# **The Rainbow Queen?**



# "God save the King! God save the King! God save the King".

On Thursday 8<sup>th</sup> September 2022 Her Majesty Queen Elizabeth II died.

Shortly after her death, that very afternoon, a double rainbow appeared over Buckingham Palace in London and another colourful rainbow arched over Windsor Castle in Berkshire. In addition, on the evening before Her Majesty's funeral a rainbow marvellously spanned over Westminster Hall in London where she lay in state. What's more, a few days after the funeral Prince William stated that rainbows had miraculously also appeared over Balmoral Castle in Scotland on the afternoon Her Majesty had passed away on that estate.

**ON THE ONE HAND**, to the teeming crowds who left mountains of flowers of condolence in Green Park, London, to the hundreds of thousands of men, women and children who patiently queued night and day determined to pay their last respects to

Her Majesty in Westminster Hall and to the locals of Chiswick and Staines who packed the pavements a dozen deep to tenderly toss bouquets at the Royal hearse as the car carrying the Sovereign's body trundled slowly from Central London to Windsor, Her Majesty was without doubt their own very special queen.

Even though most had never met her in person and had only seen her on TV or read about her in newspapers or heard her on the radio, they stood in silence, holding hands and cried heartfelt tears of sorrow.

#### Why did they grieve?

Because to those mourners Her Majesty had loyally and tirelessly devoted herself to serving her country and the Commonwealth for over 70 years. Whether it was being the first reigning monarch to ever visit Australia in 1954 or presenting commemorative medallions in Gambia in 1961 or shaking hands with nervous cubs lining the route to Tynwald Hill at St. Johns in the Isle of Man in 1976 or inaugurating the International Seabed Authority in Jamaica in 1983 or opening the University of Northern British Columbia, Canada in 1994 or unveiling a plaque on the new wing at the Altnagelvin Hospital, Derry, Northern Ireland in 2009 or presenting gifts to President Coleiro Preca on Her Majesty's final return to her beloved Malta in 2015, in seven decades of public service Her Majesty had been true to the words of her speech given on her 21<sup>st</sup> birthday on 21<sup>st</sup> April 1947 that, "*I declare before you all that my whole life whether it be long or short shall be devoted to your service and the service of our great imperial family to which we all belong*".

And so to those mourners yes they had been her subjects but Her Majesty had been their most gracious servant and they truly loved her.

Those mourners also grieved because to them Her Majesty was a beautiful wife of 74 years to Prince Phillip, a devoted mother of Charles, Anne, Andrew and Edward and the dearest grandmother and great grandmother. A matriarch who protected and nurtured her whole family but who also had become part of everyone else's family.

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Many of those mourners wept because Her Majesty was the only Sovereign they had ever known, whose reign spanned 15 Prime Ministers from Winston Churchill to the present Liz Truss. To many, Her Majesty was part of the very fabric of who they were, an ever constant, the most inspirational woman of the 20<sup>th</sup> century and perhaps England's greatest ever monarch.

At her State funeral, the Archbishop of Canterbury Justin Welby described the Queen's public service as having its foundation in her following of Jesus who said that he, "*came not to be served but to serve and give his life as a ransom for many*".

In essence, the Archbishop concluded that Her Majesty's long life had successfully been spent working for the glory of Christ. She was a queen but he was her King.

And the final funeral hymn, *Love Divine* by Charles Wesley, finished with the rousing words, "*Changed from glory into glory, till in heaven we take our place, till we cast our crowns before thee, lost in wonder, love, and praise!"* 

And so to those mourners, the wonderfully iridescent rainbows over Buckingham Palace and Windsor Castle and Westminster Hall were most definitely not just random coincidences or freaks of nature, they were nothing less than heavenly signs of God's approval, glorious celestial crowns purposely placed by divine hands above a most cherished daughter.

**ON THE OTHER HAND**, there were many other people who did not join the 26 million UK TV viewers or the estimated 2 billion worldwide TV audience of Her Majesty's funeral. These other people did not shed a single tear, did not join in prayer and did not sign any books of condolence.

