

# Record number of protesters in British prisons over Christmas

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Retired teacher Gaie Delap (77 years old) spent Christmas in prison this year for the crime of non-violent protest—specifically, “causing a public nuisance”.

Delap was jailed for 20 months last August for her role in Just Stop Oil protests on the M25 motorway in 2022. Released in November to serve the rest of her sentence under a home detention curfew—7pm to 7am—she was rearrested this month. An electronic monitoring device could not be fitted to her ankle due to a health condition and so police demanded her re-imprisonment.

Everything about the case is draconian and vindictive, from the jail sentence of nearly two years for an act of protest, to the imposition of a curfew and Delap’s incarceration over Christmas—and possibly for the full length of the sentence. She spent the 18 months waiting for her trial on bail and under curfew without a tag.

Her brother told the media: “We are outraged by Gaie’s recall to prison. We know this is cruel, and totally unnecessary. We know there are alternatives to the tag.”

Delap joined the record number of people held in British prisons this Christmas for protest activity: 40 in total. The large majority (29) are on remand, meaning they have not been convicted of anything, only charged. Civil rights group Liberty described the numbers as “a damning reflection of the state of democracy” in Britain.

The slight majority (21 people, 19 of them on remand) are in prison in connection with direct action campaigns against the Israeli genocide in Gaza. The other 19 (10 on remand) are jailed in connection with Just Stop Oil climate protests.

They are the tip of an iceberg. A recently published study by the University of Bristol found that British police arrest climate protesters at triple the global average rate—the highest in Europe and second only to Australia. One fifth of climate protests in Australia lead to an arrest, and 17 percent in the UK.

Oscar Berglund, the lead researcher, told the *Guardian*:

“There is an increasing criminalisation and repression of climate and environmental protest. These kinds of protests have increased, climate protests quite sharply, and the response to this has been a crackdown that has to be seen in the wider political sense of a breakdown in climate action.”

Last July, four Just Stop Oil climate protesters were sentenced to four years in prison and one to five years—all for joining a Zoom call to discuss a planned protest on the M25. These are record sentences for a peaceful protest, let alone *planning* a peaceful protest.

This followed the three-and two-year sentences handed out to another pair of Just Stop Oil climate protesters in April 2023. Their appeal was rejected three months later, prompting a letter of concern to the UK government from Ian Fry, the then UN Special Rapporteur on the promotion and protection of human rights in the context of climate change, criticising “a general disregard for human rights concerns”.

Nothing changed with the coming to power of the Labour Party, led by the former chief state prosecutor Sir Keir Starmer. UN Special Rapporteur on environmental defenders Michael Forst denounced the July 2024 sentences as “not acceptable in a democracy” and “a deterrent for the right to protest in the UK”.

An appeal will be heard on January 29-30, with submissions made by Friends of the Earth and Greenpeace UK. A lawyer for the former asked, “In what functioning democracy can it be right for those peacefully raising the alarm about the climate crisis to receive longer jail sentences than people who participated in racially-motivated violence this summer”?

Jack Robirosa, for Greenpeace, commented, “If these sentences become precedents and the laws that enabled them are allowed to stand, they will make a powerful statement about the kind of country we are becoming”.

The same crackdown has been made on political

activism in defence of the Palestinians, with the last year having seen hundreds of vexatious and intimidatory arrests, and multiple violent house raids and detentions, including of journalists, under anti-terror laws.

The British state is swinging into action the vast repressive apparatus constructed under Labour and Tory governments alike in the recent decades, and the last parliament especially. According to Global Witness, London's Metropolitan Police alone made 6,252 protest-linked arrests between April 2019 and March 2023.

More should be expected. The Public Order Act 2023 and Police, Crime, Sentencing and Courts Act 2022 give enormous powers to the police and prosecutors to arrest and imprison protesters.

Speaking in November on the demonstrations against the Gaza genocide, an emboldened Met assistant commissioner Matt Twist told the right-wing Policy Exchange think tank: "On occasion we did not move quickly to make arrests ... We are now much more focused on identifying reasonable grounds for arrest, acting where needed, and then investigating, so in these circumstances it's very likely arrests would be made more quickly now."

Most serious is the use of anti-terror laws to target political activists and journalists. The WSWS has reported previously on the detention, arrest and house raids of Kit Klarenberg, Craig Murray, Richard Medhurst, Sarah Wilkinson and Asa Winstanley.

Eighteen members of the direct action group Palestine Action—who face trial this November—were also arrested and interrogated under terror legislation, gravely restricting their legal rights, despite ultimately being charged with regular criminal offences. They are accused of aggravated burglary and criminal damage—and six of them with violent disorder—in connection with an action at Israel's Elbit arms manufacturer in Bristol last August.

A particular example is being made of anti-Zionist activist Tony Greenstein, charged in December under Blair's Terrorism Act 2000 for allegedly "inviting support for a proscribed organisation, namely Hamas".

For all the liberal complaints directed towards the draconian record of "the last government", the fact is that the Tory and Labour parties have passed the baton of anti-democratic legislation seamlessly for decades. Starmer's government has maintained the Tories' anti-protest laws and has picked up an appeal begun by the Home Office under the Conservatives seeking to maintain as low a threshold as possible for arresting protesters.

Last May, human rights group Liberty successfully

challenged former Home Secretary Suella Braverman's use of so-called "Henry VIII powers" to define "serious disruption"—the basis for arrests for protest activity—as "more than minor" disruption to community life, rather than "serious" and "prolonged" disruption. The redefinition, carried out entirely on Braverman's say so, without any scrutiny, allowed for hundreds of additional arrests.

Lord Justice Green and Mr Justice Kerr ruled that Braverman had acted unlawfully, which the Tory government appealed. Labour Home Secretary Yvette Cooper is now continuing the appeal, aiming to uphold Braverman's edict.

A lawyer for Liberty commented, "This legislation is undemocratic, unconstitutional and unacceptable... The Home Office's decision to continue the case shows disregard for the rule of law".

Starmer heads a government committed to imperialist war and support for wars and genocide in the Middle East, Ukraine, and around the world. His commitment to NATO and the super-rich is funded by a continued social counterrevolution against the wages, living conditions and public services of the working class—and fuelled by a worsening climate catastrophe.

Its record already shows that Labour will be even more reliant than its Tory predecessors on arrests, imprisonments and police intimidation to impose this agenda against the wave of social opposition it will meet among workers and young people.



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