

# Civil rights in Britain: too easily sacrificed on the altar of authority

By Keith Ewing

In the second week of August, Britain's political classes were gripped by panic as a number of English cities experienced "rioting" and looting on a scale unknown in modern times. The situation was eventually brought under control, with the Metropolitan police flooding the streets of London with 16,000 officers.



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No one can question the damage or devastation that was done in the three or four days of destruction. Nor can anyone excuse some of the dreadful criminal acts that took place, some of which were captured on camera for the world to see. And while four families were left to mourn the deaths of sons and brothers, countless others had businesses, homes and possessions destroyed.

The second week of August was not a good week. But if this was true of the disorder and looting, it was also true of the "clean-up". Now in the grip of a hysterical media, the country responded in a wholly disproportionate manner, beginning with the mass arrests and the processing of 796 of the 1,600 arrested through the courts in a period of a few days, the courts sitting all night for the purpose.

Yet it was not until the end of the week that a few distant voices were beginning to ask whether rushed justice is not summary justice; about "grand-standing" prosecutors and district judges celebrated in the tabloid press for their "toughness"; and about exemplary sentences being imposed on the stupid as well as the venal, an opportunist student being given six months for stealing a case of water worth £3.50.

It was as if a new mob had taken over, led by the agitators in Parliament, specially recalled from its summer recess to discuss the disorder. Tanned MPs brought back from exotic locations - in some cases it is said at public expense - stood in solidarity, to condemn the violent and the looter, and to demand tougher laws and a more authoritarian response from the government.

They were not disappointed, the Prime Minister announcing (a) powers to allow the police to remove the face-coverings of "rioters" trying to conceal their identities; (b) plans to close down social

network sites during periods of unrest, these sites having played a part in the "organisation" of the violence; and (c) that the government was considering whether a "wider power of curfew" is necessary.

For those seeking an even more "robust" response, Mr Cameron announced that rubber bullets were available for the police, while water cannon was now to be placed on 24 hour stand-by, raising the spectre of "rioters" (and presumably protestors) being hosed down on the streets of London for the first time ever. All despite advice about the impracticability of equipment of this kind for dealing with fast moving events.

Yet this was by no means the end of it, with one local authority announcing that it had moved to evict a single-mother and her young daughter from their social housing. This is because her son had been charged with violent disorder for his part in the lawlessness. Not even waiting for the 18 year old to be found guilty of the offences charged, English justice was beginning to look like the justice of the lynch-mob.

Wandsworth council was nevertheless applauded by a vengeful press, agents provocateur in the campaign to have the families of "rioters" and looters evicted, as well as now to have their social welfare benefits stopped. But Wandsworth was not alone, the Daily Mail reporting that Manchester City Council was preparing to evict "the family of a 12-year-old boy photographed stealing a £7.49 bottle of wine from a Sainsbury's store".

In a chilling turn of events, the wild-west posse was demanding not only that the adolescent "rioters" be punished, but that they and their families be rendered homeless and destitute. Once evicted, the families would have no right to be re-housed, being "intentionally homeless" in the new Kafka-esque world to which their 'rioting' children unwittingly had led them.



**Man in charge.** The urban riots in August exposed the Prime Minister's difficulty in withstanding authoritarian voices in the press as well as in his own party. Crown copyright / the Prime Minister's Office

It is when human rights claims are most necessary that they appear most invisible. Times like this. No one had the courage in that first week to raise such claims, apart from the Wandsworth tenant served with notice of eviction, noting that her "human rights are being taken for granted". No one is listening, except to sneer. The talk now is of responsibilities not rights. Rough justice has displaced legality.

So when the Prime Minister addressed the recalled House of Commons, the term "human rights" was mentioned only six times in the course of a long debate, once by Mr Cameron himself to assure the House that the government would not be deflected by "phony" human rights concerns. The only other reference was by a hyper-ventilating Tory back-bencher demanding the repeal of the Human Rights Act.

By the end of the week, one of Britain's leading civil liberties NGOs had made two web-postings, one to applaud the "measured and proportionate response of police and government"; the second to provide re-assurance that Liberty is "a critical friend to the police", opining - in the face of a dispute between the police and the government about the response to the disorder - that we must "give credit where it is due".

So not from our political leaders the defiant and dignified re-affirmation of core values in times of adversity. Indeed, the only note of dignity was to be heard from Mr Tariq Jahan, the father of Haroon Jahan, murdered in Birmingham while protecting shops from being attacked. In a widely applauded interview of great humility and power, Mr Jahan called for calm and repudiated the demand for revenge.

In as compelling and noble a commitment to the rule of law as one is ever likely to hear, Mr Jahan was prepared to leave matters to the ordinary forces of the law. "What goes around, comes around" he was heard to say, in words directed to the killers of his son. The forces of law and order had much to be grateful to him for his disarming intervention. But not everyone was prepared to follow Mr Jahan's example.

This is what happens when the personnel of the State lose their inhibitions, and when in a parliamentary democracy all branches of government join forces and hunt with the mob. It is what happens when legislature, executive and judiciary behave in a way that is as great an affront to civilised values as the conduct of the mainly unemployed young men they so rightly condemned. It is an ugly sight.