In fact, some of those persons were not just uninterested, they cursed Her Majesty and remarkably even celebrated her death. To these people reference to the rainbows as being auspicious is just sentimental claptrap. To these people Her Majesty was most definitely not their Queen and they saw her as the embodiment of inequality, oppression and illegitimacy.

#### **INEQUALITY**

By any measure Her Majesty was an enormously wealthy woman.

Firstly, consider the many State owned opulent residences which were at her disposal, such as the *Palace of Holyroodhouse*, Edinburgh, (the official residence of the monarch in Scotland), *Hillsborough Castle* (the monarch's official residence in Northern Ireland set in 100 acres of ornamental gardens), *Windsor Castle*, Berkshire (which Her Majesty regarded as her favourite home and is part of a 4,500 acre landholding which includes Holm Park and the Frogmore Estate) and of course Buckingham Palace in London.

Buckingham Palace has 775 rooms and 188 staff and is currently undergoing an extensive refurbishment costing an astronomical  $\underline{\pounds369 \text{ million.}}$  This cost was not met by Her Majesty but by the taxpayer. To rub salt into the wounds, it costs members of the public  $\pounds30.00$  to enter Buckingham Palace to see the work they are paying for (at least this is slightly cheaper than the  $\pounds26.50$  now being charged to visit the Queen's grave at St. George's Chapel in Windsor Castle).

In addition to these State owned residences, Her Majesty had a vast personal fortune in her own right.

This immense private wealth included the following:-

- <u>Balmoral Estate.</u> This is a massive 50,000 acre estate in Aberdeenshire, Scotland and includes grouse moors and a range of residences such as Balmoral Castle, Birkhall and Craigowan Lodge.
- ii) <u>Sandringham.</u> This is a huge 20,000 acre estate in Norfolk and includes Sandringham House, seven entire villages, Amner Hall and is regularly used in the winter months for royal shooting parties.
- iii) <u>Duchy of Lancaster.</u> This is an estate consisting of 45,000 acres of land mainly across Lancashire and Cheshire and includes a range of farms, urban

developments and historic buildings collectively valued in 2022 at  $\pounds 652.8$  million.

- iv) <u>Art.</u> The *Royal Collection* is a priceless collection of works of art from around the world which is now housed in a number of royal buildings throughout the UK. Some of the vast collection is owned by the State but some is owned by the monarch as a private individual. The collection includes over 7,000 paintings as well as rare ceramics, books and clocks with highlights such as 550 drawings by *Leonardo Di Vinci* (the world's largest collection), masterpieces by *Rubens, Caravaggio* and *Monet* and three prized *Faberge* eggs. Her Majesty also owned a unique stamp collection valued by the Daily Telegraph in 2020 at £100 million.
- v) <u>Jewellery.</u>

Aside from the Crown Jewels which belong to the State, Her Majesty owned around 300 items of precious jewellery in her own right made up of valuable presents and irreplaceable heirlooms including the *Greville* necklace containing rare large red rubies.

All of this is in addition to the taxpayer funded **Sovereign Grant** which is money Her Majesty received each year from the UK Treasury ( $\underline{586.3 \text{ million}}$  in 2021) and it is unknown what money, shares and investments the Queen held with financial institutions although Coutts, the private bank where the Sovereign banked, flew flags at half-mast following her death.

As an aside, it is also worth noting that dozens of other members of the Royal Family either own or have at their disposal luxury residences such as Prince William who has recently inherited his father's huge *Duchy of Cornwall* estate (a 135,000 acre landholding including numerous farms, manor houses, residential estates, commercial properties, forestry land, holiday homes and most of the Isles of Scilly).

In addition to the *Duchy of Cornwall*, Prince William has recently moved into *Adelaide Cottage* in the grounds of Windsor Estate. Prince William and Princess Catherine previously lived in a four storey 30 room mansion within Kensington Palace known as *Apartment 1A* which was the late Princess Diana's home. It is understood that Prince William and Princess Catherine will retain the use of Apartment 1A as their London residence and use Amner Hall on the Sandringham Estate as their country retreat.

