



# Law, Protest, Noise and Annoyance

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## TRANSCRIPT

Hello, I'm Jill Marshall, and I'm the module convenor for Jurisprudence. In this short video post, I talk about noise, law, and annoyance as a form of protest.

The police crime and sentencing bill, which is currently ending its progress through the UK parliament, which will receive its official ascent to become an act, has been severely criticized by many civil liberties organizations and campaigners. Certain clauses of the bill will make it easier for the police to impose conditions on marches and static protests, removing the distinction between the two of these. Under this bill, police could intervene merely if the protest was noisy enough to cause a person in the vicinity serious unease. This bill would make it a crime to cause serious annoyance to the public with a maximum penalty of 10 years in prison.

Joshua Clements, writing in the Guardian newspaper recently, argues that one of the most worrying powers created by the bill is to give the UK home secretary control over the definition of serious disruption to the life of the community, and also serious disruption to the activities of an organization, both of which can determine when police powers to limit protests are engaged. Many interpret this to mean that a government minister has the power to suppress protests with which they disagree. In bringing forward this bill, the UK government explains that it seeks to uphold a vibrant and tolerant democracy, and under human rights law, we all have the right to gather and express our views, but such rights are not absolute.

The government states that this fact raises important questions for the police and wider society to consider about how much disruption is tolerable and how to deal with protestors who break the law. The government has reviewed relevant evidence and concluded that the police do not strike the right balance on every occasion. The government say that the balance may tip too readily in favor of the protestors when the police do not accurately assess the level of disruption caused, or likely to be caused by a protest. According to the government, this is often the case and needs remedying through a modest reset of the skills, as they call it.

The government has also referred to recent protests. These include Extinction Rebellion protests and the recent "Kill the Bill" protests in Bristol. The press reported images of police forces struggling to defend itself against a mob, who appeared to have set fire to vans with officers suffering broken bones and a collapsed lung. However, this media coverage of the Bristol protests is misleading. The Avon and Somerset police admitted that there had not been any broken bones and there hadn't been any punctured lungs and that the locals in Bristol, they tell a very different story of heavy-handed police tactics. It's also reported elsewhere that far more protestors than police were injured.

The number of conditions that may be imposed on those protesting under this new bill will be increased. Police currently only rule on the place, duration, and number of persons attending a protest. Under the bill, the police would be able to impose any conditions they thought necessary. The civil liberties organization called Liberty point out that this gives the police the power to ban static protests altogether. Breaching one of these conditions will be a criminal offense, with the bill lowering the threshold for committing such an offense and increasing the maximum penalty. Currently, someone actually needs to know that the condition is being

imposed by the police. Whereas under this bill, organizers can be prosecuted if they merely ought to have known and could end up facing nearly a year in prison.

Now, I want to briefly talk about noise, inconvenience and annoyance in a democratic society. It has been argued that this bill is not about law and order, it is about state control and the subtle erosion of freedom of expression. People from all walks of life and across the political spectrum see this bill as a serious threat to personal freedom. Something crucial to liberal jurisprudence based on a notion of individual personal freedom and the ability to make informed choices in life. Protest often need to be loud and inconvenient. They need to be noticed for the protest issue to get any attention or to be publicized in the media, especially. As the conservative ex-prime minister, Theresa May herself put it, "There will be people who will have seen scenes of protests and asked, 'Why aren't the government doing something about this?' The answer in many cases may simply be that we live in a democratic free society."

I want you to think about this in the context of the liberal jurisprudence and the values of liberalism and the law and also of critical perspectives from Marx and Marxism and the law that you are looking at in the Jurisprudence course.