnymede Trust to the Charity Commission for ‘pursuing a political agenda’ after it criticised the government’s report on Race and Ethnic Disparities.

THE PATTERN OF VIOLATIONS AGAINST THE RIGHT TO FREEDOM OF PEACEFUL ASSEMBLY INCLUDES:



Passing of restrictive Policing Bill which threatens the right to protest



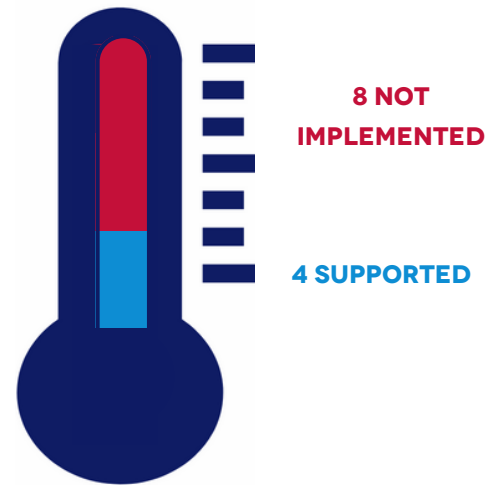
Protests for environmental rights and racial injustice met with repression



Targeting of protesters through public vilification and judicial harassment

PREVIOUS UNIVERSAL PERIODIC REVIEW PROCESS

Recommendations related to the space for civil society in 2016:



The United Kingdom received 12 recommendations related to the space for civil society



RECOMMENDATIONS

- 1 Take measures to foster a safe, respectful and enabling environment for civil society, including by removing legal and policy measures that unwarrantedly limit the freedoms of association and peaceful assembly.
- 2 Secure the Human Rights Act by scrapping all proposed changes to the Act.
- 3 Refrain from vilifying HRDs and protesters, particularly those advocating for environmental rights and racial justice
- 4 Drop charges against climate justice defenders and stop persecuting and refrain from arresting protesters.
- 5 Ensure that the National Action Plan on the Safety of Journalists commits to systematic monitoring of threats, attacks and broader violations of media freedoms and refrain from targeting the media.
- 6 Respect access to information for journalists, researchers and protesters and carry out independent investigations into allegations of violation of the right to access to information.