Princess Anne has a country residence called Gatcombe Park in Gloucestershire which was given to her by Queen Elizabeth II as a wedding present in 1973. In addition, Princess Anne also has a complimentary London residence in an apartment at St. James' Palace near Buckingham Palace.

It is also noteworthy that numerous other minor members of the Royal Family live free of charge or pay very low rental in so-called grace and favour residences such as Prince and Princess Michael of Kent and the Duke and the Duchess of Gloucester who have apartments within Kensington Palace, all at a difficult time when ordinary working people are now struggling with a cost of living crisis, interest rate rises and the use of food banks has doubled.

Moreover, after King Charles III inherited his mother's estate in September 2022 he has **not** been liable to pay inheritance tax.

All other citizens in England have to pay inheritance tax at the rate of 40% on any inherited estate worth £325,000 or over.

However, under a taxation Memorandum of Understanding introduced by then Prime Minister John Major in February 1993, the heir to the throne is exempt from having to pay inheritance tax. In King Charles' case this has been estimated to be around <u>£190 million</u> which he has avoided (John Major was later awarded the Companion of Honour by the Queen in 1999 and appointed a Knight of the Garter in 2005).

Should he fancy a change from Buckingham Palace, Windsor Castle, Balmoral or Sandringham, King Charles III will also continue to have the use of Clarence House (his regal mansion in Westminster), Highgrove, the family home in Gloucestershire (which includes Highgrove House set in grounds tended by 16 gardeners) and last but not least Castle Mey, Caithness on the far north coast of Scotland ( a grand 16<sup>th</sup> Century castle formerly owned by the Queen Mother but now owned by The Prince's Foundation).

The disquiet around such colossal Royal wealth is not just in relation to how the various estates and property were historically acquired (sometimes by heavy taxation on British subjects or plunder of items from bloody military conquests or the commercial exploitation of natural resources in developing countries) or even how much taxpayers' money is currently being spent on the Royal Family (£86.3 million in 2021 <u>excluding</u> police protection and security costs) but more fundamentally that these obscene extravagances undermine any moral authority to lecture citizens on matters of social justice and inequality.

Consider for instance the sanctimonious ritual of the *Christmas Speech* in which the public were routinely lectured each year by the Queen on matters such as the importance of helping the world's poor and caring for the disadvantaged, as she herself sat comfortably behind a gold leaf antique desk dressed in designer clothes and dripping in diamonds.

Consider the particularly patronising annual ceremony of *Maundy* money (red and white leather purses containing small silver coins) charitably handed out by Her Majesty to a few chosen recipients in church the day before *Good Friday*.

And consider the numerous overseas voyages on the opulent Royal Yacht Britannia, all paid for by the British taxpayer, where the Queen would host lavish on-board champagne and caviar cocktail parties in seaside ports around the Globe.

In 1961 the Queen sailed into Freetown, Sierra Leone abroad Britannia as part of her tour of West Africa. No doubt Her Majesty was aware that very different British ships had also sailed into Freetown harbour many years before. Slave ships.

For centuries various European nations had been engaged in the slave trade and one of the slave ships that left Freetown carried a little girl who would later be renamed **Priscilla**. See further below.

## **OPPRESSION**

Some of those who did not grieve for the Queen harboured deep resentment and real bitterness about the way in which their countries had historically been mistreated by the British Government and Monarchy. Whether they be Welsh Nationalists or Irish Republicans or citizens affected by British Imperialism in Africa and the Caribbean, they were united by a common thread of British subjugation, repression and exploitation.

