

Occupy London faces eviction as police trash Parliament Square protest

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On January 18, Justice Lindblom at the Royal Courts of Justice gave the go-ahead for the eviction of the Occupy London Stock Exchange protest.

An appeal based on Articles 10 and 11 of the European Convention on Human Rights against a City of London Corporation instruction issued last November to remove tents claimed to be an unreasonable use of a public highway and affecting business activity around St Paul's Cathedral was rejected.

The decision is part of an effort to crush all centres of protest and provide authorities with a mechanism to ban protests in the future.

On October 15, Occupy London intended to occupy Paternoster Square, home to the London Stock Exchange. This was blocked by a police kettling operation, forcing protesters to set up camp outside St Paul's Cathedral. Justice Lindblom described the camp as a "public nuisance" and said any one of the objections by the City of London Corporation that administers the city on behalf of the financial sector would have been compelling enough for him to find in its favour.

The "duration of the obstruction of the highway, and the public nuisance inherent in that obstruction, would itself warrant making an order for possession.... So too would the effect of the camp on the Article 9 rights of worshippers in the cathedral.... So would the other private nuisance caused to the Church. So would the planning harm to which I have referred."

Most significantly, he added, "To interfere in this way with the defendants' Convention rights under Articles 10 and 11 is, in my view, entirely lawful and justified."

Linblom baldly asserts that the state has the right to overturn the democratic right to protest and basic

human rights on the most minimal grounds.

"The freedoms and rights of others, the interests of public health and public safety and the prevention of disorder and crime, and the need to protect the environment of this part of the City of London all demand the remedy which the court's orders will bring," he said. "I am satisfied that the City had no sensible choice but to do what it has."

The City of London has given protesters until 4 p.m. on January 27 before it decides when to send in the police. Stuart Fraser, the City of London Corporation's policy chairman and a director of Brewin Dolphin Securities, the UK's largest independent quoted stockbrokers, immediately threatened, "Subject to any appeal proceedings, we will be considering enforcement action as soon as possible."

Occupy legal representatives were denied the right to directly appeal the decision and were forced to apply separately to the Court of Appeal, which will decide whether or not to hear their case. John Cooper, representing one of the Occupy defendants, explained the extremely limited grounds for an appeal as "Whether the actions taken by the corporation are proportionate or are over the top as far as what's happening outside St Paul's itself."

Cooper told the press that they would exhaust all legal process in Britain before taking the case to the European Court of Human Rights to define a new law "on public protest in the 21st century."

All indications are that the City of London Corporation will proceed with eviction at the first opportunity, as the authorities did in evicting protesters from the Democracy Village in Parliament Square on January 16.

At 7.30 p.m., 12 police vans and a large number of officers from Scotland Yard were deployed against

around 12 peaceful anti-war protesters. Arrests were made when three Occupy London supporters tried to reoccupy the square. Protesters were ordered to move under the auspices of the Police Reform and Social Responsibility Bill brought into force December 19. It bans protests involving tents, sleeping equipment and loud hailers from Parliament Square and large areas of London.

According to *Parliament Protest* blog, Westminster Council moved against Parliament Square protest in advance of a March deadline for existing protests that fall foul of the new laws. Police were supported by a City of Westminster Council clean streets team who dumped protesters possessions into trucks.

The Democracy Village was established to continue a decade of protest opposite parliament begun on June 2, 2001, by Brian Haw, who died last year, originally to protest NATO bombings in Iraq. Anyone visiting parliament is greeted with prominent banners, “End Corporate War in Afghanistan” and “Iraq 2 million killed 4 million fled, genocide, theft, Cholera...” and a display on “UK US War Crimes.”

The protest was closed down after the Greater London Authority (GLA) in July 2011 secured a court order to remove protesters from the lawn under their jurisdiction in Parliament Square. Protesters then moved tents onto the surrounding pavements controlled by City of Westminster Council. A decade-long assault on this protest has resulted in wide-ranging restrictions on the right to protest, beginning with the Labour government’s Serious Organised Crime and Police Act 2005 and culminating in the Conservative-Liberal Democrat coalition government’s Police Reform and Social Responsibility Bill. The Bill expands effective bans on protests from Westminster to include Whitehall, Bridge Street, the Queen Elizabeth II Conference Centre and Westminster Abbey.

Conservative home secretary Theresa May introduced an amendment to the Bill to specifically ban “any tent, or any other structure that is designed, or adapted...for the purpose of facilitating sleeping or staying in” Parliament Square.

The police have allowed one protester to remain on the pavement controlled by Westminster Council, Maria Gallastegiu, a former transport worker, pending a High Court appeal.

The leader of Conservative-run City of Westminster

Council, Colin Barrow, claimed the suppression of the protest was a democratic act. “The police action follows the clear will of the people, expressed through Parliament, to remove this encampment,” he said. “It’s the end of this particular type of protest.”

Barrow has pioneered new powers to criminalise protest in the borough, aimed at imposing a £500 fine on those who refuse to move tents from public highways.

London mayor Boris Johnson said it was “high time” that Parliament Square be protected from what he called “basically vandalism.”



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