

**LIBERTY ANNUAL GENERAL MEETING  
2011  
4 June 2011 at Central Hall Westminster**

**Resolutions passed**

**1. Counter-Terrorism Powers**

This AGM welcomes a number of recommendations of the Government's review of Counter Terrorism and Security Powers, many of which reflect Liberty's successful campaigning and court victories:

- 14 days is still too long to be detained without charge but a significant improvement on 28 days;
- a more tightly limited stop and search power instead of the blanket scheme under Section 44 of the Terrorism Act 2000 which allowed for the disproportionate targeting of peaceful protesters and ethnic minorities;
- strict limits on the use of intrusive powers of targeted surveillance which can be vital in the investigation of serious crime but which can also be seriously misused as in the Jenny Paton case of policing school catchment areas.

However, the Government has missed a crucial opportunity to end one of the worst legislative legacies of the War on Terror – control orders. The newly proposed Terrorism Prevention and Investigation Measures continue a regime of restricted liberty completely outside the criminal justice system. The innocent may still be punished without police interview, charge or trial and the guilty will escape the full force of criminal law. The proposed legislation will not be subject to annual parliamentary renewal but will make permanent the executive exceptionalism of the Bush / Blair years.

This AGM resolves to resist such a dangerous step, striving to bring counter-terror policy firmly within the rule of law.

**2. Access to Justice**

Legal Aid was constructed as the fourth pillar of the welfare state. It is the pillar that guarantees access to justice and ensures that fundamental rights and freedoms are real and effective rather than theoretical and illusory.

This AGM is appalled at the current threat to a legal aid system and Law Centres already debilitated from many years of underfunding and political attack. Recent

proposals will remove vital advice and representation from the reach of some of the poorest and most vulnerable people in this country. Without access to a lawyer, parents risk losing their children as a result of family breakdown or asylum and immigration decisions. At a time of profound economic upheaval, the unemployed, those in debt or with housing and employment problems, will lose the lifeline of basic legal advice. A lack of adequate representation in criminal and civil proceedings will threaten the principle of 'equality of arms', increasing the chance of miscarriages of justice.

This country should be as proud of access to justice as to healthcare. With this in mind, this AGM resolves to fight to protect Legal Aid and Law Centres.

The AGM further resolves to promote the restoration of funds to Law Centres and other local advice centres both by national and local government.

### **3. Policing and Protest**

This AGM remembers Liberty's beginnings in defence of peaceful dissent and its role keeping watch over the abuse of police power. It deplores recent attacks on the right to protest, from abusive infiltration of environmental movements to the "kettling" or "containment" – in fact arbitrary detention – of young people demonstrating against university tuition fees. Liberty is shocked that police refused to release hundreds of peaceful students and schoolchildren, some as young as 11-years-old, who were kept long into the night without food, water or heat in conditions of freezing temperatures.

This AGM resolves to continue our tradition of advising, defending and protecting those exercising such an important democratic right, demanding proportionate non-partisan public order policing at all times.

### **4. Aggravated Trespass**

This AGM deplores the use by the Metropolitan Police of the criminal charge of aggravated trespass laid against some 130 demonstrators at Fortnum and Mason on March 30th.

This AGM further deplores the offence of aggravated trespass which is increasingly being used to shut down peaceful protest. The offence is unnecessary, disproportionate and inconsistent with the stated policy of the coalition government in relation to the right of peaceful protest.

The AGM therefore resolves that Liberty seek the successful repeal of the offence so that peaceful protest can never again be undermined for reasons of disruption and inconvenience.

### **5. Misuse of Police Powers**

This AGM notes that, notwithstanding the successful legal action taken against Greater Manchester Police by Stoke City supporters with the help of Liberty and the Football Supporters Federation, there was an apparent similar misuse of Section 27 of the Violent Crime Reduction Act in a football context, on 7 May in Burnley, this being the most recent example of a number of such cases.

The AGM notes that this is a part of a pattern of the law being used against football supporters in a way which can be discriminatory and/or draconian in application and/or a denial of their civil liberties. This includes Section 14(b) civil banning orders which can be used to impose bans on the basis of guilt by association to a civil standard of proof.

The AGM therefore requests the National Executive to work with the Football Supporters Federation to undertake research and campaigning to address this issue.

## **6. Bill of Rights Commission**

This AGM notes with concern the circumstances surrounding the Government's creation of a "Bill of Rights Commission" on the 18th March 2011.

In particular, this AGM observes that while the Commission's terms of reference including investigating "the creation of a UK Bill of Rights that incorporates and builds on all our obligations under the European Convention of Human Rights" it contains no reference to the Human Rights Act and the crucial mechanisms it contains that give effect to Convention obligations in UK law.

This AGM further notes that the Commission was announced in response to the media and parliamentary furore over reforms proposed by the Government in order to implement a European Court of Human Rights judgment on prisoner voting. Worryingly, the membership of the Commission includes a number of individuals who have, like the Prime Minister David Cameron, publicly called for the Human Rights Act to be scrapped.

This AGM recalls its earlier motions affirming Liberty's commitment to universal and inalienable fundamental freedoms and the non-negotiable protections contained in the Human Rights Act.

This AGM resolves that Liberty will continue to promote better understanding of the Human Rights Act and the way in which it provides essential protection to everyone in the UK. This AGM further resolves that Liberty will fight to defend the Human Rights Act from repeal.

## **Liberty's Council**

### **The following 15 members were elected to the Liberty Council to serve a two year period from 2011 – 2013:**

Frances Butler (Chair), Louise Christian, Shaheed Fatima, Alex Gask, Fiona Horlick, Peter Kosminsky, Nikita Lalwani, Jeannie Mackie, Michael McColgan, Terry McGuinness, Sonali Naik, Nick O'Shea, Rod Robertson, Jo Shaw, Hannah Slarks

### **They join the 15 members who were elected in 2010 to serve until 2012 (one member has since retired):**

Mona Arshi, Camila Batmanghelidjh, Bill Bowring, Tom Cleaver, Madeleine Colvin (Vice-chair), Michael Ellman, Martin Howe, Francesca Klug, Nicola Lacey, Jean Lambert, Doreen Lawrence, Ian Loader, Sarah Ludford, Mazin Zeki

**And Liberty's Treasurer**

Tish Andrewartha

**Liberty's Conference and Appeals Committee**

Judy Khan was elected unopposed to serve for three years on the Conference and Appeals Committee. She joins Javan Herberg, who becomes Chair of the CAC and is now in the second year of his three year term and Owen Davies, who is now in his final year on the committee.

**Liberty's Auditors**

Gotham Erskine were re-appointed as Liberty's auditors for 2011 – 2012.