Consider the indignation felt by <u>Welsh</u> nationalists at the cultural vandalism perpetrated by the English Government and Crown for centuries in Wales including the destruction of the heritage and landscape of rural communities through industrial exploitation of coal, slate and iron ore, the abolition of the Welsh legal system and the banning of children from speaking Welsh in schools during the 19<sup>th</sup> Century. Some schools even made use of a wooden token inscribed with the letters WN for "*Welsh Not*" which would be strung around the neck of the first child to speak Welsh in class and who could be subject to corporal punishment such as caning of the buttocks or hands for continuing to speak Welsh (linguistic discrimination against native Manx Gaelic speakers in the Isle of Man was also evident during the 1800's).



Consider the British resistance to the *Home Rule* movement in **Ireland**. Under the Act of Union 1800 the separate kingdoms of Ireland and Great Britain were merged and Ireland in effect became controlled by the British Government. Absentee aristocratic English landlords, lack of political representation and forced household evictions all contributed to the rise of Irish nationalism. The Irish Famine of 1845/1849 in which over 1 million people tragically died from malnourishment and disease and 2 million citizens reluctantly emigrated *en masse* was ostensibly caused by potato blight but aggravated by negligent and indifferent British rule (for example the selfish exporting of vital agricultural products from Ireland by English merchants to ports such as Liverpool).

Consider the despicable ill-treatment of the indigenous peoples of **Canada.** From 1763 until 1931 Canada was effectively a British dominion. Under the *Indian Act 1876* the lands of indigenous peoples such as the Inuit was expropriated (in effect confiscated by colonial settlers for their own personal and commercial purposes) and the native people made to live on reserves. In addition, an estimated <u>150,000</u> children were forcibly removed from their homes and sent to live in institutions where many were prohibited from speaking their ancient languages and were beaten and sexually abused. In a scandal that has recently rocked Canada, as at September 2021, 1,300 secret unmarked graves have been found across the sites of five former residential schools including the remains of 215 indigenous children discovered in the grounds of the former *Marieval Indian Residential School* in British Columbia.

#### SLAVE TRADE

And above all consider the monstrously evil **slave trade** of shipping black Africans to the Americas to work in sugar, tobacco and cotton plantations or as domestic servants.

Shockingly, in total over 12 million Africans were carried as cargo across the Atlantic over a 400 year period from the 16<sup>th</sup> Century. Captured men, women and children would be purchased in the markets of Nigeria, Sierra Leone, Senegal and elsewhere and then transported in vile slave ships to the European Colonies.

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It is estimated that about 10% of all slaves died on board ship (about 1.2 million people) due to diabolical treatment including poor sanitation, the spread of disease and being shackled together in a "tight pack" (cruelly packed side by side in the boat's hold like a tin of sardines) during the 6 week crossing of the Atlantic Ocean.

One of those 12 million human beings was a little girl later to be renamed **Priscilla**. She left *Bunce Island* near Freetown, Sierra Leone on 9<sup>th</sup> April 1756 aboard a vessel called *The Hare*, along with 83 other captives destined for America.

Surviving written records show that Elias Ball (a wealthy rice plantation owner in South Carolina) purchased the child and gave her the new name Priscilla.

Detailed family tree documents from the *Comingtree Plantation* show that Priscilla grew up and later married a man called Jeffrey and they had 10 children. Remarkably, her 7<sup>th</sup> generation Afro-American descendant **Mrs Thomalind Martin-Polite** made the emotional journey back to Bunce Island, Sierra Leone in 2005. See link below to *NBC* news story on Priscilla and her relative's tearful return home.

https://www.nbcnews.com/watch/rock-center/priscillas-story-family-traces-roots-to-slave-island-44484163514

Of those 12 million slaves, an estimated 6 million were transported from West Africa between 1690 and 1807 in <u>British</u> ships.

The British Government and Royal Family did not just turn a blind eye to the slave trade, they were at the very heart of it, actively encouraging and orchestrating its monopoly operation of trade along the West coast of Africa. For example, in 1660 the **Royal African Company** was established by the Duke of York, who later became James II and who was the Governor of the company and its main shareholder (another member and deputy governor of the company was Edward Colston, more of which later). Between 1672 and 1731 the Royal African Company transported approximately 187,000 slaves from Africa.

