

UK's Extreme Surveillance Laws - Bolstered By New Extreme Anti Free Speech Laws

By [True Publica](#)

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Since the beginning of this century successive government's have continually legislated away the civil liberties and human rights of the British people in exchange for a false sense of security. From the Terrorism Act and RIPA - now used to catch pigeon feeding and under-age sun bed use, Public Space Protection Orders to ban gatherings of more than three people, secret courts, unlawful imprisonment and now the Espionage Act. This new Act has one main purpose - to stifle free speech by treating whistleblowers and journalists reporting the wrong-doing of those in power as foreign spies with hugely extended prison sentences and to dismantle the basic integrity of Britain's democratic principles. In the space of little more than fifteen years Britain is now on the trajectory of becoming an authoritarian state. But don't take my word for it...

From [Open Rights Group](#)



Today marks the end of the Law Commission's public consultation on their proposals to create a new Espionage Act that would jail whistleblowers and journalists who handle official data. Open Rights Group gave them exactly what they asked for—the voices of 23,385 members of the public, delivered right to their offices at the Ministry of Justice.

ORG's petition broadly rejects The Law Commission's proposals and demands they be dropped.

The threat of up to 14 years in prison would have a chilling effect on whistleblowers and the reporters they contact, weakening free speech and the integrity of UK democracy.

Thank you to all the ORG supporters that signed the petition or emailed the Commission: they now know that thousands of citizens refuse to live in a country where journalists and government staffers are afraid to expose corruption.

We urge the Law Commission to take your requests seriously. That would be a huge improvement over the sham "consultation" that barely took place while the initial report was developed.

Contrary to the Commission's statements, they worked closely with government officials and lawyers while organisations like ORG, Liberty and the Guardian were given short shrift.

Whether the Commission's final recommendations will take the public consultation into account remains to be seen. Meanwhile ORG supporters have given them no option to claim public support for a new Espionage Act.

ORG also submitted a [comprehensive report](#) along with the petition detailing concerns about the Commission's proposals. Highlights include:

- The Law Commission is not being upfront about their aims. Their proposals are obviously in response to the Snowden leaks but they do not mention this or other major cases related to the disclosure of official data. It is blatantly disingenuous to overlook such important cases and not consider how the powers in a new Espionage Act could have been used in these cases.
- Their proposals go against the very essence of whistleblowing by requiring concerns about corruption or malpractice be reported to an internal ombudsman. Whistleblowers have often tried to raise concerns internally and got nowhere. Whistleblowing is a last resort to expose hidden injustices that are not being dealt with within organisations.
- Their proposals take away far too many rights from the accused. The Government would only have to show that a defendant was aware of the damage that could be caused by disclosing information – even if no actual damage was caused. So even if journalists expose wrongdoing, like the MPs expenses scandal, they could not use a statutory public interest defence.
- The proposals threaten free speech. Editors, journalists and whistleblowers would be intimidated by the risk of up to 14 years in prison just for handling data.
- The UK Government recently enacted the most extreme surveillance law of any democracy, the Investigatory Powers Act. At a time when these powers should be scrutinised, these proposals would criminalise whistleblowers and journalists acting in the public interest.

From [Democratic Audit](#)

✖ The Commission's [proposal](#) to replace the Official Secrets Acts with a single 'Espionage Act' might sound sensible, but it threatens to chill free speech and investigative journalism. It also overlooks the fact that some sections of the acts, including the 1920 Official Secrets Act, have been modernised several times after failed prosecutions of journalists and the *Sunday Telegraph* in 1969, the 1977-78 (the [ABC trial](#)) and in light of the acquittal of whistleblowing civil servant Clive Ponting in 1985. The Law Commission report, astonishingly and reprehensibly, appears to have been written in ignorance of these cases, the criticism which followed them and the legal changes then made.

From [The Committee To Protect Journalists](#)

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Journalists in Britain are becoming increasingly alarmed by the government's apparent determination to prevent them from fulfilling their mission to hold power to account. The latest manifestation of this assault on civil liberties is the so-called Espionage Act. If passed by parliament, it could lead to journalists who obtain leaked information, along with the whistle blowers who provide it to them, serving lengthy prison sentences. In effect, it would equate journalists with spies, and its threat to press freedom could not be more stark. It would not so much chill investigative journalism as freeze it altogether.

From [Liberty](#)

 With such wide parameters, this Act would tie our democracy in chains.

That the material (published) could be of hugely important public interest would be no defence. In effect, anything that might cause ministers embarrassment or inconvenience will raise the prospect of prosecution even more strongly.

The Espionage Act is the latest in a string of government clampdowns on transparency.

Elsewhere, we're hearing from journalists who've been blacklisted by government and Whitehall press offices for reporting statements made by ministers during on-the-record meetings, and who've faced investigations after publishing leaked documents revealing matters of genuine public interest.

There are many, many stories it would suit the powerful to keep behind closed doors. If these proposals become law, keeping those doors firmly locked will be a whole lot easier. No scrutiny for them, no embarrassing revelations, no accountability.

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