



Home Office

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MINISTER OF STATE

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Andrew Dismore MP
Chair, Joint Committee on Human Rights
House of Commons
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20 APR 2009

Dear Andrew,

DEMONSTRATING RESPECT FOR RIGHTS? A HUMAN RIGHTS APPROACH TO POLICING PROTEST

I wanted to provide you with an early response to the Report '*Demonstrating Respect for Rights? A human rights approach to policing protest*' by the Joint Committee on Human Rights (JCHR) published on 23 March.

The Government welcomes JCHR's report on what is a very important and sensitive area as recent concerns expressed about the policing of G20 protests illustrate. As stressed in both the Home Office written memorandum and my oral evidence to the Committee, the Government is committed to protecting and facilitating the right to peaceful protest. We are in the process of carefully considering all the Committee's recommendations and we will provide you with a comprehensive response to all of the recommendations and conclusions in the Report by 23 May. In the interim, and given the considerable public interest at present, I hope that you find the following initial responses satisfactory.

The Government is clear that counter-terrorism powers should only be used for counter-terrorism purposes and this will be clearly set out in the later formal response. We also remain committed to repeal of sections 132-138 of Serious Organised Crime and Police Act 2005 governing protest around Parliament. We shall bring forward repeal of those provisions in the Constitutional Renewal Bill as soon as Parliamentary time allows.

The Government agrees with the Committee that the police and protest groups need to focus on improving dialogue so that there are no surprises during protests. The full response will include further detail on how we will take this recommendation forward with a full range of partners.

We also agree with the Committee that Taser should not be used against peaceful protestors and I hope that you will agree that both the police and I were very clear on this matter in our oral evidence. The Written Ministerial Statement on the extension of Taser on 24 November 2008 also set out that all Taser deployments would continue to be monitored by independent medical advisors and that we would continue to publish Taser usage figures on a regular basis.

Finally, the Committee recommended that Section 5 of the Public Order Act should be amended to remove reference to insulting words or behaviour. We hope that you will appreciate that further consultation is required with a range of stakeholders given the potentially wide implications of such a change to the law

In addition, I think it is timely to alert you to some key areas of work that directly relate to some of the Committee's recommendations and conclusions. You will have seen that the Commissioner has invited HMIC to review the police tactics involved in policing G20. This is consistent with the police's commitment to continually review and examine their tactics and operations to ensure they can continue to meet the difficult challenge of balancing people's rights to peaceful protest while keeping the peace and maintaining public safety. A similar review is taking place with regards to the policing of Kingsnorth Climate Camp. Taken together the reviews show that the police are wedded to recommendation 27 of the Committee's report that, "lessons (both good and bad) are regularly drawn for the police practice and disseminated broadly."

The sad death of Mr Tomlinson and the incidents where footage calls into question the actions of individual officers are serious matters which have quite properly been referred to the Independent Police Complaints Commission (IPCC), by the MPS promptly and appropriately. We await the conclusion of those investigations.

While it is right that concerns over police tactics are properly explored, we should not lose sight of the fact that over the course of the G20 and in, for example, the march of Tamils to Hyde Park last weekend, thousands of people were able to demonstrate peacefully on our streets. Criminal activity and wider disruption to London was minimal and in the case of G20, the police also simultaneously maintained the high levels of security needed to protect those attending the Summit.

I hope this letter provides you with a helpful summary of the Government position on some key areas of the Committee's Report ahead of our full response in May 2009.

I am copying this letter to the Commissioner for the Metropolitan Police Service, HM Chief Inspector of Constabulary, Sir Ken Jones (President of Association of Chief Police Officers), ACC Sue Sim (ACPO Public Order Lead), CC Peter Neyroud (Chief Executive of the National Policing Improvement Agency), Nick Hardwick (Chair of the Independent Police Complaints Commission) and Keith Vaz (Chair of the Home Affairs Select Committee).

Yours ever,

Vernon

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