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**Royal African Company Coat of Arms** 

Many of those slaves were barbarically branded with hot irons on their chest with the letters of "*DY*" standing for Duke of York or "*RAC*" for Royal African Company.

In addition, until the Atlantic slave trade was abolished in 1807, the Royal Navy, with vessels such as *HMS Oxford*, was used to protect and escort British slave ships off the coast of West Africa and around the Caribbean from pirates and competing Dutch, Spanish and Portuguese navies.

# <u>Clean Hands?</u>

It is therefore indisputably the case that the British government and monarchy benefited for several centuries from the enormous wealth and profits generated by the slave trade. Newsreel footage from *British Pathe* (see link below) shows Queen Elizabeth II wearing long white gloves and waving to the crowds as she was chauffeured in an open top Rolls Royce through the streets of Freetown, Sierra Leone in 1961. But in the eyes of many, the British monarchy most definitely has blood on its hands.

#### https://m.youtube.com/watch?v=oq-dkEJ5w2A

When all these matters are carefully considered, the genuine anger of some Commonwealth protesters against the monarchy in entirely understandable. It is unsurprising therefore that after news broke about the Queen's death, a football crowd at a stadium in Dublin, Ireland repeatedly chanted, "*Lizzy's in a box*", Celtic football fans at an away match against St. Mirren in Scotland on 14<sup>th</sup> September sang, "*If you hate the Royal family clap your hands*", Twitter users in India demanded the return of the Koh-i-Noor diamond (part of the Crown Jewels and one of the world's largest diamonds) which they claim was stolen by the British after the annexation of Punjab in 1949 and Miss Uju Anya, a professor at Carnegie Mellon University, Pennsylvania raged, "*I heard the chief monarch of a thieving, raping, genocidal empire is finally dying. May her pain be excruciating*".

In a similar vein, during the tour of Jamaica, Belize and the Bahamas by Prince William and Princess Catherine in March 2022, a joint statement by committees of those three countries stated critically, "We stand united in condemning Britain's savagery in enslaving our ancestors, the coarse indecency of colonial exploitation, the brutality of its enforcers, and the enduring legacies of impoverishment and colonial-era ideologies that have damaged and continue to damage our people, our society and our economy".

In Australia on the official day of mourning for the Queen, large-scale protests were held throughout the country by indigenous groups including a march by thousands in Melbourne. In a statement, the Warriors of the Aboriginal Resistance wrote, "*While they mourn the Queen, we mourn everything her regime stole from us: our children, our land, our loved ones lives, our sacred sights, our histories*".

Perhaps the most striking personal example of resentment against British rule is the alarming testimony in June 2022 of an elderly Kenyan grandmother called Mrs Muthoni Mathenge. Kenya was part of the British Empire and in 1954 (after Queen Elizabeth II ascended to the throne) Mrs Mathenge was brutally tortured with an axe by British solders for being part of the *Mau Mau* independence rebellion. See link to video below.

https://www.facebook.com/deutschewellenews/videos/kenyas-old-freedom-fighter-asks-queen-elizabeth-topay-up/391979139546000/ The pressing questions being asked in all these cases are did Her Majesty reject the ill-gotten gains of colonial conquest? Did she encourage reparation and compensation? And did she ever take responsibility and personally apologise for the disgusting legacy of human cruelty and commercial exploitation of Commonwealth countries?

Regrettably, the answer to each of these questions is no.

To some people, the British monarchy was complicit in nothing less than genocide, famine, systematic oppression, undisguised racism and industrial scale looting.

