

Statement on the Hyde Park Case

An email was recently sent to a number of people currently active and previously active in LDMG questioning the support given to a defendant in a recent case. Although we do not usually comment publically on cases, given the circulation of this email we consider a public response necessary.

The role and purpose of the Legal Defence and Monitoring Group (LDMG) is to provide legal observers to demonstrations and actions, to support protestors who are arrested and, when charged, throughout the criminal court prosecution. Over the past year LDMG has provided support to over 100 people.

It would not be appropriate for LDMG to base our decision to support a defendant on our view of what the person did or didn't do. That would be to act as judge and jury; a role we reject. If we did not support defendants who are 'guilty' then we would support far fewer defendants. Indeed, it has long been an unofficial LDMG slogan that "we also support the innocent!"

Indeed we would question the entire premise of 'guilt'. In the context of criminal law, to be guilty means to have transgressed some part of the criminal law and to have been charged in the correct way. Fundamentally the purpose of criminal law is to protect the capitalist state. The state determines not only what is illegal, but also decides how and against whom the law is to be enforced. Therefore many crimes, those against humanity, against oppressed minorities, against the working class, or austerity, are not illegal (and those that maybe illegal are not enforced) and many 'criminals' go unpunished.

Whilst we understand that in an emergency, where a person fears for their safety, it may be necessary to involve the police, we do not accept that it is reasonable to make a complaint to the police after the event with a view to securing a criminal conviction. We fail to see how involving the police and the state in disputes within the movement assists anyone involved. The role of the criminal court is not to determine the truth; it is to convict and punish people.

In this case the defendant identifies as an anarchist and anti-capitalist and was arrested following attendance at a protest. Therefore they fall squarely within the purpose of LDMG.

When an individual is arrested and subsequently prosecuted they face the entire criminal apparatus of the state. The process of arrest, bail, prosecution and sentence is designed to intimidate and scare the individual concerned. It is also meant to send a wider message: do not protest.

In providing support to defendants LDMG does not necessarily support the methods used in the protest; nor do we necessarily share the individual's vision of what form a future society should take. We will however continue to offer unequivocal support to anti-capitalists who are arrested at, or due to events arising out of, protests.

LDMG

27 April 2018