

King Charles III: Policing the Republican Protests

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In Britain, pageantry has always been a palliative and plaster for the dark and dismal. Be it in times of crisis, the chance to put on an extravagant show, usually at vast expense, is not something to forego. Central to this entertainment complex is the Royal family, that archaic vestige of an era that refuses to pass into history.

The Coronation of King Charles III was yet another instance of that complex in action. It was a spectacle, redolent of ancient ceremony, aged ritual, punctuated by the monarch's statements of "I do".

While this delighted a goodly number of punters, the whole affair also presented Republic and others of like mind to avail themselves of the chance to protest. Republic is one of the key groups attempting to stir the waters of change, running petitions, arranging protests and selling merchandise for the cause. On this occasion, the group was promising some of the biggest protests against the monarchy, with demonstrators sporting "Not my King" placards.

Unfortunately for the protesters, and for the right to assemble in general, the UK Parliament made sure to pass laws for that precise eventuality. Nothing would be left to chance. Security Minister, Tom Tugendhat, [explained away](#) the coincidental nature of the Public Order Act 2023 and it coming into effect just days before the Coronation. "We're not just thinking of our own security but the security of heads of states, and we're dealing with protest groups who have nothing to do with the UK but to do with foreign leaders visiting the UK."

The 2023 statute builds on measures that were already used against anti-monarchy protests following the death of Queen Elizabeth II. As human rights legal academic David Mead [noted at the time](#), the right to protest peacefully is protected in domestic law, while free expression is also protected by the European Convention on Human Rights via the [Human Rights Act](#). But this did not prevent the police from making adventurous use of various countering provisions, though it was not clear what they were. Attention was paid to the possible use of section 5 of the Public Order Act 1986, public nuisance, or arrest to prevent a

breach of the peace.

Evidently, the Tory government did not feel these measures adequate in their severity. The 2023 Act specifically outlines such offences as “locking on” and “being equipped for locking on”, in addition to expanding stop and search powers. Police making use of such powers may, provided they are of or above the rank of inspector, authorise stop and search without the need for suspicion.

The locking on offence covers instances where a people “attach themselves to another person, to an object or to land”, do the same with other people, and “attach an object to another object or to land”. Such acts must also cause, or be capable of causing, serious disruption to two or more individuals or an organisation in a place other than a dwelling, and be accompanied with the requisite intent.

As for the offence of being equipped for locking on, a person is in breach “if they have an object with them in a place other than a dwelling with an intention that it may be used in the course of or in connection with the commission by any person of an offence under section 1(1) (offence of locking on).”

The government would have also delighted in the High Court’s [decision](#) to reverse a District Judge’s ruling to acquit a protester for allegedly breaching a police direction made under the Public Order Act 1986. In 2020, the protester in question sat down in Parliament Street, adjacent to Parliament Square. According to the police, the protest had stay within the confines of Parliament Square

The decision, handed down the same week the new Public Order Act received Royal assent, held that the judge applied the wrong test in assuming that a defendant’s conviction had to be proportionate relative with their rights to free expression and assembly. It was a remarkable decision, and abysmal in the context of assembly and free expression.

In a [statement](#) from Commander Karen Findlay of the London Metropolitan Police, a fat finger of accusation was pointed at the Coronation protestors. There had “been a significant police operation after we received information protestors were determined to disrupt the Coronation procession.” It was “targeted at those we believed were intent on taking this action. It was not our intention to prevent protest”.

All in all, 64 arrests were made on May 6. Of these, 52 “related to concerns people were going to disrupt the event, and arrests included to prevent a breach of the peace and conspiracy to cause a public nuisance.” Eight arrests were also “made for other offences, including possession of an offensive weapon, drugs offences, and breaching a sexual harm prevention order.”

In the arrest count were six demonstrators from the Republic campaign group, suspected of having items among their placards that “could be used as lock on devices.” The Met investigation that followed proved otherwise. “Those arrested stated the items would be used to secure their placards, and the investigation has been unable to prove intent to use them to lock on and disrupt the event.” There was “regret that those six people arrested were unable to join the wider group of protesters in Trafalgar Square and elsewhere on the procession route.”

One of the arrestees, Republic head Graham Smith, subsequently [revealed](#) that three

embarrassed officers, one with the rank of chief inspector, personally apologised to him and handed “the straps [for the placards] back to me.”

Such actions did little to douse the fire. “This,” [fumed](#) Smith, “has been a disgraceful episode and we will be speaking to lawyers about taking legal action. I also expect a full inquiry into why they repeatedly lied to us and who authorised the arrests.” The newly crowned King will be hoping that interest in the matter will die down quickly. But even the attractive glossiness of pageantry won’t last.

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