Consider also the following troublesome issues:-

- i) The current <u>Cash-for-Honours</u> investigation being carried out by the Metropolitan Police Force into allegations that the Prince's Foundation (King Charles III's charitable body) offered help in securing a Knighthood for a Saudi Arabian donor. The matter is currently subject to an investigation under the Honours (Prevention of Abuses) Act 1925 and the *Sunday Times* has previously published claims that the Saudi billionaire Mubarak Bin Mahfouz paid tens of thousands of pounds to fixers with links to Charles who had told him that they could secure an honour.
- The <u>Duke of York</u> earlier this year reached an out of court settlement (reported to be around £12 million) in a civil law case brought in the US by Miss Virginia Giuffe for sexual assault.
- iii) King Charles III, when Prince of Wales, surprisingly accepted <u>bags of cash</u> amounting to £2.6 million from the then Prime Minister of Qatar in 2015. The cash was handed to Prince Charles on one occasion in a suitcase and on another occasion comically stuffed in *Fortnum & Mason* carrier bags. The money was subsequently deposited into bank accounts of the Prince of Wales' Charitable Fund (PWCF). Although not illegal, clearly there are serious issues around public perception and compliance with anti-money laundering regulatory procedures.

- iv) The <u>"Paradise Papers"</u> was an international investigation carried out by BBC Panorama, the Guardian newspaper and others in 2017 into secret offshore trust investment and tax avoidance schemes. It revealed that the Duchy of Lancaster (King Charles III's private estate referred to above) invested £7.5 million in a Cayman Islands company called *Dover Street VI Cayman Fund LP.* Worryingly, this investment had not previously been openly revealed in any Palace accounts.
- v) In 1919 <u>Mahatma Gandhi</u> (the Indian lawyer and politician who lead a campaign of non-violent resistance resulting in India's independence from British rule in 1947) wrote that the first stage in instituting non-cooperation with the British Empire was the, "giving up of titles and resignation of honorary posts" and that the British Government, "bribes you into consenting to its will by awarding titles, medals and ribbons".

Some argue that even today the monarchy has no shame in handing out honours commemorating British Imperialism, whether it be an OBE (Officer of the Most Excellent Order of the British Empire) to *Jimmy Saville* in 1971 or a CBE (Commander of the Most Excellent Order of the British Empire) to *Rolf Harris* in 2006 or an MBE (Member of the Most Excellent Order of the British Empire) to Lancashire's longest serving *lollypop lady* in 2011, the tentacles of monarchy reach into every nook and cranny of British society, winning loyalty, securing obedience and tightening the grip of the Establishment.

Your soul for a KBE anyone?

#### **ILLEGITAMACY**

Why have a monarch?

The British monarchy is a constitutional monarchy meaning that he or she exercises authority in accordance with democratic institutions and constitution. In England, under the leadership of Oliver Cromwell, King Charles I was executed in 1649 and replaced by a Republic. A limited monarchy was restored 11 years later under Charles II but subject to an independent parliament. Further constitutional reform reduced the power of the monarch and for several centuries Britain has been governed by an elected and functioning democracy in which public spending, foreign affairs and the passing of all legislation is controlled by parliament, not the monarch.

Despite this, the Sovereign remains Head of State, is financially supported by the taxpayer and retains significant functions and residual powers. For example, the monarch is Head of the British Armed Forces, formally appoints prime ministers, is Supreme Governor of the established Church of England and appoints bishops, grants honours, has the power to summon and dissolve parliament, opens the new parliamentary session by the reading of a speech from a golden throne in the House of Lords at the State Opening of Parliament, gives Royal Assent to parliamentary bills before they become law, has immunity from criminal prosecution, has a profile which appears on British currency and stamps, is the subject to the National Anthem and retains powers vested in the sovereign through the Royal Prerogative which includes the right to be consulted and give advice during a weekly audience with the prime minister of the day.

But why should a completely unelected person hold any such important powers in a modern representative society?

Many Commonwealth countries such as Sri-Lanka and South Africa have already removed the Queen as Head of State and the issue is increasingly topical in Australia and New Zealand.

In the American Revolution of 1765 against the British monarchy and the French Revolution against the French royal family in 1792, the respective monarchs were seen as corrupt, elitist and unaccountable and were replaced with republics.

