



JOINT COALITION UPDATE ON PART 3 OF THE POLICE, CRIME, SENTENCING AND COURTS BILL ('PCSC BILL') POST 'PING PONG' STAGE IN THE HOUSE OF COMMONS

MARCH 2022

Defending our right to protest has never been more pressing. As the Police, Crime, Sentencing and Courts Bill ("PCSC Bill") re-entered the House of Commons at the end of February, crucial amendments by the House of Lords were voted down despite MPs from all parties joining together to voice their opposition to measures that will restrict protest rights.

As a coalition spanning the human rights, privacy, criminal justice, democracy, racial justice, children's rights, international development, environment, freedom of speech and expression, violence against women and girls, refugees' and migrants rights, community, and faith sectors, we remain firmly opposed to Part 3 provisions enabling the police to impose noise-based restrictions on public processions through the introduction of a "noise trigger", the erosion of the distinction between public processions and public assemblies, the criminalisation of one-person protest and the broad, catch-all offence of wilful obstruction of the highway. Please see [our previous briefing](#) for further detail on these concerns.

Since this Bill was first introduced in early 2021, we have expressed grave concerns about how it will hand over unprecedented levels of discretion to police, draw upon vaguely defined terms that can be amended by the Home Secretary of the day as well as striking at the very heart of our right to protest. These concerns were echoed by MPs from across the house, including a number of Conservative MPs who spoke out against their Government's insistence on the introduction of a "noise trigger" at the Ping Pong debate:

"No serious case has been made that noise is a genuine problem."

"The offence is still vague and poorly defined, which is never a good thing in law."

"an increase in discretion to qualify rights of protest... is, I think, highly regrettable." - Jesse Norman, MP for Hereford and South Herefordshire and former Minister

"...suspect that this measure is a step too far and that we are pushing up against the limits of what we as a free society should be doing, particularly in the context of what we see around the world, where we want to be a shining light for liberty and freedom." - Robert Jenrick, MP for Newark and former Secretary of State

"Ever since I entered this place, not one Bill has occupied as much space in my inbox as this one, and I am sure that many Government Members have been similarly inundated with messages

from their constituents. **Many of my constituents are horrified, disturbed and frankly suspicious of this Government's attempt to severely suppress the right to protest.** Some of those who are getting in contact with me have never attended a protest, but like me, they are absolutely committed to preserving and protecting our fundamental rights.” - Paula Barker, MP for Liverpool Wavertree

“I worry that Government Members give the impression that we think that demonstrations are okay as long as they are nicely decorous, barely audible and easy to miss, and **we forget that anger and frustration are natural human emotions that find their expression in a democratic society through the ability to protest and, yes, make a noise...**I worry ultimately that, at a time when in our society we need trust between people with profoundly different opinions, **the provisions in the Bill do nothing at all to help in that regard.**” - Richard Fuller, MP for North East Bedfordshire

“The Government asked the HMICFRS to look at some legislative options, which it did, and it gave some qualified support to some of them, **but at no point was noise any part of that conversation. I have spoken to many senior police officers and at no point have any of them asked for any changes to the law on noise.** The Bill goes way beyond the right balance between the right to protest and the right for others, which we agree with, to go about their daily lives.” - Sarah Jones, MP for Croydon Central and Shadow Policing Minister

“I had then [March 2021], and I have now, considerable concerns about what we are doing on protest...**we cannot condemn protesters because we happen to disagree with them politically.**” - Steve Baker, MP for Wycombe

We urge Peers to maintain their opposition to Part 3 measures within the Bill. Peers must not let this Bill move forward to Royal Assent without significant amendment - our ability to stand up to power depends on it.