Whether it be the committee of a village cricket club or the running of a town council or the formation of an executive government following a UK General Election, legitimacy in every case is derived entirely from a free and fair election process. Put the other way, are not dictators and sham elections (such as the recent referendum in the annexed Donbas regions of Ukraine by Russia) rightly criticised as being illegitimate because of the lack of a proper democratic mandate?

It is accordingly considered by some that an unelected hereditary monarchy is incompatible with the paramount values of equality, accountability and democratic rule by the people.

A YouGov opinion poll in June 2022, at the height of the Queen's Platinum Jubilee celebrations, revealed that only 62% of UK adults supported the continuation of the monarchy (substantially down from 75% in 2012). A significant minority of citizens in 21<sup>st</sup> Century Britain therefore appear to regard the monarchy as <u>illegitimate</u>, and consequentially that bowing and scraping to the Royal Family as being unjustified, oppressive and anachronistic.

## Free Speech and Peaceful Assembly

All of the commentary above brings us now to the important legal issues around freedom of speech and the right to protest.

As we have seen, many people took to the streets to lament Her Majesty. However, there were others who took to the streets to protest and were actually arrested or threatened with arrest for doing so including the following:-

- Mr Symon Hill was arrested near Carfax Tower in Oxford city centre on Sunday 11<sup>th</sup> September 2022 simply for calling out "who elected him?" at a Proclamation ceremony for King Charles III.
- ii) Barrister Mr Paul Powlesland was threatened with arrest on Monday 12<sup>th</sup> September 2022 in Parliament Square, London just for holding up a blank piece of paper. A Police Officer approached him and told him that he would be arrested if he wrote "*Not my King*" on the paper (see link below to twitter video of this disgraceful incident).

https://m.youtube.com/watch?v=hSDiMgattEc

 And a group of protesters with placards reading "Abolish the Monarchy" were moved on by Police before the Accession Proclamation ceremony in Edinburgh on Sunday 11<sup>th</sup> September 2022.

The rights to freedom of speech and peaceful protest are protected under the **European Convention on Human Rights.** In summary form Article 10 ECHR states, <u>"Everyone has the right to freedom of expression"</u>. Article 11 ECHR states, <u>"Everyone has the right to freedom of peaceful assembly and to freedom of association with others"</u>.

In the important European Court of Human Rights case of **Handyside v UK** 1976 the Court ruled that, "*Freedom of expression* is applicable not only to information or ideas that are favourably received or regarded as inoffensive or as a matter of indifference <u>but also</u> to those that offend shock or disturb the State or any sector of the population".

Of course, during the Covid-19 pandemic we witnessed many other examples of heavy handed policing and the unacceptable interference with the right to peaceful assembly and freedom of expression.

Consider the following:-

i) Black Lives Matter – on 26<sup>th</sup> May 2020, *Mr George Floyd* was murdered during a Police arrest in Minneapolis, United States. Protests against Police brutality erupted all around the world but the initial reaction of the authorities in the UK was to warn people not to protest and that marching in the street was <u>not</u> a reason to be out of home during Covid lockdown. As we know, these warnings were ignored and in Bristol the protests boiled over when a statue of the Royal African Company slave trader *Edward Colston* was torn down and thrown into the harbour (although recently the Court of Appeal ruled in September 2022 that the toppling of the statue was a violent act that was not covered by human rights protection, in effect because the conduct was not peaceful). ii) Sarah Everard – Miss Everard was kidnapped and murdered on 3<sup>rd</sup> March 2021 by Met Police Officer Wayne Couzens. Police banned an organised vigil that was due to take place at Clapham Common, where Miss Everard had been kidnapped. When an unofficial vigil took place on 13<sup>th</sup> March 2021, several women were led away by the Police and given fixed penalty notices for allegedly breaching Covid-19 lockdown regulations relating to gatherings. However, in August 2022 the Crown Prosecution Service unsurprisingly decided to drop the case against a number of the women who had contested the fines and who were due to stand trial this November. A spokesperson for the CPS stated, "We have a duty to keep cases under continuous review and we concluded that our legal test for a prosecution was not met".

The decision to prosecute women for quietly gathering by candlelight to pay their last respects and remember all women lost to street violence was considered by many from the outset to be entirely ill conceived, especially when Catherine, the Duchess of Cambridge, attended the vigil herself to lay flowers (although somewhat bizarrely the Met Police Commissioner Dame Cressida Dick stated that Catherine did not break the law because she was on royal duties and therefore working).



iii) <u>Elderly lady protester in Parliament Square, London</u> – in November
2020 and elderly woman was arrested for peacefully protesting against
Covid restrictions outside the House of Commons. The woman was sat

quietly on the pavement with a placard and when she refused to move was bundled into the back of a Police van by four male officers, despite angry representations made by MP Charles Walker who happened to be passing by at the time (see link below to twitter video of this disgraceful incident).

#### https://m.youtube.com/watch?v=TGRcKiPSH9c

iv) <u>Canadian truckers</u> – in the Commonwealth country of Canada, thousands of truckers formed an inspiring *Freedom Convoy* in early 2022 protesting against compulsory Covid-19 vaccination requirements. The protest centred on the city of Ottawa but within a short time Prime Minister Justin Trudeau invoked the Emergencies Act 1988 for the first time ever which gave draconian powers to the authorities to seize trucks, freeze protesters' bank accounts and suspend vehicle insurance (and even confiscate their pet dogs). In essence all because persons were protesting over the right to control their own bodies.



v) Laxey beach swimmer – on 25<sup>th</sup> March 2021 at around 6:30am Mr Ian Kirk was arrested by Laxey beach, Isle of Man for breaching lockdown regulations by swimming in the open sea. The alleged offence was taking part in a gathering, given that other people were in the sea near him about the same time. Mr Kirk pleaded not guilty on the basis that he had not invited the other people and did not interact with them. Following a 3 day criminal court trial Mr Kirk was found <u>not guilty</u> by the Magistrate on the basis that his actions did not constitute a gathering. It has been remarked that the arrest a man for swimming in the Irish Sea (for therapeutic mental health and wellbeing purposes) on a calm sunny spring morning must count as one of the lowest points in the history of Manx policing.

Be it any of the protests mentioned above or other international demonstrations such as the huge weekly anti-lockdown marches through Paris in the summer of 2021 or the hundreds of principled New York firefighters who went on strike against a Covid vaccine mandate in November 2021 or the occupation of the grounds of Parliament House, Wellington, New Zealand by cheerful demonstrators in February 2022, over the last two years individuals around the globe have joined together spiritually united in championing liberty and choice (see link below to global protest montage).

#### https://m.youtube.com/watch?v=1NVnfM\_H7TY

## **Conclusion**

Whether you are passionately for or against the monarchy, Brexit, vaccination, abortion, veganism or have opposing views on any subject, surely what should distinguish us from North Korea, Russia and China is that we tolerate the expression of different views. Isn't this why Britain went to war against Hitler's Nazism (and Her Majesty joined the Auxiliary Territorial Service in 1945 aged 19) to fight the evil of totalitarianism?

Like her or loathe her, one thing we can be almost certain about is that Her Majesty would not have wanted anyone arrested simply for holding up a blank piece of paper. After all this is the monarch who in June 2012 magnanimously shook the hand of Martin McGuinness the then Deputy Chief Minister of Northern Ireland, but who was also a former IRA Commander together with Gerry Adams. This is the same IRA who assassinated Lord Louis Mountbatten (the great uncle and confidante of King Charles III) on 27<sup>th</sup> August 1979 by blowing up his pleasure craft *Shadow V* off the Sligo coast in Ireland.

And so it is quite likely that Her Majesty would have walked over to the man in Parliament Square, London who was holding the blank piece of paper, gently shook his hand and with a friendly smile asked warmly, "*Have you travelled far to be here today*?"

In other words, the more important principles in life are respect, kindness and forgiveness.

# "GOD SAVE PEACEFUL PROTEST!"